

**LAW ENFORCEMENT**

**Customs**

**Agreement Between  
the UNITED STATES OF AMERICA  
and the MARSHALL ISLANDS**

Effected by Exchange of Notes at  
Washington July 9, 2002



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966  
(80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

## **MARSHALL ISLANDS**

### **Law Enforcement: Customs**

*Agreement effected by exchange of notes  
at Washington July 9, 2002;  
Entered into force July 9, 2002.*

The Department of State refers to recent discussions between the Department and the Embassy of the Republic of the Marshall Islands regarding customs laws and regulations governing the arrival and departure of yachts used and employed exclusively for pleasure at the ports of the United States and the Republic of the Marshall Islands.

United States law, as implemented by the United States Customs Service regulations, authorizes the issuance of a cruising license to a yacht of a foreign country if yachts of the United States are allowed to arrive at and depart from such foreign country and to cruise in the waters of its ports without entering or clearing at the customhouse thereof and without the payment of any charges for entering or clearing, dues, duty per ton, taxes or charges for cruising licenses.

The Embassy of the Republic of the Marshall Islands has informed the Department that the Republic of the Marshall Islands has enacted Regulations for Private Yachts Cruising Permit, as amended. These Regulations authorize the issuance of

a cruising permit to a yacht of a foreign country if yachts of the Republic are allowed to arrive and depart from ports in such foreign country and to cruise in the waters of such ports without entering or clearing at the customhouse thereof and without the payment of any charges for entering or clearing, dues, duty per ton, tonnage, taxes or charges for cruising permits, pursuant to a reciprocal agreement between the Republic and such foreign country. The Embassy of the Republic of the Marshall Islands has further informed the Department that the laws of the Republic of the Marshall Islands shall not require yachts of the United States to obtain departure clearance from a port of entry upon departure from the Republic for so long as the U.S. yacht holds a valid Marshall Islands cruising permit.

The Department of State therefore proposes that the Government of the United States and the Government of the Republic of the Marshall Islands enter into an agreement extending to yachts of the other country the reciprocal privilege of arriving at and departing from their ports and of cruising in their waters without entering or clearing at the customhouse thereof and without the payment of any charges for entering or clearing, dues, duty per ton, tonnage, taxes, or charges for the cruising license, subject to completion of the appropriate administrative procedures and approval by the appropriate authority in each country. Any vessel holding a

cruising license shall be used exclusively for pleasure and shall not engage in trade nor violate the laws of the country issuing the cruising license in any respect. Nothing in this agreement shall be construed to exempt yachts of either country or any persons or items aboard such yachts from any other legal, regulatory, or administrative requirements or procedures.

The Department of State further proposes that this note and the Embassy's reply thereto shall constitute an agreement between our two Governments which shall enter into force upon the date of your note in reply.

Department of State,

Washington, JUL - 9 2002

A handwritten signature, possibly reading "JP", is located in the lower right quadrant of the page.



## EMBASSY OF THE REPUBLIC OF THE MARSHALL ISLANDS

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No. 34/2002

The Embassy of the Republic of the Marshall Islands has the honor to acknowledge your Diplomatic Note dated June 26, 2002, recommending the Republic of the Marshall Islands and the United States enter into an agreement which would grant reciprocal cruising permit privileges to United States and Marshall Islands pleasure yachts. Since the granting of reciprocal cruising permit privileges will be mutually beneficial to both nations and further strengthen relations between the two countries, the Republic of the Marshall Islands is pleased to enter into such an agreement.

Marshall Islands law, as implemented by the Marshall Islands Regulations For Private Yachts Cruising Permit (43 MIRC, Chapter 2), authorizes the issuance of a cruising license to a yacht of a foreign country if yachts of the Marshall Islands are allowed to arrive at and depart from such foreign country and to cruise in the waters of its ports without entering or clearing at the customhouse thereof and without the payment of any charges for entering or clearing, dues, duty per ton, taxes or charges for cruising licenses.

Since the United States Custom Service regulations would bestow the same rights and protections to Marshall Islands pleasure yachts visiting ports of call in the United States, the Embassy of the Republic of the Marshall Islands agrees with the Department of State's proposal that the Government of the United States and the Government of the Republic of the Marshall Islands enter into an agreement extending to yachts of the other country the reciprocal privilege of arriving at and departing from their ports and of cruising in their waters without entering or

clearing at the customhouse thereof and without the payment of any charges for entering or clearing, dues, duty per ton, tonnage, taxes, or charges for the cruising license, subject to completion of the appropriate administrative procedures and approval by the appropriate authority in each country. In addition, the Marshall Islands and the United States agree not to require a yacht that has received a valid cruising permit to obtain departure clearance from a port of entry upon departure from the United States or Marshall Islands. Any vessel holding a cruising license shall be used exclusively for pleasure and shall not engage in trade nor violate the laws of the country issuing the cruising license in any respect. Nothing in this agreement shall be construed to exempt yachts of either country or any persons or items aboard such yachts from any other legal, regulatory, or administrative requirements or procedures.

The Embassy of the Republic of the Marshall Islands agrees with the Department of State's proposal that this Note along with the Note submitted by the Department of State shall constitute an agreement between our two Governments. Accordingly, per the recommendation of the United States, the agreement will enter into force upon the date of this Note of reply, which is 9 July 2002.

Department of State  
Washington, D.C.  
July 9, 2002

*Max*