

No. 14759

**CHILE, ECUADOR
and
PERU**

Agreement relating to the organization of the Permanent Commission of the Conference on the exploitation and conservation of the marine resources of the South Pacific. Signed at Santiago on 18 August 1952

Authentic text: Spanish.

Registered by Chile, Ecuador and Peru on 12 May 1976.

**CHILI, ÉQUATEUR
et
PÉROU**

Accord relatif à l'organisation de la Commission permanente de la Conférence sur l'exploitation et la conservation des ressources maritimes du Pacifique Sud. Signé à Santiago le 18 août 1952

Texte authentique : espagnol.

Enregistré par le Chili, l'Équateur et le Pérou le 12 mai 1976.

[TRANSLATION — TRADUCTION]

ORGANIZATION OF THE PERMANENT COMMISSION OF THE CONFERENCE ON THE EXPLOITATION AND CONSERVATION OF THE MARINE RESOURCES OF THE SOUTH PACIFIC¹

1. In order to achieve the goals set forth in the Declaration on the Maritime Zone signed at this First Conference on the Exploitation and Conservation of the Marine Resources of the South Pacific, the Governments of Chile, Ecuador and Peru agree to establish a Permanent Commission composed of not more than three representatives from each party. The Commission shall meet in regular session once a year, and shall hold any special meetings which the respective Governments may convene.

The sessions of the Commission shall be organized on the basis of a yearly rotating system and under a Chairman designated by the appropriate Government.

2. The Permanent Commission shall set up Technical Offices, with the task of co-ordinating the action of the parties in all matters relating to the objectives and purposes of the Conference. These Offices shall not have decision-making functions, but shall confine their activities to collecting governmental, industrial, scientific, economic and statistical information relating to the objectives of the Conference and distributing it among the parties so as to ensure that all of them are kept duly and opportunely informed. These Offices shall also act as Secretariats of the Permanent Commission.

3. The Permanent Commission shall carry out the studies and adopt the decisions indicated in this paragraph to ensure the conservation and optimum development of fauna and other marine resources, taking into account the interests of the respective countries.

The Permanent Commission shall standardize the norms on maritime hunting and fishing of species common to the respective countries for the purposes of the conservation of marine resources and, consequently, shall be competent to:

- (a) determine protected species; open and closed seasons and maritime zones; times, methods and measures for fishing and hunting; prohibited equipment and methods; and, in general, regulate hunting and fishing operations;
- (b) study and propose to the parties the measures it considers appropriate to protect, safeguard, conserve and develop marine resources;
- (c) promote studies and research of a scientific and technical nature on the biological phenomena which occur in the South Pacific;
- (d) compile general statistics of the industrial development of marine resources carried out by the parties, and suggest measures for protection on the basis of these statistics;
- (e) receive and answer inquiries made to it regarding measures for the conservation of marine species and the manner of exploiting them, and harmonize the criteria used by the Contracting Governments in their internal legislation;
- (f) prepare the agendas for future plenary sessions of the Conferences and propose the dates and venue of such Conferences;
- (g) maintain an exchange of scientific and technical information with any other international or private organizations whose objectives relate to the study and protection of marine resources;

¹ The Agreement came into force on 18 August 1952 by signature.

- (h) ensure that the fishing and hunting quotas established by each party annually in exercise of its exclusive rights do not threaten the conservation of the marine resources of the South Pacific;
- (i) resolve questions relating to its operations, the organization of the Secretariat and Technical Offices and, in general, all procedural matters.

4. The decisions taken by the Permanent Commission shall be valid and binding in each of the signatory countries, from the date of their adoption, except for those which are contested by any of the parties within a time-limit of 90 days; in such cases, the contested decision or decisions shall not apply in the country concerned so long as it maintains its dejection. For the purposes of the aforementioned time-limit, it shall be understood that the Governments are notified from the date of the adoption of a decision by virtue of the presence of their respective delegates. In the event that the representatives of a country are absent, that country shall be notified in writing of the decisions adopted through the diplomatic representative accredited to the country which is the headquarters of the Commission.

5. The signatory Governments shall ensure compliance with the agreements of the Conference and the decisions of the Permanent Commission by applying a legal system of penalties for violations committed within their jurisdiction. For this purpose, if their respective legislations do not provide for such penalties, the Governments concerned shall request the appropriate public authorities to establish them.

The penalties imposed in accordance with this paragraph shall be reported to the Permanent Commission through the appropriate Technical Offices referred to in paragraph 2 and these Offices shall maintain a complete and detailed record of the legal proceedings and penalties.

6. Any of the parties may denounce this Agreement by notifying the other parties a full calendar year in advance.

Santiago, 18 August 1952.

[Signed]

JULIO RUIZ BOURGEOIS
Delegate of Chile

[Signed]

JORGE FERNÁNDEZ SALAZAR
Delegate of Ecuador

[Signed]

Dr. ALBERTO ULLOA
Delegate of Peru

[Signed]

FERNANDO GUARELLO F.-H.
Secretary-General
