

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1977 Nr. 65

A. TITEL

*Verdrag inzake de visserij in het noordoostelijk deel van de
Atlantische Oceaan, met bijlage;
Londen, 24 januari 1959*

B. TEKST

De tekst van Verdrag en bijlage is geplaatst in *Trb.* 1959, 114.
Zie ook rubriek J van *Trb.* 1971, 36 en *Trb.* 1975, 27.

C. VERTALING

Zie *Trb.* 1959, 114, *Trb.* 1962, 127 en rubriek J van *Trb.* 1971, 36.

D. PARLEMENT

Zie *Trb.* 1962, 127 en rubriek J van *Trb.* 1971, 135.

De in rubriek I hieronder vermelde opzegging van het Verdrag door het Koninkrijk der Nederlanden behoeft ingevolge artikel 64, juncto artikel 62, tweede lid, van de Grondwet de goedkeuring der Staten-Generaal.

E. BEKRACHTIGING

Zie *Trb.* 1962, 127 en *Trb.* 1966, 149.

F. TOETREDING

Zie *Trb.* 1975, 27. Behalve de aldaar genoemde Staat hebben de volgende Staten in overeenstemming met artikel 15, derde lid, van

het Verdrag een kennisgeving van toetreding gericht tot de Regering van het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland:

Finland	22 juni 1976
Bulgarije	1 september 1976
Cuba ¹⁾	9 december 1976

¹⁾ Onder de volgende verklaring:

“The Republic of Cuba declares that the provisions contained in subparagraphs i)ii) paragraph 3 of Article 1 of the North-East Atlantic Fisheries Convention referring to colonial territories are no longer applicable being contrary to the Declaration on the Granting of Independence to colonial Countries and Peoples (Resolution 1514) made by the General Assembly of the United Nations Organisation on 14 December 1960 proclaiming the necessity of bringing colonialism in all its forms and manifestations to a speedy and unconditional end.” (*vertaling*).

G. INWERKINGTREDING

Zie *Trb.* 1959, 114, *Trb.* 1966, 149 en *Trb.* 1975, 27.

De bepalingen van het Verdrag zijn ingevolge artikel 15, derde lid, voor de in rubriek F hierboven vermelde Staten in werking getreden op de datum van ontvangst van de kennisgeving van toetreding.

De bepalingen van het Verdrag zullen ingevolge artikel 17 voor de in rubriek I hieronder genoemde Staten buiten werking treden een jaar na ontvangst van de mededeling van opzegging.

Wat het Koninkrijk der Nederlanden betreft, zullen zij op 29 december 1977 voor Nederland buiten werking treden.

I. OPZEGGING

De volgende Staten hebben in overeenstemming met artikel 17 van het Verdrag een mededeling van opzegging gericht tot de Regering van het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland:

Noorwegen	17 augustus 1976
Denemarken	29 december 1976
het Koninkrijk der Nederlanden	29 december 1976
België	30 december 1976
Frankrijk	31 december 1976
het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland ..	31 december 1976
de Bondsrepubliek Duitsland	7 februari 1977

J. GEGEVENS

Zie *Trb.* 1959, 114, *Trb.* 1962, 127, *Trb.* 1966, 149, *Trb.* 1970, 25, *Trb.* 1971, 36 en 135, *Trb.* 1972, 66 en 146, *Trb.* 1975, 27 en *Trb.* 1976, 23 en 102.

Voor de op 12 september 1964 te Kopenhagen tot stand gekomen Overeenkomst betreffende de Internationale Raad voor het onderzoek van de zee zie ook *Trb.* 1976, 19. Vergelijk ook *Trb.* 1976, 20.

Behalve wat betreft de in rubriek J van *Trb.* 1976, 102 genoemde aanbevelingen en Staten, is nog tegen de hieronder genoemde aanbeveling, vastgesteld tijdens de van 11 tot 19 november 1975 te Londen gehouden tussentijdse bijeenkomst van de Visserijcommissie voor het noordoostelijk deel van de Atlantische Oceaan en geplaatst in *Trb.* 1976, 23, blz. 11 e.v., in overeenstemming met artikel 8, derde lid, van het Verdrag bezwaar gemaakt door de volgende Staat:

Noorwegen 2, vijfde lid sub 2

Ingevolge artikel 8, vierde lid, van het Verdrag bestaat voor de Verdragsluitende Staten niet meer de verplichting, aanbeveling 2, vijfde lid sub 2, uit te voeren.

Tegen de hieronder genoemde aanbevelingen, vastgesteld tijdens de van 21 tot 23 april 1976 te Londen gehouden bijzondere bijeenkomst van de Visserijcommissie voor het noordoostelijk deel van de Atlantische Oceaan en geplaatst in *Trb.* 1976, 102, blz. 2 e.v., is in overeenstemming met artikel 8, derde lid, van het Verdrag bezwaar gemaakt door de volgende Staten:

Denemarken	14, vijfde lid (A)
Frankrijk	13 (A)
Noorwegen	8
het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland ..	8

In overeenstemming met artikel 3, elfde lid, van het Verdrag zijn aan de Verdragsluitende Staten bij een brief van 30 juli 1976 de tijdens de van 1 tot 9 juli 1976 te Estoril gehouden veertiende jaarlijkse bijeenkomst van de Visserijcommissie voor het noordoostelijk deel van de Atlantische Oceaan vastgestelde aanbevelingen toegezonden.

De Engelse tekst van de aanbevelingen waaraan de Verdragsluitende Staten ingevolge artikel 8 uitvoering dienen te geven, voorzover zij geen bezwaar hebben gemaakt overeenkomstig het derde lid van genoemd artikel, luidt als volgt ¹⁾:

Recommendation (2)

The Commission agreed a new paragraph 5 (2) and two amendments to paragraph 1, and added a new paragraph 6.

The full text of the revised Recommendation is as follows:

¹⁾ De Franse tekst is niet afgedrukt.

“Recommendation (2)

Mixed Fisheries

Authorised fisheries with small mesh nets

1. Notwithstanding Recommendation (1), in fisheries for sandeel vessels may carry on board and use trawl nets having meshes of dimensions smaller than those specified in Recommendation (1), but not smaller than 16 mm in the period 1 November to the last day of February inclusive, in which period smaller mesh nets must be stowed away in such a manner that they are not readily capable of being used. The area to which this period applies is bounded in the north and west by a line drawn from a point on the coast of Norway in 62°00' north latitude westwards to 4°00' west longitude and thence southwards to the north coast of Scotland; in the east by a line drawn from a point on the south coast of Norway in 7°00' east longitude southwards to 57°30' north latitude, thence eastwards to 8°00' east longitude, thence southwards to 57°00' north latitude, and thence eastwards to the coast of Denmark; and in the south by 51°00' north latitude.

2. Notwithstanding Recommendation (1), in fisheries for the species designated below in relation to particular Regions, vessels may carry on board and use trawl nets having meshes of dimensions smaller than those specified in Recommendation (1), but from 1 July 1976 not smaller than the dimensions specified below in relation to the species and region: —

Part of convention area	Species	Minimum mesh size
Region 1	Polar cod (<i>Boreogadus saida</i>)	16 mm
	Capelin (<i>Mallotus villosus</i>)	16 mm
	Blue Whiting (<i>Trisopterus poutassou</i>)	16 mm
	Silver smelts (<i>Argentina</i> sp)	16 mm
	Herring (<i>Clupea harengus</i>)	16 mm
	Molluscs	16 mm
	Prawns (<i>Pandalus</i> spp)	16 mm
	Silver pout (<i>Gadiculus thorii</i>)	16 mm
	Nephrops	16 mm
	Norway pout (<i>Trisopterus esmarkii</i>)	16 mm
Region 2	Herring (<i>Clupea harengus</i>)	16 mm
	Mackerel (<i>Scomber scomber</i>)	16 mm
	Horse mackerel (<i>Trachurus trachurus</i>)	16 mm
	Sprat (<i>Clupea sprattus</i>)	16 mm

Norway pout (<i>Trisopterus esmarkii</i>)	16 mm
Blue whiting (<i>Trisopterus poutassou</i>)	16 mm
Silver smelts (<i>Argentina</i> sp)	16 mm
Prawn (<i>Pandalus</i> spp)	16 mm
Shrimp (<i>Crangon</i> spp)	16 mm
Eels	16 mm
Great weevlers (<i>Trachinus draco</i>)	16 mm
Molluscs	16 mm
Nephrops *	16 mm

**Except in ICES statistical areas VI and VII of Region 2 where the minimum mesh size is 40 mm.*

Region 3	Dicologlossa (or <i>Dicologlossa</i>)	40 mm
	<i>cuneata</i>	
	Nephrops	40 mm
	Sardine (<i>Sardina pilchardus</i>)	20 mm
	Prawn (<i>Pandalus</i> spp)	20 mm
	Shrimp (<i>Crangon</i> spp)	20 mm

3. Notwithstanding the minimum mesh size prescribed in relation to shrimp in Region 2 in paragraph 2, in the fishery for shrimp within 12 miles of the mainland coast of Denmark and the Federal Republic of Germany to a northern boundary of 56°30'N vessels may carry on board and use trawl nets having meshes of dimensions smaller than those prescribed.

Conditions for use of small mesh nets

4. The exceptions from Recommendation (1) allowed by the preceding paragraphs of this Recommendation shall be subject to the following conditions:

(1) the trawls used by such vessels for the capture of any of the descriptions of fish specified in the preceding paragraphs shall not be used for the purpose of catching other descriptions of fish;

(2) no vessel shall carry on board or use any net having in the cod-end meshes of dimensions between 50 mm (irrespective of the material used) and those specified in Recommendation (1) in the area defined in paragraph (b) of that recommendation except those waters east of a line drawn from Hanstholm to Lindesnes.

Areas in which small mesh nets are not authorised

5. This Recommendation shall not apply to trawl fisheries for:

(1) blue whiting in that part of Region 2 to the south of latitude 52°30'N and west of longitude 7°00'W.

(2) Norway pout in the period from 1st August to the last day of January inclusive in that part of the North Sea bounded by a line joining the following points:

- British east coast at latitude 56°00'N
- Lat. 56°00'N - Long. 00°00'
- Lat. 60°00'N - Long. 00°00'
- Lat. 60°00'N - Long. 04°00'W
- British coast at Long. 04°00'W

(3) *Dicologlossa* (or *Dicologoglossa*) *cuneata* in all parts of Region 3 outside a line joining the following points:

- Lat. 46°16'N - Long. 01°36'W Whaling lighthouse
- Lat. 46°05'N - Long. 01°44'W
- Lat. 45°40'N - Long. 01°34'W
- Lat. 44°40'N - Long. 01°34'W

and then due east to the coast.

(4) *Sardina pilchardus* in that part of Region 3 limited in the north-east by a line bearing 310° from Cape Higer (01°47.5'W) on the north coast of Spain and in the south by the parallel 36°00'N.

(5) Shrimp and prawn outside the limit of 12 miles measured from the baselines of the territorial sea in Region 3.

(6) *Nephrops* outside the limit of 12 miles measured from the baselines of the territorial sea in that part of Region 3 as defined in (4) above.

6. In relation to this Recommendation any Contracting State may object to the omission of any species from the list of species contained in paragraph 2 above, being otherwise bound by the provisions of the Recommendation."

Recommendation (5)

A new Recommendation (5) was agreed which, in conjunction with Recommendations (4) and (5) (A), sets limits on the proportions of fish of certain species and sizes which may be landed, retained after sorting or below deck as part of any catch of fish not intended for human consumption. The new Recommendation replaces the existing Recommendation (5).

The text is as follows:

"Recommendation (5)

Mixed Fisheries: Catches not intended for human consumption

Notwithstanding Recommendation (4), on any voyage to which Recommendation (5) (A) does not apply and on which any net not

complying with Recommendation (1) is carried, not more than 25% by weight of all the fish not intended for human consumption in the form of fish, or any part thereof exceeding 100 kg, after sorting or below deck at any time or on landing, may consist of fish of the descriptions specified in Recommendation (4);

Provided that not more than 10% by weight of all the fish not intended for human consumption in the form of fish, or any part thereof exceeding 100 kg, after sorting or below deck at any time or on landing, may consist of undersized fish of the descriptions specified in Recommendation (4); whiting between 20 cm and 23 cm shall not be treated as undersized for the purpose of this paragraph."

Recommendation (8) (C)

The Commission agreed a new Recommendation (8) (C), concerning by-catches for herring in industrial fisheries, to come into force on 1 January 1977. The full text is as follows:

"Recommendation (8) (C)

Industrial Fisheries for Herring

1. Fishing for herring (*Clupea harengus*) is prohibited in that part of Region 2, excluding the Kattegat, which lies south of 62° North, except for human consumption or bait.

2. Notwithstanding paragraph 1 of this Recommendation, in that part of Region 2 excluding the Kattegat which lies south of 62° North, herring not intended for human consumption caught as by-catch may be landed provided that the herring do not exceed:

(a) 15% in weight of each landing of sprat in the period 1st July–31st March and 10% in weight of each landing of sprat in the period 1st April–30th June and 5% in weight of the aggregate annual landings of sprat in any country;

(b) 10% in weight of each landing of Norway pout, sandeel, or other fisheries, and 5% in weight of the aggregate annual landings of Norway pout, or of sandeel, or of other fisheries in any country.

3. This recommendation comes into effect 1st January, 1977."

New Recommendation (15) (A)

The Commission agreed a new Recommendation (15) (A) setting a total allowable catch and national quota allocation for sole and plaice fishing in the North Sea for the calendar year 1977. This will replace the existing Recommendation (15) (A) when it expires at the end of the year.

The full text is as follows:

"Recommendation (15) (A)

Sole and Plaice Fishing in the North Sea

1. The catches of sole (*Solea solea*) and plaice (*Pleuronectes platessa*) taken by Contracting States in the area defined in paragraph 4 shall not be such as to exceed aggregate amounts of 12,500 tons and 99,900 tons respectively in the calendar year 1977.

2. The total catch of sole by each Contracting State in the area concerned during this period shall be restricted to the following amounts:

	tons
Belgium	1,200
Denmark and Faroes	600
France	350
Germany, Federal Republic of	500
The Netherlands	9,200
United Kingdom	600
Others (total)	50

3. The total catch of plaice by each Contracting State in the area concerned during this period shall be restricted to the following amounts:

	tons
Belgium	4,700
Denmark	24,200
France	2,100
Germany, Federal Republic of	4,700
The Netherlands	35,600
United Kingdom	27,800
Others (total)	800

4. The area to which paragraphs 1 to 3 of this Recommendation apply is bounded in the north and west by a line drawn from a point on the coast of Norway in 62°00' north latitude westwards to 4°00' west longitude and thence southwards to the north coast of Scotland; in the east by a line drawn from a point on the south coast

of Norway in 7°00' east longitude southwards to 57°30' north latitude, thence eastwards to 8°00' east longitude, thence southwards to 57°00' north latitude, and thence eastwards to the coast of Denmark; and in the south by 51°00' north latitude.

5: No vessel exceeding 50 GRT or 300 HP shall trawl for sole or plaice inside the coastal waters off the mainland coasts of Belgium, The Netherlands, Germany, Federal Republic of, and the west coast of Denmark up to the latitude of 56°30' north.

6. In order to ensure compliance with this Recommendation no vessel to which either of the specifications set out in paragraph 5 above applies shall carry within the area any beam or other trawl specifically arranged for catching flatfish unless it is properly lashed and stowed in such a way that it may not be readily used.

7. For the purposes of this Recommendation, coastal waters shall be defined as extending 12 miles from the baselines from which the territorial sea is measured.

8. Notwithstanding paragraph 5 above no such vessel fishing for other species in the area shall retain on board more than 10% by weight of soles and plaice.”

New Recommendation (15) (B)

The Commission agreed a new Recommendation (15) (B) setting a total allowable catch and national quota allocation for sole and plaice fishing in the English Channel for the calendar year 1977. This will replace the existing Recommendation (15) (B) when it expires at the end of the year. The full text is as follows:

“Recommendation (15) (B)

Sole and Plaice Fishing in the English Channel

1. The catches of sole (*Solea solea*) and plaice (*Pleuronectes platessa*) taken by Contracting States in the area defined in paragraph 4 shall not be such as to exceed aggregate amounts of 1,450 tons and 3,340 tons respectively in the calendar year 1977.

2. The total catch of sole by each Contracting State in the area concerned during this period shall be restricted to the following amounts:

	tons
Belgium	150
France	870
United Kingdom	405
Others (total)	25

3. The total catch of plaice by each Contracting State in the area concerned during this period shall be restricted to the following amounts:

	tons
Belgium	150
France	1,880
United Kingdom	1,280
Others (total)	30

4. The area to which this Recommendation applies is bounded in the west by a line drawn from a point on the coast of Cornwall in 50°00' north latitude westwards to 7°00' west longitude, thence southwards to 49°30' north latitude, thence eastwards to 5°00' west longitude, thence southwards to 48°00' north latitude and thence eastwards to the coast of France; and in the north-east by the 51°00' north latitude."

New Recommendation (15) (C)

The Commission agreed a new Recommendation (15) (C) setting a total allowable catch and national quota allocation for sole and plaice fishing in the Bristol Channel for the calendar year 1977. This will replace the existing Recommendation (15) (C) when it expires at the end of the year. The full text is as follows:

"Recommendation (15) (C)

Sole and Plaice Fishing in the Bristol Channel

1. The catches of sole (*Solea solea*) and plaice (*Pleuronectes platessa*) taken by Contracting States in the area defined in paragraph 4 shall not be such as to exceed aggregate amounts of 700 tons and 640 tons respectively in the calendar year 1977.

2. The total catch of sole by each Contracting State in the area concerned during this period shall be restricted to the following amounts:

	tons
Belgium	400
France	100
United Kingdom	190
Others (total)	10

3. The total catch of plaice by each Contracting State in the area concerned during this period shall be restricted to the following amounts:

	tons
Belgium	100
France	130
United Kingdom	400
Others (total)	10

4. The area to which this Recommendation applies is bounded by a line drawn from a point on the south coast of Wales in 5°00' west longitude southwards to 51°00' north latitude, thence westwards to 6°00' west longitude, thence southwards to 50°30' north latitude, thence westwards to 7°00' west longitude, thence southwards to 50°00' north latitude, and thence eastwards to the coast of Cornwall."

New Recommendation (15) (D)

The Commission agreed a new Recommendation (15) (D) setting a total allowable catch and national quota allocation for sole and plaice fishing in the Irish Sea for the calendar year 1977. This will replace the existing Recommendation (15) (D) when it expires at the end of the year. The full text is as follows:

"Recommendation (15) (D)

Sole and Plaice Fishing in the Irish Sea

1. The catches of sole (*Solea solea*) and plaice (*Pleuronectes platessa*) taken by Contracting States in the area defined in paragraph 4 shall not be such as to exceed aggregate amounts of 1,670 tons and 4,150 tons respectively in the calendar year 1977.

2. The total catch of sole by each Contracting State in the area concerned during this period shall be restricted to the following amounts:

	tons
Belgium	720
France	150
Ireland	100
The Netherlands	240
United Kingdom	450
Others (total)	10

3. The total catch of plaice by each Contracting State in the area concerned during this period shall be restricted to the following amounts:

	tons
Belgium	200
France	220
Ireland	1,100
The Netherlands	20
United Kingdom	2,570
Others (total)	40

4. The area to which this Recommendation applies lies between Great Britain and Ireland, bounded in the north by 55°00' north latitude and in the south by 52°00' north latitude."

Recommendation (22)

The Commission agreed a Recommendation (22) aimed at maintaining the present level of fishing effort in the southern part of the Convention area. The Recommendation, which comes into effect on 1 January 1977, sets TACs and national quotas limiting the quantities of fish, excluding tuna, clupeiform fishes and shellfish, which may be taken in I.C.E.S. Statistical Areas VIII and IX respectively in 1977.

The full text is as follows:

"Recommendation (22)

Regulation of fishing effort in the Southern part of the Convention Area

1. The catches of fish (tuna, clupeiform fishes and shellfish excluded) taken by Contracting States in Region 3 of the Convention Area shall not be such as to exceed the aggregate amount of 242,000 tons in ICES Statistical Area VIII and 218,000 tons in Statistical Area IX in the calendar year 1977.

2. The total catch by each Contracting State during this period in the area defined in paragraph 3 of this Recommendation shall be restricted to the following amounts:

	tons
France	60,000
Spain	180,000
Others	2,000

3. The area to which paragraph 2 of this Recommendation applies is bounded by a line drawn from a point on the coast of France in 48°00' north latitude westwards to 18°00' west longitude, thence

southwards to 43°00' north latitude and thence eastwards to the coast of Spain.

4. The total catch by each Contracting State during this period in the area defined in paragraph 5 of this Recommendation shall be restricted to the following amounts:

	tons
France	2,400
Portugal	140,300
Spain	74,800
Others	500

5. The area to which paragraph 4 of this Recommendation applies is bounded by a line drawn from a point on the coast of Spain in 43°00' north latitude westwards to 18°00' west longitude, thence southwards to 36°00' north latitude and thence eastwards to its intersection with a line running along 3°36' west longitude."

Recommendation (23)

Noting the advice of its Enforcement Committee regarding the importance of the provision of full and prompt reports of foreign landings to flag states, the Commission agreed the following Recommendation:

"Recommendation (23)

Reports of foreign landings to Flag States

Contracting States shall report by letter or by telegraph the weight, species and area of catch of all landings of quota species made at their ports by vessels of other Contracting States direct to the appropriate authority of the vessel concerned as soon as possible after the landing has taken place. Contracting States shall inform the Secretariat of the address to which such reports should be sent".

Tegen het na te noemen deel van de hierboven afgedrukte aanbeveling 2 is in overeenstemming met artikel 8, derde lid, van het Verdrag bezwaar gemaakt door de volgende Staat:

Denemarken 2, tweede lid
(„Region 2”) en
vijfde lid sub 2

Uitgegeven de *vijfentwintigste* april 1977.

De Minister van Buitenlandse Zaken,
M. VAN DER STOEL.