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**Canada
and
United States of America**

**Framework Agreement on integrated cross-border maritime law enforcement operations
between the Government of Canada and the Government of the United States of
America. Detroit, 26 May 2009**

Entry into force: *11 October 2012 by notification, in accordance with article 19*

Authentic texts: *English and French*

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**Canada
et
États-Unis d'Amérique**

**Accord cadre sur les opérations intégrées transfrontalières maritimes d'application de la loi
entre le Gouvernement du Canada et le Gouvernement des États-Unis d'Amérique.
Détroit, 26 mai 2009**

Entrée en vigueur : *11 octobre 2012 par notification, conformément à l'article 19*

Textes authentiques : *anglais et français*

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**FRAMEWORK AGREEMENT
ON
INTEGRATED CROSS-BORDER MARITIME
LAW ENFORCEMENT OPERATIONS
BETWEEN
THE GOVERNMENT OF CANADA
AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA**

PREAMBLE

THE GOVERNMENT OF CANADA and **THE GOVERNMENT OF THE UNITED STATES OF AMERICA** (hereinafter “the Parties”);

CONSIDERING that it is in the common interest of both countries to enhance their border co-operation;

RECOGNISING the principle of sovereignty of states;

RECOGNISING the importance of respecting fundamental rights and freedoms notably privacy;

COMMITTED to the prevention, detection, suppression, investigation, and prosecution of any criminal offence or violation of law related to border enforcement including, but not limited to, the illicit drug trade, migrant smuggling, trafficking of firearms, the smuggling of counterfeit goods and money, and terrorism;

DESIRING Integrated Cross-Border Maritime Law Enforcement operations to be intelligence-driven, based on joint Canada-United States threat and risk assessment and coordinated with existing cooperative cross-border policing programs and activities;

RECALLING their continuing cooperation and record of successful partnership in pursuing seamless law enforcement operations at their shared border; and

COGNISANT of the reciprocal nature of this Agreement;

HAVE AGREED as follows:

ARTICLE 1

Purpose of the Agreement

The purpose of this Agreement is to provide the Parties additional means in shared waterways to prevent, detect, suppress, investigate, and prosecute criminal offences or violations of law including, but not limited to, illicit drug trade, migrant smuggling, trafficking of firearms, the smuggling of counterfeit goods and money, and terrorism.

ARTICLE 2

Definitions

1. **“Designated cross-border maritime law enforcement officer”** means: an individual designated or appointed pursuant to Article 6.
2. **“Host country”** means: the Party in whose territory an activity in the context of integrated cross-border maritime law enforcement operations is taking place.
3. **“Integrated cross-border maritime law enforcement operation”** means: the deployment of a vessel crewed jointly by designated cross-border maritime law enforcement officers from Canada and the United States for law enforcement or related purposes in shared waterways.
4. **“Participating agency”** means: an agency directly participating in integrated cross-border maritime law enforcement operations.
5. **“Shared waterways”** means: undisputed areas of the sea or internal waters along the international boundary between Canada and the United States.

ARTICLE 3

Scope of Integrated Cross-Border Maritime Law Enforcement Operations

1. Integrated cross-border maritime law enforcement operations shall only take place in shared waterways except as otherwise provided by this Article.
2. Designated cross-border maritime law enforcement officers shall only enforce the domestic laws of the host country within which they find themselves as directed by a designated cross-border maritime law enforcement officer of the host country.
3. In urgent and exceptional circumstances designated cross-border maritime law enforcement officers may continue activities undertaken in the course of an integrated cross-border maritime law enforcement operation on land adjacent to shared waterways.
4. For the purposes of this Article, urgent and exceptional circumstances include circumstances in which a designated cross-border maritime law enforcement officer has reasonable grounds to suspect that the continuation of the activities undertaken in the course of integrated cross-border maritime law enforcement operations on land adjacent to shared waterways is necessary to prevent:
 - (a) imminent bodily harm or death to any person;
 - (b) the immediate and unlawful flight of persons liable to detention or arrest; or
 - (c) the imminent loss or imminent destruction of evidence.
5. In all instances where designated cross-border maritime law enforcement officers continue activities on land adjacent to shared waterways they shall notify the appropriate host country law enforcement authorities as soon as operationally practicable.

ARTICLE 4

Direction of Integrated Cross-Border Maritime Law Enforcement Operations

Integrated cross-border maritime law enforcement operations shall only be carried out as directed by a designated cross-border maritime law enforcement officer of the host country.

ARTICLE 5

Central Authorities

1. The Parties designate the following central authorities to co-ordinate the implementation of this Agreement:
 - (a) The Government of Canada designates the Commissioner of the Royal Canadian Mounted Police or his or her designate as its Central Authority.
 - (b) The Government of the United States designates the Commandant of the United States Coast Guard or his or her designate as its Central Authority.
2. A Party may change the designated Central Authority upon written notification thereof to the other Party.

ARTICLE 6

Designation

1. The Central Authority for the United States may appoint or arrange for the appointment of an individual as a designated cross-border maritime law enforcement officer who is a:
 - (a) member of the Royal Canadian Mounted Police; or