

No. 16020

**SPAIN
and
PORTUGAL**

**Convention on fishing at sea and co-operation in matters of
fisheries. Signed at Madrid on 9 December 1969**

Authentic texts: Spanish and Portuguese.

Registered by Spain on 25 November 1977.

**ESPAGNE
et
PORTUGAL**

**Convention relative à la pêche maritime et à la coopération
en matière de pêcheries. Signée à Madrid le 9 décembre
1969**

Textes authentiques : espagnol et portugais.

Enregistrée par l'Espagne le 25 novembre 1977.

[TRANSLATION — TRADUCTION]

CONVENTION¹ BETWEEN SPAIN AND PORTUGAL ON FISHING AT SEA AND CO-OPERATION IN MATTERS OF FISHERIES

The Governments of Spain and Portugal,

Having in view the conclusion of a Convention between the two countries on fishing at sea and co-operation in matters of fisheries;

Taking into account the provisions of the London Fisheries Convention of 9 March 1964,² to which both States are parties;

Without prejudice to their views regarding the principles of international law applicable to the delimitation of the maritime spaces adjacent to their coasts; and

Desiring to strengthen the good relations which have always existed between their fishery authorities and their fishermen,

Have agreed as follows:

Article 1. 1. Portuguese fishing vessels shall have the right to engage in fishing in the off-shore belt of sea between 6 and 12 miles from the Atlantic coast of the Spanish mainland, measured from the baseline adopted by Spain for the delimitation of its reserved fishing belt.

2. The right established in the preceding paragraph shall not be exercised in off-shore belts of sea north of the parallel passing through Cape Finisterre or east of the meridian passing through the Tarifa point (Strait of Gibraltar).

Article 2. 1. Spanish fishing vessels have the right to engage in fishing in the off-shore belt of sea between 6 and 12 miles from the coast of the Portuguese mainland, measured from the baseline adopted by Portugal for the delimitation of its territorial sea.

2. The right established in the preceding paragraph shall not be exercised in belts of sea off the coasts of the Azores and Madeira.

Article 3. 1. In the belt between 0 and 6 miles, measured from the baselines referred to in this Convention, fishing shall be reserved for nationals of each Party in the waters under its jurisdiction.

2. However, in the belts of sea at the mouths of the rivers Minho and Guadiana, the competent fishery authorities may agree on measures of mutual tolerance with respect to fishing in accordance with the traditional relations between fishermen on both sides of the border.

Article 4. 1. Straight baselines or bay closing lines for the delimitation of the fishing belts described in the preceding articles shall be drawn in accordance with article 6 of the London Fisheries Convention of 9 March 1964.

2. To that end, each Party shall give the other Party adequate advance notice of its intention to draw any straight baselines or bay closing lines, or to modify any

¹ Came into force on 18 December 1970, the date of the last of the notifications by which the Governments informed each other of the completion of their constitutional procedures, in accordance with article 8.

² United Nations, *Treaty Series*, vol. 581, p. 57.

existing lines, in order that the last-mentioned Party may formulate such comments as it deems necessary.

3. In the Bay of Setúbal, the Portuguese State shall adopt, for the delimitation of the fishing belt referred to in article 2, a straight baseline not exceeding 24 miles in length, drawn from Pedra do Arcangil (on Cape of Espichel) towards the opposite shore of the bay in the Barrocal.

Article 5. 1. Within the fishing belts described in articles 1 and 2, fishing vessels of both countries shall be required to comply with the fishery legislation in force in the said belts, provided that there shall be no discrimination in form or in fact as between vessels of the two countries.

2. Each Party shall consult the other Party whenever it proposes to modify its domestic fishery legislation in such a way as might affect the rights accorded under this Convention.

Article 6. 1. In order to facilitate the application of the rules laid down in this Convention, there shall be established a Spanish-Portuguese Technical Fisheries Commission, the composition of which shall be agreed upon through the diplomatic channel.

2. The Commission shall meet alternately in Lisbon and Madrid at least once a year, and in any event, should the circumstances make it desirable, at the request of either Party.

3. The Technical Fisheries Commission shall have the following powers:

- (a) to propose to the Governments a limitation of the fishing effort to be carried out by nationals of the two countries in exercise of the rights accorded under articles 1 and 2 of this Convention by laying down the annual gross register tonnage permitted both for trawling and for fishing by ring net (*cercos*);
- (b) to propose measures for the conservation of fishery resources in the belts of sea adjacent to their coasts;
- (c) to monitor any consultations under the provisions of article 5, paragraph 2; and
- (d) to serve as a channel for co-operation between the two countries in matters of fisheries.

Article 7. This Convention shall remain in force for a term of 20 years.

After the expiration of that term, it shall be automatically extended for successive periods of five years, unless one of the Parties gives the other Party at least one year's notice of its intention not to extend the Convention.

Article 8. This Convention shall enter into force as soon as the two Governments notify each other, by an exchange of notes, that the constitutional procedures prescribed for its approval have been completed.

Transitional provision. Within six months of the entry into force of this Convention, the Technical Fisheries Commission referred to in article 6 shall lay down the limits of the fishing effort that may be carried out by each Party during the following five years in the belts defined in articles 1 and 2 of this Convention. Such limits shall be set on the basis of the fishing effort carried out during the five years preceding the entry into force of the Convention.

IN WITNESS WHEREOF the duly authorized representatives of the Government of Spain and the Government of Portugal have signed the present Convention.

DONE at Madrid on 9 December 1969, in duplicate, in the Spanish and Portuguese languages, the two texts being equally authentic.

For the Spanish Government:

[Signed]

GREGORIO LÓPEZ BRAVO
Minister for Foreign Affairs

For the Portuguese Government:

[Signed]

MANUEL ROCHETA
Ambassador of Portugal to Spain
