

**INTER-AMERICAN CONVENTION ON FACILITATION OF INTERNATIONAL WATERBORNE
TRANSPORTATION (CONVENTION OF MAR DEL PLATA)**

The Contracting States, inspired by the Charter of Punta del Este and by the Declaration of San Jose on the Principles on the Development, Administration and Operation of Ports in the Americas, and with a view to facilitating international waterborne transportation in the Western Hemisphere by reducing to a minimum the formalities, documentary requirements and procedures for the entry and clearance of vessels and the treatment of their passengers, crews, cargo and baggage, have agreed as follows

Article 1

Each Contracting State agrees to adopt all practicable measures, through the issuance of special regulations or otherwise, to facilitate and expedite waterborne transportation between the territories of the Contracting States, and to prevent unnecessary delays to vessels, passengers, crews, cargo and baggage in the administration of the laws relating to immigration, public health, customs, and other provisions relative to arrivals and departures of vessels.

Article 2

Each Contracting State undertakes, so far as it may find practicable,- to establish appropriate procedures and legal provisions on immigration, public health, customs and other matters relative to arrivals and departures of vessels, in accordance with the standards and recommended practices which may be established from time to time, pursuant to this Convention. Nothing in this Convention shall be construed as preventing the establishment of customs-free ports or free zones.

Article 3

Each Contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in appropriate procedures and legal provisions in relation to the entry and clearance of vessels and the treatment of passengers, crews, cargo and baggage in all matters in which such uniformity will facilitate and improve international waterborne transportation.

Article 4

(a) To these ends, the Inter-American Port and Harbor Conference of the Organization of American States shall, from time to time, when necessary, adopt and amend inter-American standards and recommended practices dealing with all matters relating to formalities, requirements and procedures relevant to the efficient and economic entry and clearance of vessels, and the expeditious and appropriate treatment of their passengers, crews, cargo and baggage.

Article 5

(a) The adoption by the Inter-American Port and Harbor Conference of the standards and recommended practices and amendments thereto, as provided in paragraph (a) of Article 4 hereof shall require the affirmative vote of two thirds of the accredited delegations of the Contracting States present at the Conference.

(b) The standards and recommended practices adopted, and any amendment thereto, shall enter into force

three months after submission to the Contracting States, unless the date of the entry into force is extended by the Conference or unless, in the meantime, a majority of the Contracting States notify their disapproval to the General Secretariat of the Organization of American States.

(c) The standards and recommended practices, and amendments thereto, shall constitute an Annex to the present Convention upon their entry into force, subject to the provisions of Article 6.

(d) The General Secretariat shall notify each of the Contracting States of the date of entry into force of the standards and recommended practices and of any amendment thereto.

Article 6

(a) Any State which finds it impracticable to comply with any inter-American standard or to bring its own regulations or practices into full accord with any such standard after amendment of the latter, or which deems it necessary to adopt regulations or practices differing from those established by an inter-American standard, shall give immediate notification to the General Secretariat of the Organization of American States of the differences between its own regulations or practices and those established by the inter-American standard.

(b) In the case of amendments to inter-American standards, any Contracting State which does not make the appropriate amendments to its own regulations or practices shall give notice to the General Secretariat within sixty days of the adoption of the amendment to the inter-American standard, or indicate the action which it proposes to take.

(c) In any such case, the General Secretariat shall notify all other States of the difference which exists between one or more features of an inter-American standard and the corresponding national practice of that State.

Article 7

The present Convention shall be open for signature or adherence by the member states of the Organization of American States or any other state to which an invitation to sign or adhere has been transmitted at the direction of the Council of the Organization of American States.

Article 8

(a) The original instrument, the English, French, Portuguese, and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat of the Organization of American States, which shall transmit certified copies to each of the governments of the signatory States for ratification.

(b) The present Convention shall be subject to ratification by the signatory States in accordance with their respective constitutional procedures. The instruments of ratification and instruments of adherence shall be deposited with the General Secretariat of the Organization of the

American States, which shall notify each of the governments of the signatory States and each of the governments of the adhering States of the said deposit.

Article 9

The present Convention shall come into force on the thirtieth day following the date of deposit of the eleventh instrument of ratification or adherence with the General Secretariat of the Organization of American States. For each State ratifying or adhering to the Convention after the deposit of the eleventh instrument of ratification or adherence, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or adherence.

Article 10

The task of providing continuity in the implementation of this Convention, including periodic review of the standards and recommended practices, shall be entrusted to the Permanent Technical Committee on Ports. On its own initiative, or at the suggestion of a Contracting State, the Committee shall direct the Group of Experts to which reference is made in paragraph (b) of Article 4 hereof to study the desirability and feasibility of any proposed amendment to the Annex referred to in paragraph 8 of Article 5 and make recommendations thereon. Should the consideration and study of any amendments to this Convention be of interest to the Inter-American Travel Congresses or the Pan American Highway Congresses, they shall be consulted.

Article 11

The adoption of any amendment to this Convention shall require the affirmative vote in an Inter-American Port and Harbor Conference of two thirds of the accredited delegations of the Contracting States present and shall then come into force in respect of States which have ratified such amendment in accordance with their respective constitutional procedures 30 days after there has been deposited in the General Secretariat of the Organization of American States the number of ratifications specified for this purpose by the Conference.

Article 12

(a) The present Convention may be denounced by any Contracting State at any time after the expiration of four years from the date on which the Convention comes into force for that State.

(b) Denunciation shall be effected by a notification in writing addressed to the General Secretariat of the Organization of American States which shall notify all the other Contracting States of any denunciation received and of the date of its receipt.

8 A denunciation shall take effect one year, or such longer period as may be specified in the notification, after its receipt by the General Secretariat of the Organization.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized by their respective governments for that purpose, have signed the present Convention. Done at Mar del Plata, the seventh day of June of nineteen hundred and sixty-three.

RESERVATIONS AND STATEMENTS

Reservation made by the Delegation of Chile While signing the present Convention, Chile reserves the right to apply a more favorable treatment with respect to international maritime transportation regulations and procedures in virtue of existing bilateral or multilateral agreements.

Statement made by the Delegation of Chile

On signing the Inter-American Convention on the Facilitation of International Waterborne Transportation (Convention of Mar del Plata), the Delegation of Chile declares that it believes that this Convention in no way affects other conventions on international waterborne transportation, which remain in full force and will continue to be applied.

Mar del Plata, Argentina

June 7, 1963

(signed)

ANDRES AVENDANO FUENZALIDA

Delegate of Chile