

- (b) due to poor weather or mechanical difficulties with a vessel operated by designated integrated cross-border maritime law enforcement officers it is necessary to transit through the waters of the other Party in order to reach the nearest port; or,
- (c) the navigable shipping channels between the location in the host country where the vessel or thing was lawfully seized and the place where the vessel or thing is to be delivered in the host country pass through the waters of the other Party.

4. In situations of operational or geographical necessity described in paragraph 3 when a vessel or thing lawfully seized in the host country is transported through the waters of the other Party, that vessel or thing remains under the physical custody and control of the designated cross-border law enforcement officer of the host country.

ARTICLE 11

Accountability

1. While engaging in integrated cross-border maritime law enforcement operations a designated cross-border maritime law enforcement officer shall be subject to the domestic laws of the Party in whose territory any criminal misconduct is alleged to have occurred and be subject to the jurisdiction of the courts of that Party subject to the rights and privileges that a law enforcement officer from the host country would be able to assert in the same situation and subject to the rights and privileges that the host country would be able to assert in the same situation.
2. Any claim submitted for damage, harm, injury, death or loss resulting from an integrated cross-border maritime law enforcement operation carried out by a Party under this Agreement shall be resolved in accordance with the domestic law of the Party to which the claim is brought and with international law. The Parties shall consult at the request of either Party with a view to resolving the matter and deciding any questions relating to compensation or payment.