

Convention for the Protection of Migratory Birds and Game Mammals

Signed at Mexico City, February 7, 1936.

Ratification advised by the Senate of the United States, April 3, 1936 (legislative day of April 24, 1936).

Ratified by the President of the United States, October 8, 1936.

Ratified by Mexico, February 12, 1937.

Ratifications exchanged at Washington, March 15, 1937.

Proclaimed by the President of the United States, 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 purpose 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 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 of 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 Gruidae, Familia Rallidae, Familia Charadriidae, Familia Scolopacidae, Familia Recurvirostridae, Familia Phalaropodidae, Familia Columbidae.

Migratory non-game birds.-Familia Cuculidae, Familia Caprimulgidae, Familia Micropodidae, Familia Trochilidae, Familia Picidae, Familia Tyrannidae, Familia Alaudidae, Familia Hirundinidae, Familia Paridae, Familia Certhiidae, Familia Troglodytidae, Familia Turdidae, Familia Mimidae, Familia Sylviidae, Familia Motacillidae, Familia Bombycillidae, Familia Ptilonotidae, Familia Laniidae, Familia Vireonidae, Familia Compothlypidae, Familia Icteridae, 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.

(Signed) Josephus Daniels.

Eduardo Hay.
December 1, 1964

MEXICO

Protection of Migratory Birds

Agreement supplementing the agreement of February 7, 1936.

Effected by exchange of notes

Signed at Mexico and Tlatelolco March 10, 1972;

Entered into force March 10, 1972.

The American Ambassador to the Mexican Acting Secretary of Foreign Relations

EMBASSY OF THE UNITED STATES OF AMERICA,

No. 283

MEXICO CITY, March 10, 1972.

EXCELLENCY:

I have the honor to refer to the Convention between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals, signed at Mexico City on February 7, 1936,^[1] and to conversations between representatives of our two Governments relating to the addition to the list of birds considered migratory for the purposes of the Convention.

Pursuant to authority delegated by the President of the United States, I have the honor to propose that the following additions be made to the list of birds set forth in Article IV of the Convention:

¹TS 912; 50 Stat. 1311.

<i>Scientific Name</i>	<i>English Name</i>	<i>Spanish Names</i>
Accipitridae	Eagles, hawks	Gavilanes, aguilas, aguilillas
Alcedinidae	Kingfishers	Martin Pescador
Alcidae	Auklets, murrens puffins	Pato de noche
Anhingidae	Snake birds	Ahuizote
Aramidae	Limpkins	Totalaca
Ardeidae	Herons, egrets, bitterns	Garzas, garzones
Cathartidae	New World vultures	Zopilotes, auras
Ciconiidae	Stork and wood ibis	Jaribu, Galambae
Corvidae	Ravens, crows, jay	Cuervos, urracas
Diomedaeidae	Albatrosses	Albatros
Falconidae	Falcons, hawks	Gavilan, Caracara
Fregatidae	Man-of-war birds	Fragata
Phalacrocoracidae	Cormorant	Cormoran, corvejon
Phoenicopteridae	Flamingo	Flamenco
Gaviidae	Loons	Somorgujos
Haematopodidae	Oyster catcher	Ostrero
Hydrobatidae	Storm petrels	Petreles
Jacaniidae	Jacanas	Cirujano
Laridae	Sea gulls, Terns	Gavioetas, Gallito
Pandionidae	Ospreys	Aguililla, pescadora
Pelecanidae	Pelicans	Pelicanos
Phaethontidae	Tropic-birds	Raba de junco
Podicipedidae	Grebes	Zambullidores, Buzos
Procellariidae	Shearwaters	Petreles, Fulmaros
Rynchopidae	Skimmers	Rayador
Sittidae	Nuthatches	Saltapalos
Stercorariidae	Jaeger	Estercorario, Skus
Strigidae	Owls	Tecolote, Lechuza
Sulidae	Boobies, Gannets	Bubias
Threskiornithidae	Spoonbill, ibises	Teoquechol, Cucharera
Tytonidae	Barn owl	Lechuzas
Trogonidae	Trogons	Pabellon, Cuahtotola

Upon the receipt of a note from Your Excellency indicating that the proposal contained in this note is acceptable to the Government of the United Mexican States, the Government of the United States of America will consider that this note and your reply thereto shall constitute an agreement between the two Governments on this subject, which agreement shall enter into force on the day of your note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

Robert H. McBride

His Excellency

RUBEN GONZÁLEZ SOSA

*Acting Secretary of Foreign Relations,
Mexico, D.F.*

Translation

UNITED MEXICAN STATES
DEPARTMENT OF FOREIGN RELATIONS
MEXICO

501874

TLATELÒLCO, D.F., March 10, 1972

MR. AMBASSADOR:

I have the honor to acknowledge receipt of Your Excellency's note No. 283 of today's date, the Spanish translation of which is as follows:

In reply, I am happy to inform Your Excellency that my Government accepts the terms of your note No. 283, transcribed above, and consequently agrees to consider that your note and this note in reply shall constitute an agreement between the Government of the United Mexican States and the Government of the United States of America amending Article 4 of the Convention for the Protection of Migratory Birds and Game Mammals, signed at Mexico City on February 7, 1936, which agreement shall enter into force on this date.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

R. GONZÁLEZ S.

His Excellency

ROBERT HENRY MCBRIDE,
*Ambassador Extraordinary and Plenipotentiary
of the United States of America,
Mexico, D.F.*

