

No. 2232

**YUGOSLAVIA
and
ITALY**

Agreement regarding fishing by Italian fishermen in Yugoslav waters. Signed at Belgrade, on 13 April 1949

Official text : French.

Registered by Yugoslavia on 23 July 1953.

**YUGOSLAVIE
et
ITALIE**

Accord relatif à la pêche par les pêcheurs italiens dans les eaux yougoslaves. Signé à Belgrade, le 13 avril 1949

Texte officiel français.

Enregistré par la Yougoslavie le 23 juillet 1953.

[TRANSLATION—TRADUCTION]

No. 2232. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE GOVERNMENT OF THE REPUBLIC OF ITALY REGARDING FISHING BY ITALIAN FISHERMEN IN YUGOSLAV WATERS. SIGNED AT BELGRADE, ON 13 APRIL 1949

The Government of the Federal People's Republic of Yugoslavia and the Government of the Republic of Italy, represented by the undersigned duly authorized delegates, have agreed as follows :

Article 1

The Government of the Federal People's Republic of Yugoslavia shall permit Italian fisherman to fish by trawling in the territorial sea of the Federal People's Republic of Yugoslavia as follows :

(a) Within the zone of the Premuda-Dugi Otok-Kornat Archipelago to the southwest of the northwestern cape of the island of Premuda in the direction of the Veli Rat and Sestrice lighthouses as far as the island of Purara in the Kornat Archipelago with the exception of the waters of the first two nautical miles in the direction of the open sea ;

(b) Within the zone of the Jabuka-Kamik Archipelago to the west of the meridian crossing the island of Kamik, with the exception of the waters of the first nautical mile off the island of Jabuka and the first two nautical miles off the island of Kamik in the direction of the open sea ;

(c) Within the zone of the Palagruza-Kajola Archipelago, with the exception of the waters of the first two nautical miles in the direction of the open sea ;

(d) Within the zone of the island of Mljet, to the west as far as the meridian crossing the Glavat lighthouse and to the east as far as the meridian crossing Cape Gruj at the most south-easterly point of the island of Mljet, with the exception of the waters of the first two nautical miles in the direction of the open sea.

The Government of the Federal People's Republic of Yugoslavia shall also permit Italian fishermen to fish by trawling in the protected belts four nautical miles wide, which lie outside the territorial sea and parallel to the zones mentioned under (a), (b), (c) and (d) in the first paragraph of this article, the belts corresponding to the said zones in length and forming with them a single fishing zone.

¹ Came into force on 1 May 1949, in accordance with article 13.

During the validity of the present Agreement the Government of the Federal People's Republic of Yugoslavia waives the right to apply within these belts of the zones defined in the present Agreement other restrictive measures for the protection of marine resources than those mentioned in the present Agreement. The following shall be allowed to fish in these compact fishing zones: in the zone Premuda-Dugi Otok-Kornat, a maximum number of sixty vessels; in the Jabuka-Kamik and Palagruza-Kajola zones an unspecified number of vessels, and in the zone of the island of Mljet, a maximum number of twenty-five vessels.

The competent organs of the Government of the Federal People's Republic of Yugoslavia shall exercise supervision and prescribe all necessary measures to protect marine resources within the belts of the protected zone four nautical miles wide outside the territorial sea. In connexion with the protective measures Italian fishermen shall not be treated less favourably than Yugoslav fishermen.

As soon as the waters to the northwest of the island of Susak are cleared of mines, the Government of the Federal People's Republic of Yugoslavia shall consider the possibility of establishing in these waters a special fishing sector for Italian fishermen.

Article 2

The Government of the Federal People's Republic of Yugoslavia shall permit seine-fishing for blue fish by Italian fishermen using twenty seines provided with candles in the waters of the zone mentioned under article 1(b) of this Agreement with the exception of the waters of the first 300 metres off the island of Jabuka and of the waters of the first two nautical miles off the island of Kamik.

Article 3

The Government of the Federal People's Republic of Yugoslavia shall permit Italian fishermen to catch fry for breeding purposes in the interior waters of Tar Bay and Medulin Bay.

Italian fishermen may fish for fry in the waters mentioned in the first paragraph of this article using not more than four vessels. The four vessels shall be permitted to catch up to four million mullets and up to two million sea-dace and giltheads.

Each Italian fishing vessel engaged in fishing for fry in the waters mentioned in the first paragraph of this article shall have on board as working members of the crew two Yugoslav fishermen, who shall verify the quantity of fish taken.

When entering and leaving the zones mentioned in the first paragraph of this article, Italian fishing vessels shall report as follows: those fishing in Tar

Bay to the Local People's Committee of Tar, and those fishing in Medulin Bay to the Local People's Committee of Medulin.

Article 4

In the case of a dispute as to whether an Italian vessel has been fishing within or without the zones specified in this Agreement, the findings of the competent Yugoslav authorities based on the names and tracings on the coastal and special maps attached under A, B, C, D, E and F to the present Agreement,¹ of which they constitute an integral part, shall be considered as valid.

Article 5

Italian fishing vessels provided with special permits to fish in the waters of the zones specified in this Agreement shall have the right to fish only within the following dates: fishing by trawling, from 1 September to 30 April; seine-fishing from 1 April to 30 September; fishing for fry from 1 March to 31 August.

The competent Yugoslav authorities shall permit Italian fishing vessels authorized to fish in the zone of the Premuda-Dugi Otok-Kornat Archipelago to enter the port of Premuda.

On entering or leaving the port of Premuda, Italian fishing vessels shall on each occasion report to the Local People's Committee of Premuda. Should an Italian fishing vessel fail to report to the Local People's Committee of Premuda on entering or leaving the port of Premuda, the competent authorities may, in addition to imposing other penalties, prohibit further access to the port.

The competent Yugoslav authorities shall likewise permit Italian fishing vessels, engaged in seine-fishing for blue fish in the waters of the Jabuka-Kamik island zone, access to the coast of the island of Jabuka, without prejudice to the prohibition of fishing in the waters of the first 300 metres under article 2 of the present Agreement.

Article 6

Italian fishing vessels engaged in trawling must keep at a distance of 500 metres from the signals marking the position of blue-fish nets, dragnets, lines and bow-nets.

Article 7

In addition to a certificate of registration and a bill of health, each Italian fishing vessel shall be provided with a special permit to fish in the zones specified

¹ Not published in this volume.

in this Agreement, issued by the competent Italian authorities and worded in accordance with the form attached as annex G to the present Agreement, of which it constitutes an integral part.

The special fishing permit shall be valid for a period of one year; it shall, however, lapse on the termination of the present Agreement.

The permit shall be valid from the date on which the competent Yugoslav authorities notify their approval thereof.

Article 8

The Government of the Republic of Italy shall forward to the Government of the Federal People's Republic of Yugoslavia, for its approval, all special permits authorizing fishing in the zones specified in this Agreement.

The Government of the Federal People's Republic of Yugoslavia shall return the special permits within thirty days from the date of receipt, indicating which of them it has seen fit to approve and which will have to be replaced.

Article 9

The competent Yugoslav authorities shall at all times have the right to board and inspect Italian fishing vessels while these are in the waters of the zones specified in this Agreement.

Article 10

Italian fishing vessels shall comply in every respect with the regulations laid down by the Federal People's Republic of Yugoslavia, with the terms of the present Agreement and with the provisions of the International Convention for the Safety of Life at Sea.¹

Article 11

Should an Italian fishing vessel, while in the waters of the zones specified in this Agreement, fail to comply with the regulations laid down by the Federal People's Republic of Yugoslavia, with the terms of the present Agreement or with the provisions of the International Convention for the Safety of Life at Sea, it will become subject in every respect to the corresponding regulations laid down by the Federal People's Republic of Yugoslavia.

¹ League of Nations, *Treaty Series*, Vol. CXXXVI, p. 81; Vol. CXLII, p. 393; Vol. CXLVII, p. 354; Vol. CLVI, p. 257; Vol. CLX, p. 417; Vol. CLXIV, p. 394; Vol. CLXXII, p. 423; Vol. CLXXVII, p. 420; Vol. CLXXXV, p. 406; Vol. CC, p. 513; and United Nations, *Treaty Series*, Vol. 34, p. 427; Vol. 92, p. 434, and Vol. 136, p. 411.

In case of a second offence the competent Yugoslav authorities may, in addition to the penalty provided for in the corresponding regulations laid down by the Federal People's Republic of Yugoslavia, order the withdrawal of the fishing rights acquired by virtue of the special permit issued by the competent Italian authorities. The Italian Government shall in such case have the right to replace the cancelled permit by an equivalent one.

Article 12

As long as the present Agreement is in force, the Government of the Republic of Italy shall each year place at the disposal of the Government of the Federal People's Republic of Yugoslavia the sum payable by Italian fishermen for engaging in fishing.

This sum is fixed for the first year at a total of 750 million Italian lire ; it shall be placed at the disposal of the Government of the Federal People's Republic of Yugoslavia by the Government of the Republic of Italy as follows : 375 million not later than 1 October 1949, and 375 million not later than 1 January 1951.

At the beginning of each year thereafter, the total amount and the period in which it is to be paid shall be fixed by agreement between the two Contracting Governments.

The amounts fixed in the preceding paragraphs of this article shall be deposited by the Government of the Republic of Italy to the credit of the Government of the Federal People's Republic of Yugoslavia in the A account provided for in article 12 of the Agreement concerning trade and economic co-operation between the Federal People's Republic of Yugoslavia and the Republic of Italy.

Article 13

The present Agreement shall come into force on 1 May 1949 for a period of two years. It shall be tacitly prolonged each year, unless it is terminated by one of the two Governments at four months notice.

DONE in duplicate, at Belgrade, on 13 April 1949.

(Signed) Ales BEBLER

(Signed) Celeste BASTIANETTO