

No. 21091

**UNITED STATES OF AMERICA
and
PANAMA**

Agreement concerning the Barro Colorado Island, concluded pursuant to article VI of the Convention of 12 October 1940 on nature protection and wildlife preservation in the Western hemisphere. Signed at Washington on 7 September 1977

Authentic texts: English and Spanish.

Registered by the United States of America on 22 June 1982.

**ÉTATS-UNIS D'AMÉRIQUE
et
PANAMA**

Accord relatif à l'île Barro Colorado, conclu en application de l'article VI de la Convention du 12 octobre 1940 pour la protection de la flore, de la faune et des beautés panoramiques naturelles des pays de l'Amérique. Signé à Washington le 7 septembre 1977

Textes authentiques : anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 22 juin 1982.

AGREEMENT¹ PURSUANT TO ARTICLE VI OF THE CONVENTION ON NATURE PROTECTION AND WILDLIFE PRESERVATION IN THE WESTERN HEMISPHERE²

The Governments of the United States of America and the Republic of Panama,

Recalling that both are parties to the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere of October 12, 1940;²

Desiring to promote and advance the purposes of that Convention;

Noting that article VI of the Convention provides that the Parties may, when circumstances warrant, enter into agreements with one another in order to increase the effectiveness of their collaboration to this end;

Aware of the unique importance to the international scientific community of the biological reserve located at Barro Colorado Island in Gatun Lake in the Republic of Panama; and

Considering that the Panama Canal Treaty³ and related agreements signed this date between them make desirable a further agreement between them to ensure preservation of this biological reserve;

Have agreed upon the following:

Article I. 1. The area known as Barro Colorado Island in Gatun Lake in the Republic of Panama is declared to be a Nature Monument as defined in article I of the Convention, to be known as the Barro Colorado Nature Monument. Upon the termination of the Panama Canal Treaty signed this date, this Nature Monument shall also include the adjacent areas known as Orchid and Point Salud Islands; Bohio, Buena Vista, and Frijoles Points; and the smaller islets adjacent to them. The aforementioned adjacent areas shall be made available during the life of the Panama Canal Treaty for the purposes of this Agreement, through the issuance of land use licenses, as provided for in article IV of the Agreement in implementation of article III of the Panama Canal Treaty.⁴ The Republic of Panama shall issue an appropriate land use license or make other arrangements to afford similar use of the peninsula immediately south of Maiz Island, which, upon termination of the Panama Canal Treaty, shall also become a part of the aforementioned Nature Monument.

2. As used hereafter in this Agreement, the term "Nature Monument" shall refer to the Nature Monument defined in paragraph 1 of this article.

Article II. The Governments pledge themselves to seek, in accordance with their respective national legislative processes, such legislation by each of them as may be necessary to ensure the preservation and protection of said Nature Monument as envisioned in the Convention and to take no action which would derogate in any way from its protected status, except as hereinafter provided.

¹ Came into force on 1 October 1979, simultaneously with the entry into force of the Panama Canal Treaty (see note 3 below), in accordance with article VII.

² United Nations, *Treaty Series*, vol. 161, p. 193.

³ See p. 3 of this volume.

⁴ See p. 79 of this volume.

Article III. The Governments agree to collaborate in use of this Nature Monument for the purposes of scientific research and investigation, and to assist each other's scientists and scientific institutions in carrying out such activities in the Nature Monument. The Governments shall agree from time to time on such arrangements as may be mutually convenient and desirable to facilitate such collaboration.

Article IV. The Governments agree that, consistent with the purposes of article VI of the Convention, they shall make available to all the American Republics equally through publication or otherwise the scientific knowledge resulting from their cooperative efforts to establish and maintain the Nature Monument.

Article V. The Governments, mindful of their mutual interest in the efficient operation of the Panama Canal, agree that, in executing their responsibilities under the Panama Canal Treaty, they shall take account of this Agreement. It is understood that use of areas included in the Nature Monument for the purpose of maintaining existing facilities relating to the operation of the Panama Canal shall not be considered to derogate from the protected status of the Nature Monument. In the event either Government at any time considers that the efficient operation of the Panama Canal necessitates any other action materially affecting any part of the Nature Monument, the Governments agree to consult promptly and to agree to measures necessary for the protection of the overall integrity of the Nature Monument and furtherance of the purpose of this Agreement.

Article VI. The Governments agree that they shall jointly transmit copies of this Agreement to the Inter-American Economic and Social Council of the Organization of American States, and shall request that the Organization notify the Contracting Parties to the Convention of this Agreement.

Article VII. This Agreement shall enter into force simultaneously with the entry into force of the Panama Canal Treaty, and shall remain in force for ten years and, thereafter, for as long as both Governments are parties to the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere.

DONE at Washington, this 7th day of September 1977, in duplicate, in the English and Spanish languages, both texts being equally authentic.

FIRMADO en Washington, a los 7 días de septiembre de 1977, en los idiomas inglés y español, siendo ambos textos igualmente auténticos.

For the United States of America:

Por los Estados Unidos de América:

[Signed — Signé]¹

[Signed — Signé]²

For the Republic of Panama:

Por la República de Panamá:

[Signed — Signé]³

[Signed — Signé]⁴

¹ Signed by Ellsworth Bunker — Signé par Ellsworth Bunker.

² Signed by Sol M. Linowitz — Signé par Sol M. Linowitz.

³ Signed by Rómulo Escobar Bethancourt — Signé par Rómulo Escobar Bethancourt.

⁴ Signed by Aristides Royo — Signé par Aristides Royo.