

Application to Other Treaties and Conventions

16 U.S.C. 1383

Sec. 113. (a) [IN GENERAL; WAIVER OF PENALTIES.] — The provisions of this title shall be deemed to be in addition to and not in contravention of the provisions of any existing international treaty, convention, or agreement, or any statute implementing the same, which may otherwise apply to the taking of marine mammals. Upon a finding by the Secretary that the provisions of any international treaty, convention, or agreement, or any statute implementing the same has been made applicable to persons subject to the provisions of this title in order to effect essential compliance with the regulatory provisions of this Act so as to reduce to the lowest practicable level the taking of marine mammals incidental to commercial fishing operations, section 105 of this title may not apply to such persons.

(b) [REVIEW OF EFFECTIVENESS OF AGREEMENT ON THE CONSERVATION OF POLAR BEARS.] — Not later than 1 year after the date of enactment of the Marine Mammal Protection Act Amendments of 1994 [April 30, 1995], the Secretary of the Interior shall, in consultation with the contracting parties, initiate a review of the effectiveness of the Agreement on the Conservation of Polar Bears, as provided for in Article IX of the Agreement, and establish a process by which future reviews shall be conducted.

(c) [REVIEW OF IMPLEMENTATION OF AGREEMENT ON THE CONSERVATION OF POLAR BEARS; REPORT.] — The Secretary of the Interior, in consultation with the Secretary of State and the Marine Mammal Commission, shall review the effectiveness of United States implementation of the Agreement on the Conservation of Polar Bears, particularly with respect to the habitat protection mandates contained in Article II. The Secretary shall report the results of this review to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than April 1, 1995.

(d) [CONSULTATION REGARDING AGREEMENT ON THE CONSERVATION OF POLAR BEARS IN ALASKA AND IN RUSSIA; REPORT.] — Not later than 6 months after the date of enactment of the Marine Mammal Protection Act Amendments of 1994 [October 30, 1994], the Secretary of the Interior, acting through the Secretary of State and in consultation with the Marine Mammal Commission and the State of Alaska, shall consult with the appropriate officials of the Russian Federation on the development and implementation of enhanced cooperative research and management programs for the conservation of polar bears in Alaska and Russia. The Secretary shall report the results of this consultation and provide periodic progress reports on the research and management programs to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate.