

**No. 14665**

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**FRANCE  
and  
BELGIUM**

**Exchange of letters constituting an agreement concerning the practice of seasonal fishing in Belgian and French territorial waters. Paris, 30 September and 23 October 1975**

*Authentic text: French.*

*Registered by France on 19 March 1976.*

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**FRANCE  
et  
BELGIQUE**

**Échange de lettres constituant un accord relatif à l'exercice de pêches saisonnières dans les eaux territoriales belges et françaises. Paris, 30 septembre et 23 octobre 1975**

*Texte authentique : français.*

*Enregistré par la France le 19 mars 1976.*

## [TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN FRANCE AND BELGIUM CONCERNING THE PRACTICE OF SEASONAL FISHING IN BELGIAN AND FRENCH TERRITORIAL WATERS

## I

## EMBASSY OF BELGIUM

Paris, 30 September 1975

B. 20-91/27 G2/No. 29 397

Sir,

Under cover of note No. 003219, dated 16 June 1975, Directorate of Administrative Conventions and Consular Affairs, you have transmitted to me the draft of the new Agreement on shotten herring and sprat fishing in Belgian and French territorial waters, the text of which is as follows:

“The French Government and the Belgian Government — without prejudice to rights of sovereignty over their respective territorial waters, which they intend to maintain absolutely — wishing to facilitate the practice of seasonal fishing for shotten herring and sprat by their nationals, have agreed as follows:

“1. The territorial waters of France and Belgium shall be open to vessels of both Contracting Nations practising shotten herring and sprat fishing, subject to observance of the following provisions:

“2. In waters lying between 3 and 6 miles from the low-water line, access to fishing as defined in article 1 shall be restricted to vessels having one of the two following characteristics: a gross tonnage of less than or, at most, not exceeding 60 tons; a motive power of less than or, at most, not exceeding 400 horsepower.

“3. In waters lying within the 3-mile limit drawn from the low-water line, access to such fishing shall be open only to vessels having one of the two following characteristics: a gross tonnage of less than or, at most, not exceeding 35 tons; a motive power of less than or, at most, not exceeding 250 horsepower.

“4. Power is understood to mean the power normally exerted by the motor while the vessel is engaged in fishing. Power and tonnage shall be indicated on the vessel's operating licence.

“5. Vessels fulfilling the above conditions shall, moreover, operate exclusively with pelagic trawls meeting the following specifications:

“(a) The mesh shall meet the international regulations laid down for Region 2 of the North-East Atlantic Fisheries Convention;

“(b) The footrope, which shall be neither weighted nor protected (except that it may be served with spun-yarn or polyethylene), shall consist of a single steel cable, or of a mixed cable, with a maximum diameter of 13 mm if steel and 25 mm if mixed;

“(c) Only kentledges or hanging chains, which must be attached to the lower legs or to their connexion with the wing ends of the trawl, shall be used as weights to effect the vertical opening of the trawl;

<sup>1</sup> Came into force on 23 October 1975 by the exchange of the said letters.

“(d) The horizontal opening of the trawl shall be effected by two vessels using the pair-trawling method.

“6. A Commission composed of representatives of the French and Belgian administrations concerned and of representatives of the trade shall be empowered in general to determine measures to be taken with regard to matters of detail affecting the implementation of this Agreement and the organization of fishing seasons.

“The Commission shall have powers in particular to:

“(a) designate, if necessary, the ports which shall be open to fishing vessels authorized to practise shotten herring and sprat fishing in territorial waters;

“Verification procedures may be established. The use of ports shall not give rise to any rights in respect of vessels other than those which apply to national vessels. Catches shall be liable to the duties and charges in effect at the port if they are unloaded and sold. They shall be subject to the provisions adopted in this respect by producers' organizations. If catches are destined for the port of origin of the vessel they shall be considered to be in transit;

“(b) determine the maximum number of fishing vessels which may be admitted to the ports and lay down conditions for their admission;

“(c) fix each year the opening and closing dates of the shotten herring and sprat fishing seasons;

“(d) consider fishing disputes which may arise between fishermen of the two countries in the course of the implementation of the present Agreement.

“7. The Commission shall meet each year before 1 October, under the chairmanship of a high-level civil servant of the country where the meeting is held. It may hear any technical specialists or members of the trade whom it may deem it useful to consult in the exercise of its powers.

“It may, at its annual meeting, designate local delegates who shall be empowered, by way of exception depending on the circumstances, to change the opening and closing dates of the fishing season; ten days must elapse between the date of such decision and the opening or closing date. These delegates may also, should the occasion arise, be delegated power to conduct preliminary investigations in respect of fishing disputes.

“8. The present Agreement abrogates and supersedes that of 16 October 1953 and 11 October 1954. It shall enter into force for the 1975/76 fishing season.

“It may be denounced by either party before 15 July of each year.”

I have the honour, on behalf of the Belgian Government, to inform you that the provisions of this arrangement are acceptable to me.

I should therefore be grateful if you would send me, on behalf of the French Government, a letter drafted in identical terms so that this bilateral Agreement may enter into force as soon as possible.

Accept, Sir, etc.

[Signed]

COUNT DE KERCHOVE DE DENTERGHEM  
Ambassador of Belgium

Mr. Claude Chayet  
Director of Administrative Conventions and Consular Affairs  
Ministry of Foreign Affairs of the French Republic  
Paris

## II

23 October 1975

085455

Sir,

I have the honour to acknowledge receipt of Your Excellency's letter of 30 September concerning a new Agreement on shotten herring and sprat fishing in Belgian and French territorial waters, the text of which is as follows:

[See letter I]

I have the honour, on behalf of the French Republic, to inform Your Excellency that the provisions of this Agreement are acceptable to me.

Accept, Excellency, etc.

C. CHAYET

His Excellency Count de Kerchove de Denterghem  
Ambassador of Belgium

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