

FOREIGN ASSISTANCE

Economic Assistance

**Agreement Between the
UNITED STATES OF AMERICA
and the PACIFIC ISLANDS FORUM FISHERIES
AGENCY**

Signed at Port Moresby July 7 and September 14, 2023

Entered into force September 14, 2023



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.”

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE PACIFIC ISLANDS FORUM FISHERIES AGENCY**

The Government of the United States of America and the Pacific Islands Forum Fisheries Agency (hereinafter, "the Parties"):

DESIRING to continue and strengthen the ties of friendship, understanding and cooperation which have historically linked the United States and the members of the Pacific Islands Forum Fisheries Agency;

CONSCIOUS of the commitment of the member Governments of the Pacific Islands Forum Fisheries Agency to develop fully their economic resources and provide employment opportunities to meet the aspirations of people in the Pacific Region;

BELIEVING that economic co-operation will benefit people in the United States and the Pacific Region; and

CONVINCED of the desirability of encouraging and facilitating economic development in the Pacific Region;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

The Government of the United States of America (hereinafter the "United States") and the Pacific Islands Forum Fisheries Agency (hereinafter "the FFA") agree to promote economic development in the Pacific region.

ARTICLE 2

The FFA agrees to maintain the economic development fund (hereinafter "the fund") from which it shall administer payments made pursuant to this Agreement to the Pacific Island States party to the Treaty on Fisheries between the Government of Certain Pacific Island States and the Government of the United States of America done at Port Moresby on April 2, 1987.

ARTICLE 3

3.1 The fund shall be controlled and administered by the FFA which shall take appropriate measures as set forth in Article 4.2 below, to ensure that the fund is used solely to support economic development purposes in accordance with section 531(e) of the United States Foreign Assistance Act of 1961, as amended. A financial management system shall be mutually developed and agreed upon by the Parties.

3.2 The FFA shall minimize operating and administration costs of the fund.

3.3 The FFA shall be responsible for establishing and maintaining, in accordance with generally accepted accounting principles, an internal system of record keeping with respect to the fund, including an annual audit report which shall, upon request, be made available to the Government of the United States. The Comptroller General of the United States, or his duly authorized representative, shall be permitted to conduct such audits of the fund as necessary to ensure that the FFA is administering the fund in accordance with this Agreement.

3.4 The Parties shall consult from time to time on the operation of the fund, and its effectiveness in accomplishing the purpose of this Agreement.

ARTICLE 4

4.1 During the time this Agreement is in force, the United States shall make annual cash payments to the FFA for the fund in an average amount of sixty million *U.S. dollars (US\$60,000,000)*, subject to the availability of funds for this purpose.

4.2 The FFA shall, in accordance with Article 3.1 above, obtain written reports from the Pacific Island States party to the Treaty on Fisheries referred to in Article 2 above, regarding such projects, initiatives or programs supported by these funds. Such reports should also include assurances that any payments made under this Agreement were used solely to support economic development purposes, and not military or paramilitary uses. The FFA shall provide such reports to the U.S. Department of State in advance of each Annual Treaty Consultation. Nothing in this paragraph shall be construed to confer audit rights under this Agreement other than as provided in Article 3.3 above.

ARTICLE 5

5.1 This Agreement shall enter in force upon the last signature of the Parties and shall remain in force for a period of ten years. It may be terminated by written agreement, or by either Party upon 12 months prior written notice.

5.2 This Agreement may be amended or extended by written agreement of the Parties.

5.3 Understandings designating representatives of the Parties for the purpose of carrying out this Agreement and providing for its implementation will be set out in the annual grant documents and ancillary communications.

IN WITNESS WHEREOF the undersigned have signed this Agreement.

Done in two originals in the English language.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:



David F. Hogan

Place: Washington DC

Date: 14 Sept 2023

FOR THE PACIFIC ISLANDS FORUM
FISHERIES AGENCY:



S. M. TUPU ROOSEN

Place: MATURO, MARSHALL ISLANDS

Date: 7 JULY 2023