

Mexico-United States: Convention for the Protection of Migratory Birds and Game Mammals

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For the Government of Japan:

SHIGERU YOSHIDA

For the Government of New Zealand:

W. J. JORDAN

For the Government of the Union of South Africa:

C. T. TE WATER

Adhered to by

Germany, Nov. 23, 1936. Treaty Information Bulletin (U. S.), No. 88, Jan., 1937, p. 9.

Belgium, Nov. 23, 1936. T.I.B. No. 88, p. 9.

Greece, Jan. 11, 1937. T.I.B. No. 89, Feb., 1937, p. 8.

Union of Soviet Socialist Republics, Dec. 27, 1936. T.I.B. No. 90, March, 1937, p. 6.

Haiti, Jan. 23, 1937. T.I.B. No. 90, p. 6.

Nepal, Jan. 27, 1937. T.I.B. No. 90, p. 6.

Sweden, Feb. 15, 1937. T.I.B. No. 90, p. 6.

Finland, Feb. 18, 1937. T.I.B. No. 90, p. 6.

Panama, Feb. 26, 1937. T.I.B. No. 90, p. 6.

Bulgaria, March 1, 1937. T.I.B. No. 90, p. 6.

Albania, March 3, 1937. T.I.B. No. 90, p. 6.

MEXICO-UNITED STATES

CONVENTION FOR THE PROTECTION OF MIGRATORY BIRDS AND GAME MAMMALS¹

Signed at Mexico City, Feb. 7, 1936; ratifications exchanged at Washington, March 15, 1937.

Whereas, some of the birds denominated migratory, in their movements cross the United States of America and the United Mexican States, in which countries they live temporarily;

Whereas it is right and proper to protect the said migratory birds, whatever may be their origin, in the United States of America and the United Mexican States, in order that the species may not be exterminated;

Whereas, for this purpose it is necessary to employ adequate measures which will permit a rational utilization of migratory birds for the purposes of sport as well as for food, commerce and industry;

The governments of the two countries have agreed to conclude a convention which will satisfy the above mentioned need and to that end have appointed as their respective plenipotentiaries: The Honorable Josephus Daniels representing the President of the United States of America, Franklin D. Roosevelt and the Honorable Eduardo Hay, representing the President of the United Mexican States, General Lázaro Cárdenas, who, having exhibited

¹ U. S. Treaty Series, No. 912.

to each other and found satisfactory their respective full powers, conclude the following convention:

ARTICLE I

In order that the species may not be exterminated, the high contracting parties declare that it is right and proper to protect birds denominated as migratory, whatever may be their origin, which in their movements live temporarily in the United States of America and the United Mexican States, by means of adequate methods which will permit, in so far as the respective high contracting parties may see fit, the utilization of said birds rationally for purposes of sport, food, commerce and industry.

ARTICLE II

The high contracting parties agree to establish laws, regulations and provisions to satisfy the need set forth in the preceding article, including:

A)–The establishment of close seasons, which will prohibit in certain periods of the year the taking of migratory birds, their nests or eggs, as well as their transportation or sale, alive or dead, their products or parts, except when proceeding, with appropriate authorization, from private game farms or when used for scientific purposes, for propagation or for museums.

B)–The establishment of refuge zones in which the taking of such birds will be prohibited.

C)–The limitation of their hunting to four months in each year, as a maximum, under permits issued by the respective authorities in each case.

D)–The establishment of a close season for wild ducks from the tenth of March to the first of September.

E)–The prohibition of the killing of migratory insectivorous birds, except when they become injurious to agriculture and constitute plagues, as well as when they come from reserves or game farms: provided however that such birds may be captured alive and used in conformity with the laws of each contracting country.

F)–The prohibition of hunting from aircraft.

ARTICLE III

The high contracting parties respectively agree, in addition, not to permit the transportation over the American-Mexican border of migratory birds, dead or alive, their parts or products, without a permit of authorization provided for that purpose by the government of each country, with the understanding that in the case that the said birds, their parts or products are transported from one country to the other without the stipulated authorization, they will be considered as contraband and treated accordingly.

ARTICLE IV

The high contracting parties declare that for the purposes of the present convention the following birds shall be considered migratory:

MIGRATORY GAME BIRDS

Familia Anatidae.	Familia Scolopacidae.
Familia Gruidae.	Familia Recurvirostridae.
Familia Rallidae.	Familia Phalaropodidae.
Familia Charadriidae.	Familia Columbidae.

MIGRATORY NON-GAME BIRDS

Familia Cuculidae.	Familia Turdidae.
Familia Caprimulgidae.	Familia Mimidae.
Familia Micropodidae.	Familia Sylviidae.
Familia Trochilidae.	Familia Motacillidae.
Familia Picidae.	Familia Bombycillidae.
Familia Tyrannidae.	Familia Ptilonotidae.
Familia Alaudidae.	Familia Laniidae.
Familia Hirundinidae.	Familia Vireonidae.
Familia Paridae.	Familia Compothlypidae.
Familia Certhiidae.	Familia Icteridae.
Familia Troglodytidae.	Familia Thraupidae.
	Familia Fringillidae.

Others which the Presidents of the United States of America and the United Mexican States may determine by common agreement.

ARTICLE V

The high contracting parties agree to apply the stipulations set forth in Article III with respect to the game mammals which live in their respective countries.

ARTICLE VI

This convention shall be ratified by the high contracting parties in accordance with their constitutional methods and shall remain in force for fifteen years and shall be understood to be extended from year to year if the high contracting parties have not indicated twelve months in advance their intention to terminate it.

The respective plenipotentiaries sign the present convention in duplicate in English and Spanish, affixing thereto their respective seals, in the City of Mexico, the seventh day of February of 1936.

JOSEPHUS DANIELS

[SEAL]

EDUARDO HAY

[SEAL]

[Translation]
 DEPARTMENT OF FOREIGN RELATIONS
 UNITED MEXICAN STATES
 MEXICO CITY

February 10, 1936.

Mr. CHARGÉ D'AFFAIRES:

I have the honor to advise you, with regard to the Convention between the United Mexican States and the United States of North America for the protection of Migratory Birds and Game Mammals, signed in this city on the 7th instant, that this Department takes the liberty of proposing the city of Washington for the purpose of the exchange of ratifications referred to by Article VI of the said convention as soon as may be practicable.

I avail myself of the opportunity to renew to you the assurances of my high consideration.

EDUARDO HAY

Mr. HENRY R. NORWEB,
Chargé d'Affaires ad interim
of the United States of America,
City.

No. 1488

EMBASSY OF THE UNITED STATES OF AMERICA,
Mexico, February 11, 1936.

EXCELLENCY:

I have the honor to acknowledge with appreciation Your Excellency's courteous note No. 3, Ref. III/, of February 10, 1936, in which it is suggested with reference to the Convention between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals signed in this city on the 7th of this month that the ratifications provided for in Article VI of the above-mentioned convention be exchanged in Washington. It is understood that this proposal is satisfactory to my Government and that the treaty shall take effect on the date of the exchange of ratifications.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

R. HENRY NORWEB
Chargé d'Affaires ad interim.

His Excellency
 Señor General EDUARDO HAY,
Minister for Foreign Affairs,
Mexico.

UNITED STATES

MIGRATORY BIRD TREATY ACT¹

AN ACT To give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August sixteenth, nineteen hundred and sixteen,² and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act shall be known by the short title of the "Migratory Bird Treaty Act."

SEC. 2. That unless and except as permitted by regulations made as here-

¹ Public, No. 186, 65th Congress [S. 1553]. 40 U. S. Statutes at Large, 755.

² Printed in Supplement to this JOURNAL, Vol. 11 (1917), p. 62.