

No. 1629

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
FRANCE**

**Agreement (with two annexed charts) regarding rights of
fishery in areas of the Ecrehos and Minquiers. Signed
at London, on 30 January 1951**

Official texts: English and French.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
19 February 1952.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
FRANCE**

**Accord (avec deux cartes jointes en annexe) concernant les
droits de pêche dans les parages des Écréhous et des
Minquiers. Signé à Londres, le 30 janvier 1951**

Textes officiels anglais et français.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
19 février 1952.*

No. 1629. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE FRENCH REPUBLIC REGARDING RIGHTS OF FISHERY IN AREAS OF THE ECREHOS AND MINQUIERS. SIGNED AT LONDON, ON 30 JANUARY 1951

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic;

Considering that they have decided to request the International Court of Justice at The Hague to determine to which of them sovereignty over the islets within the Ecrehos and Minquiers groups should be attributed;

Having regard to the Convention between Great Britain and France signed on 2nd August, 1839,² for defining and regulating the Limits of the Exclusive Right of the Oyster and other Fishery on the Coasts of Great Britain and France (hereinafter referred to as the 1839 Convention);

Desiring, without prejudice to the determination of the question of sovereignty, to settle certain differences which have arisen between them with reference to fishing rights in the areas of the Ecrehos and Minquiers;

Have agreed as follows :—

Article I

Subject to the provisions of Articles II, III and IV of the present Agreement, the 1839 Convention shall, as between the Contracting Parties, be interpreted as conferring on British nationals and French nationals equal rights of fishery in the whole area between the limit of three miles calculated from low-water mark on the coast of the island of Jersey and the limit within which the exclusive right of fishing is reserved to French nationals by the 1839 Convention as redefined by the Declaration between the United Kingdom and the Irish Free State and France regarding the limits of French Fisheries in Granville Bay signed on 20th December, 1928.³

¹ Came into force on 24 September 1951 by the exchange of the instruments of ratification at Paris, in accordance with article VIII.

² *British and Foreign State Papers*, Vol. 27, p. 983.

³ League of Nations, *Treaty Series*, Volume LXXXVI, p. 429.

Article II

(a) The Contracting Party, which is held to have sovereignty over the *Maîtresse Ile* in the *Ecrehos* group, shall have the right to grant fishing concessions within a zone (hereinafter referred to as Zone A) having a radius of one-third of a mile and centred on the beacon situated in the middle of that island, subject to the exceptions set out in paragraph (b) of this Article.

(b)—(i) The whole of the two isolated rocks which lie between the *Colombier* and the *Maîtresse Ile* shall be included within Zone A.

(ii) The whole of the island of *Marmotier* together with the rocks at the southernmost extremity thereof, the isolated rock which lies to the south-westward of the island and the whole of the *Bigorne Bank* shall be excluded from Zone A.

Article III

(a) The Contracting Party, which is held to have sovereignty over the *Maîtresse Ile* in the *Minquiers* group, shall have the right to grant fishing concessions within a zone (hereinafter referred to as Zone B) having a radius of one half mile and centred on the point where the flagstaff situated on the northern part of the island stood on 24th July, 1950, subject to the exceptions set out in paragraph (b) of this Article.

(b)—(i) The whole of the group of rocks known as the “*Rocher du Sud*” (but not the “*Rocher du Sud Bas*”) shall be included within Zone B.

(ii) The whole of the *Red Fourchi Bank* shall be excluded from Zone B.

Article IV

(a) If it is held that the United Kingdom has sovereignty over the *Pipette* rocks, the Government of the United Kingdom shall have the right to grant fishing concessions within a zone (hereinafter referred to as Zone C) having a radius of one half mile and centred on the *Pipette Beacon* erected on the rock which on French chart No. 4599 bears the mark 13.3. It is, however, agreed that Zone C shall include the whole of the group of rocks known as “*La Carrée*.”

(b) If it is held that France has sovereignty over the rocks known as the *Maisons*, the Government of the French Republic shall have the right to grant fishing concessions within a zone (hereinafter referred to as Zone D) having a radius of one half mile and centred on the *Maisons Beacon* erected on the rock which on French chart No. 4599 bears the mark 20. It is, however, agreed that Zone D shall include the whole of the group of rocks known as “*La Vision*.”

Article V

(a) In the present Agreement, the word "mile" means a sea-mile equal to one minute of latitude.

(b) For the purpose of the application of Articles II, III and IV, the area of the rocks and banks, to be included in or excluded from Zones A, B, C and D, shall be the area which is uncovered at the lowest low-water.

(c) The limits of Zones A, B, C and D shall be as shown on the two charts annexed¹ to the present Agreement. If there should be any discrepancy between the limits as shown on the charts and as described in Articles II, III and IV, the limits shown on the charts shall prevail.

Article VI

(a) Concessions granted in accordance with the present Agreement shall—

- (i) cover areas adjoining land which is above water at all states of the tide;
- (ii) be clearly defined as regards the area to be covered, which, where practicable, shall be clearly marked;
- (iii) be used *bona fide* for the purposes of fishing, or breeding or conserving fish, including crustaceans and shell-fish.

(b) Such concessions shall be granted by the Government of the United Kingdom to British nationals only and by the Government of the French Republic to French nationals only.

(c) The nationals of one Contracting Party shall be prohibited from fishing within the limits of any concession granted by the other. Such prohibition shall apply to all types of fishing, including oyster fishing, within the limits of the concession.

(d) The Contracting Party granting a concession shall give notice thereof to the other Contracting Party and the prohibition mentioned in paragraph (c) of this Article shall take effect three months after receipt of the notification by the latter.

(e) Concessions granted in accordance with the present Agreement shall not interfere with—

- (i) freedom of access for boats belonging to nationals of either Contracting Party to the anchorage on the north side of the Maîtresse Ile in the Ecrehos and the anchorage on the east side of the Maîtresse Ile in the Minquiers;
- (ii) freedom of access for such boats to the disembarkation points at those anchorages.

¹ See inserts between pp. 106 and 107 of this volume.

Article VII

For the purposes of the present Agreement :—

(a) The expression “ British nationals ” means—

- (i) physical persons who are British subjects or British-protected persons, and
- (ii) juridical persons incorporated under the laws in force in the United Kingdom or in any territory for whose international relations the Government of the United Kingdom is responsible.

(b) The expression “ French nationals ” means, physical or juridical persons who are nationals of the French Republic or of countries or territories for whose international relations the French Republic is responsible.

Article VIII

(a) The present Agreement shall be subject to ratification.

(b) The instruments of ratification shall be exchanged as soon as possible in Paris and the present Agreement shall come into force immediately upon the exchange of ratifications.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

DONE in duplicate in London, the 30th day of January, 1951, in English and French, both texts being equally authoritative.

(L.S.)

K. G. YOUNGER

(L.S.)

R. MASSIGLI