

No. 55538*

Multilateral

Agreement concerning co-operation in suppressing illicit maritime and air trafficking in narcotic drugs and psychotropic substances in the Caribbean area. San José, 10 April 2003

Entry into force: *18 September 2008, in accordance with article 36*

Authentic texts: *English, French and Spanish*

Registration with the Secretariat of the United Nations: *Costa Rica, 1 November 2018*

Note: *See also annex A, No. 55538.*

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Multilatéral

Accord concernant la coopération en vue de la répression du trafic illicite maritime et aérien de stupéfiants et de substances psychotropes dans la région des Caraïbes. San José, 10 avril 2003

Entrée en vigueur : *18 septembre 2008, conformément à l'article 36*

Textes authentiques : *anglais, français et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Costa Rica, 1^{er} novembre 2018*

Note : *Voir aussi annexe A, No. 55538.*

**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

Participant	Ratification and Approval (AA)		
Belize (with declaration)	17 Jun	2005	
France (with declarations)	23 Jan	2006	AA
United States of America (with declaration)	10 Apr	2003	

Note: The texts of the declarations and reservations are published after the list of Parties -- Les textes des déclarations et réserves sont reproduits après la liste des Parties.

Participant	Ratification et Approbation (AA)		
Belize (avec déclaration)	17 juin	2005	
États-Unis d'Amérique (avec déclaration)	10 avr	2003	
France (avec déclarations)	23 janv	2006	AA

**AGREEMENT CONCERNING CO-OPERATION IN SUPPRESSING ILLICIT
MARITIME AND AIR TRAFFICKING IN NARCOTIC DRUGS AND PSYCHOTROPIC
SUBSTANCES IN THE CARIBBEAN AREA**

The Parties to this Agreement,

Bearing in mind the complex nature of the problem of illicit maritime narcotics traffic in the Caribbean area;

Desiring to increase their co-operation to the fullest extent in the suppression of illicit traffic in narcotic drugs and psychotropic substances by sea in accordance with international law of the sea, respecting freedom of navigation and overflight;

Recognising that the Parties to this Agreement are also Parties to the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (hereinafter, "the 1988 Convention");

Having regard to the urgent need for international co-operation in suppressing illicit traffic by sea, which is recognised in the 1988 Convention;

Recalling that the 1988 Convention requires Parties to consider entering into bilateral or regional agreements or arrangements to carry out, or enhance the effectiveness of the provisions of Article 17 of that Convention;

Recalling further that some of the Parties have consented to be bound by the 1996 Treaty Establishing the Regional Security System, the 1989 Memorandum of Understanding Regarding Mutual Assistance and Co-operation for the Prevention and Repression of Customs Offences in the Caribbean Zone, which established the Caribbean Customs Law Enforcement Council, and the 1982 United Nations Convention on the Law of the Sea;

Recognising that the nature of illicit traffic urgently requires the Parties to foster regional and sub-regional co-operation;

Desiring to promote greater co-operation among the Parties, and thereby enhance their effectiveness in combating illicit traffic by and over the sea in the Caribbean area, in a manner consistent with the principles of sovereign equality and territorial integrity of States including non-intervention in the domestic affairs of other States;

Recalling that the Regional Meeting on Drug Control Co-ordination and Co-operation in the Caribbean held in Barbados in 1996 recommended the elaboration of a Regional Maritime Agreement;

Have agreed as follows:

NATURE AND SCOPE OF AGREEMENT

ARTICLE 1 - DEFINITIONS

In this Agreement:

- a. "illicit traffic" has the same meaning as that term is defined in the 1988 *United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances* (hereinafter, "the 1988 Convention").
- b. "competent national authority" means the authority or authorities designated pursuant to paragraph 7 of Article 17 of the 1988 Convention or what has been otherwise notified to the Depositary.
- c. "law enforcement authority" means the competent law enforcement entity or entities identified to the Depositary by each Party which has responsibility for carrying out the maritime or air law enforcement functions of that Party pursuant to this Agreement.
- d. "law enforcement officials" means the uniformed and other clearly identifiable members of the law enforcement authority of each Party.
- e. "law enforcement vessels" means vessels clearly marked and identifiable as being on government service, used for law enforcement purposes and duly authorised to that effect, including any boat and aircraft embarked on such vessels, aboard which law enforcement officials are embarked.
- f. "law enforcement aircraft" means aircraft clearly marked and identifiable as being on government service, used for law enforcement purposes and duly authorised to that effect, aboard which law enforcement officials are embarked.
- g. "aircraft in support of law enforcement operations" means aircraft clearly marked and identifiable as being on government service of one Party, providing assistance to a law enforcement aircraft or vessel of that Party, in a law enforcement operation.
- h. "waters of a Party" means the territorial sea and the archipelagic waters of that Party.
- i. "air space of a Party" means the air space over the territory (continental and insular) and waters of that Party.
- j. "Caribbean area" means the Gulf of Mexico, the Caribbean Sea and the Atlantic Ocean west of longitude 45-degrees West, north of latitude 0-degrees (the Equator) and south of latitude 30-degrees North, with the exception of the territorial sea of States not Party to this Agreement.
- k. "suspect aircraft" means any aircraft in respect of which there are reasonable grounds to suspect that it is engaged in illicit traffic.