

No. 23600

**SWEDEN
and
DENMARK**

Agreement concerning the delimitation of the continental shelf and fishing zones (with map, exchanges of notes and protocol). Signed at Copenhagen on 9 November 1984

Authentic texts of the Agreement and exchanges of notes: Swedish and Danish.

Authentic text of the Protocol: Swedish

Registered by Sweden on 16 October 1985.

**SUÈDE
et
DANEMARK**

Accord sur la délimitation du plateau continental et des zones de pêche (avec carte, échanges de notes et protocole). Signé à Copenhague le 9 novembre 1984

Textes authentiques de l'Accord et des échanges de notes : suédois et danois.

Texte authentique du protocole : suédois

Enregistré par la Suède le 16 octobre 1985.

EXCHANGES OF NOTES — ÉCHANGES DE NOTES

Ia

[SWEDISH TEXT — TEXTE SUÉDOIS]

SVERIGES AMBASSAD
KÖPENHAMN

Köpenhamn den 9 november 1984

Herr Minister,

Med hänvisning till den idag undertecknade överenskommelsen om avgränsningen av kontinentalsockeln och fiskezonerna mellan våra båda länder (avgränsningsöverenskommelsen) har jag äran meddela Er att svenska regeringen är beredd att ingå en överenskommelse med Er regering om ändring av uppsägningsbestämmelsen i artikel 12 i konventionen den 31 december 1932 angående fiskeriförhållandena i de till Sverige och Danmark gränsande farvatten. Den nuvarande uppsägningstiden om sex månader föreslås ändrad så att konventionen kan uppsägas med två års varsel, dock tidigast vid utgången av en period om åtta år från tidpunkten för avgränsningsöverenskommelsens ikraftträdande.

Om Er regering kan acceptera detta förslag, tillåter jag mig föreslå att denna note och Ert bekräftande svar härpå anses vara en överenskommelse mellan våra regeringar och att den träder i kraft samtidigt med avgränsningsöverenskommelsen.

Mottag, Herr Minister, försäkran om min mest utmärkta högaktning.

CARL DE GEER

Herr Utrikesminister Uffe Ellemann-Jensen
Udenrigsministeriet

[TRANSLATION — TRADUCTION]

AGREEMENT¹ CONCERNING THE DELIMITATION OF THE CONTINENTAL SHELF AND FISHING ZONES BETWEEN SWEDEN AND DENMARK

The Government of the Kingdom of Sweden and the Government of the Kingdom of Denmark,

Having decided to establish the boundary of the continental shelf between the two States, and

Wishing at the same time to establish the boundary between the fishing zones of the two States,

Have, in accordance with the Convention on the Continental Shelf, signed at Geneva on 29 April 1958,² agreed as follows:

Article 1. The boundary line between the areas of the continental shelf over which Sweden and Denmark respectively exercise sovereign rights with respect to the exploration and extraction of natural resources shall, in principle, be the median line between the two States.

Article 2. In accordance with the principle referred to in article 1, but with such exceptions as are required by practical and other considerations, the boundary line shall consist of straight lines (geodesic lines) between the points specified in articles 3 to 5.

The positions of these points are defined by geographical longitude and latitude according to the European Datum (first revision, 1950).

The boundary line is shown on the sketch map annexed to this Agreement.³

Article 3. In the Skagerrak and the Kattegat the boundary line shall be drawn through the following points in the order specified:

Point A	58°15'41.2" N,	10°01'48.1" E
Point B	58°08'00.1" N,	10°32'32.8" E
Point C	57°49'00.6" N,	11°02'55.6" E
Point D	57°27'00.0" N,	11°23'57.4" E
Point E	56°30'32.3" N,	12°08'52.1" E
Point F	56°18'14.1" N,	12°05'15.9" E
Point G	56°12'58.9" N,	12°21'48.0" E

Article 4. In the Sound, the boundary line from point G in article 3 to point H in article 5 shall coincide with the demarcation line established in the

¹ Came into force on 3 September 1985 by the exchange of the instruments of ratification, which took place at Stockholm, in accordance with article 8.

² United Nations, *Treaty Series*, vol. 499, p. 311.

³ See insert in a pocket at the end of this volume.

Declaration of 30 January 1932 between Sweden and Denmark concerning the boundaries of the Sund¹ or subsequent amendments thereto.

Article 5. In the Baltic Sea, the boundary line shall extend from the southernmost point of the boundary line in the Sound, as established in article 4, through the following points in the order specified:

Point H	55°20'14.2" N,	12°38'31.0" E
Point I	55°18'30.0" N,	12°38'20.0" E
Point J	55°15'00.0" N,	12°40'38.0" E
Point K	55°10'00.0" N,	12°47'41.6" E
Point L	55°03'54.0" N,	13°03'20.0" E
Point M	55°00'35.2" N,	13°08'45.0" E

From point M the boundary line shall continue as a straight line up to a point to be agreed upon with the third State concerned.

The boundary line shall then continue as a straight line from a point to be agreed upon with the third State concerned and continue through the following points in the order specified:

Point P	54°57'49.1" N,	13°59'40.0" E
Point Q	55°18'44.0" N,	14°27'36.0" E
Point R	55°41'29.4" N,	15°02'34.4" E
Point S	55°21'18.6" N,	16°30'29.7" E

From point S the boundary line shall continue as a straight line up to a point to be agreed upon with the third State concerned.

Article 6. If it is established that natural resources on the sea-bed or in the subsoil thereof are situated on both sides of the boundary line between the shelf areas of the two States in such a way that resources situated in the area of one State can be wholly or partly extracted from the area of the other State, the two Contracting Parties shall, at the request of either Party, endeavour to reach agreement on the conditions for the extraction of the natural resources concerned.

Article 7. The boundary line specified in articles 3 to 5 shall also form the boundary line between the fishing zones of the two States.

Article 8. This Agreement shall be ratified and the instruments of ratification shall be exchanged at Stockholm.

The Agreement shall enter into force on the date of the exchange of the instruments of ratification.

DONE at Copenhagen on 9 November 1984, in two original copies in the Swedish and Danish languages, both texts being equally authentic.

For the Government
of the Kingdom of Sweden:
[CARL DE GEER]

For the Government
of the Kingdom of Denmark:
[UFFE ELLEMANN-JENSEN]

¹ League of Nations, *Treaty Series*, vol. CXXVII, p. 57.

EXCHANGES OF NOTES

I a

The Swedish Ambassador to the Danish Minister for Foreign Affairs

EMBASSY OF SWEDEN
COPENHAGEN

Copenhagen, 9 November 1984

Sir,

With reference to the Agreement signed today concerning the delimitation of the continental shelf and fishing zones between our two countries (Delimitation Agreement), I have the honour to inform you that the Swedish Government is prepared to conclude an agreement with your Government amending the provisions concerning notice of denunciation in article 12 of the Convention of 31 December 1932 with regard to fishing in the waters bordering on Sweden and Denmark.¹ It is proposed that the existing six-month denunciation period should be amended so that the Convention may be terminated upon two years' notice of denunciation but not before eight years have elapsed from the date of entry into force of the Delimitation Agreement.

If your Government is able to accept this proposal, I would propose that this note and your reply in confirmation should be deemed to constitute an agreement between our Governments and that it should enter into force simultaneously with the Delimitation Agreement.

Accept, Sir, etc.

CARL DE GEER

Mr. Uffe Ellemann-Jensen
Minister for Foreign Affairs
Ministry of Foreign Affairs

II a

The Danish Minister for Foreign Affairs to the Swedish Ambassador

THE MINISTRY OF FOREIGN AFFAIRS

Copenhagen, 9 November 1984

R.III.j.nr. 46.D.27

Sir,

I have the honour to acknowledge receipt of your note of today's date, reading as follows:

[See note I a]

¹ League of Nations, *Treaty Series*, vol. CXXXIX, p. 205. See also p. 597 of this volume.

In reply, I have the honour to confirm that the proposals contained in your note are acceptable to the Danish Government and that the latter agrees that your note and this reply should constitute an agreement between our two Governments amending the provisions concerning notice of denunciation in article 12 of the Convention of 31 December 1932 with regard to fishing in the waters bordering on Denmark and Sweden.

Accept, Sir, etc.

[UFFE ELLEMANN-JENSEN]

His Excellency Baron Carl De Geer
Ambassador of Sweden
Embassy of Sweden
Copenhagen

I b

The Swedish Ambassador to the Danish Minister for Foreign affairs

EMBASSY OF SWEDEN
COPENHAGEN

Copenhagen, 9 November 1984

Sir,

With reference to the Agreement signed today concerning the delimitation of the continental shelf and fishing zones between our two countries (Delimitation Agreement), I have the honour to inform you that the Swedish Government is prepared to conclude an agreement with your Government concerning the right of fishing vessels of the two countries to engage in cod fishing in an area north-east of Bornholm in accordance with the following provisions:

1. The area within which fishing vessels of the two countries shall be entitled to engage in cod fishing shall be defined by straight lines between the following points:

Point U	55°40.8' N,	15°01.6' E
Point V	55°43.7' N,	15°06.1' E
Point X	55°21.3' N,	16°30.5' E
Point Y	55°20.1' N,	16°27.4' E

2. Fishing shall be governed by the provisions contained in the Protocol signed on 9 November 1984 by the heads of delegation of the two countries.

3. This Agreement on the reciprocal right to fishing in the aforesaid area north-east of Bornholm may be denounced upon two years' notice, but not before a period of eight years has elapsed from the date of entry into force of the Delimitation Agreement.

If your Government is able to accept the above proposal, I would propose that this note and your reply in confirmation should be deemed to constitute an

agreement between our Governments and that it should enter into force simultaneously with the Delimitation Agreement.

Accept, Sir, etc.

CARL DE GEER

Mr. Uffe Ellemann-Jensen
Minister for Foreign Affairs
Ministry for Foreign Affairs

II b

The Danish Minister for Foreign Affairs to the Swedish Ambassador

THE MINISTRY OF FOREIGN AFFAIRS

Copenhagen, 9 November 1984

R.III., j.nr. 46.D.27

Sir,

I have the honour to acknowledge receipt of your note of today's date, reading as follows:

[*See note I b*]

In reply, I have the honour to confirm that the proposals contained in your note are acceptable to the Danish Government and that the latter agrees that your note and this reply should constitute an agreement between our two Governments concerning reciprocal access to cod fishing north-east of Bornholm, to enter into force on the same date as the Delimitation Agreement.

Accept, Sir, etc.

[UFFE ELLEMANN-JENSEN]

His Excellency Baron Carl De Geer
Ambassador of Sweden
Embassy of Sweden
Copenhagen

PROTOCOL OF THE NEGOTIATIONS AT THE SENIOR-OFFICIAL LEVEL
CONCERNING THE DELIMITATION OF THE CONTINENTAL SHELF
AND FISHING ZONES BETWEEN SWEDEN AND DENMARK

1. On 29 October 1983 Sweden and Denmark reached an agreement in principle on the delimitation of the continental shelf and fishing zones between the two countries. The contents of that agreement in principle are to be found in the joint press communiqué issued on the same date (annex I).

2. On the basis of this agreement in principle, continued negotiations were held at the senior-official level on the drafting of a boundary agreement between the two countries. These negotiations have resulted in a joint draft agreement on the delimitation of the continental shelf and fishing zones and two draft exchanges of notes supplementing the Agreement (annexes 2 to 4).¹

3. With regard to cod fishing in the area referred to in paragraph 1 of the exchange of notes on the subject (annex 4), agreement has been reached on the following rules:

- (a) Fishing in the entire area, when carried on from Danish fishing vessels, shall be considered to have been carried on in the Danish fishing zone and, when carried on by Swedish fishing vessels, shall be considered to have been carried on in the Swedish fishing zone.
- (b) Fishing by each Party shall be carried on in accordance with the regulations in force for that Party.
- (c) Each Party shall exercise fishery control in the entire area over vessels flying its flag.
- (d) In addition, each Party may, in its own fishing zone, exercise control over vessels flying the flag of the other Party. Such control shall be exercised in such a way that fishing is not unnecessarily inconvenienced thereby and shall be limited to ensuring compliance with regulations based on international agreements or decisions binding upon the Parties. Any violations detected shall be reported to the authorities of the flag State, which shall, without delay, take the measures called for by the report.
- (e) Legal proceedings in respect of violations of the relevant regulations governing fishing in the entire area shall be conducted in courts of the flag State, in accordance with the laws of that State.
- (f) Each Party undertakes to put into effect the necessary regulations for fishing in the area in accordance with the aforesaid principles.

9 November 1984.

[Signed]

HANS DANIELIUS
Head of the Swedish Delegation

[Signed]

NIELS BOEL
Head of the Danish Delegation

¹ See exchanges of notes, p. 453 of this volume.