

No. 30489

—

**ESTONIA
and
SWEDEN**

**Agreement on fisheries. Signed at Tallinn on 24 February
1993**

Authentic text: English.

Registered by Estonia on 17 November 1993.

—————

**ESTONIE
et
SUÈDE**

Accord relatif aux pêcheries. Signé à Tallinn le 24 février 1993

Texte authentique : anglais.

Enregistré par l'Estonie le 17 novembre 1993.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF ESTONIA AND THE GOVERNMENT OF THE KINGDOM OF SWEDEN ON FISHERIES

The Government of the Republic of Estonia and the Government of the Kingdom of Sweden, hereinafter referred to as the Contracting Parties;

Reaffirming their common desire to ensure the conservation of the living resources of the sea, in particular the living resources of the waters of the area of the Convention on Fishing and Conservation of the Living Resources in the Baltic Sea and the Belts, done at Gdansk on September 13, 1973,² and to maintain the most rational management and exploitation of these resources;

Taking into account the United Nations Convention on the Law of the Sea of December 10, 1982³ especially the parts regulating the utilization and conservation of the living resources;

Taking into account the habitual fishing of each Contracting Party in the area of fisheries jurisdiction of the other Contracting Party;

Guided by the permanent aspiration to develop and strengthen friendship and cooperation between them;

Have agreed as follows:

Article 1

Each Contracting Party shall allow fishing vessels of the other Contracting Party to fish within its area of fisheries jurisdiction in the Baltic Sea beyond twelve nautical miles from

¹ Came into force provisionally on 24 February 1993 by signature, and definitively on 15 July 1993, the date on which the Contracting Parties notified each other of its approval pursuant to their constitutional requirements, in accordance with article 10 (1).

² United Nations, *Treaty Series*, vol. 1090, p. 54.

³ *Ibid.*, vol. 1833, No. 31363.

the baselines from which the territorial sea is measured on the terms and conditions set out in this Agreement.

Article 2

Each Contracting Party shall determine annually for its area of fisheries jurisdiction the total allowable catch for individual stocks or complexes of stocks, taking into account the interdependence of stocks, the best available scientific data, the recommendations of the Baltic Sea Fishery Commission and other relevant factors.

Article 3

1. Each Contracting Party shall determine annually, after consultations with the other Contracting Party allotments for fishing vessels of that Contracting Party and the areas within which these allotments may be fished. Such allotments shall be subject to adjustment when necessary to meet unforeseen circumstances, in particular the need for emergency conservation measures based on the best available scientific evidence.

2. When determining the allotments for fishing vessels of the other Contracting Party, the habitual fishery of the other Contracting Party in the area and other relevant factors should be taken into account.

3. Each Contracting Party shall determine for the fishing vessels of the other Contracting Party such allotments:

- a) as are necessary to balance its fishing rights in area of fisheries jurisdiction of the first-mentioned Contracting Party, or
- b) as may be granted in accordance with Article 4 of this Agreement.

Article 4

Whenever a determination by a Contracting Party of the total allowable catch under Article 2 of this Agreement shows that this catch exceeds the harvesting capacity of that Contracting Party, fishing vessels flying the flag of the other Contracting Party may be admitted to participate in fishing for such surplus quantities, on terms and conditions established by the first-mentioned Contracting Party after appropriate consultations, taking into account that such admittance should not affect the interests of other countries in respect of fisheries.

Article 5

1. Fishing vessels of one Contracting Party shall, when fishing within the area of fisheries jurisdiction of the other Contracting Party in accordance with this Agreement, comply with the conservation measures and other terms and conditions established for such fisheries, and shall be subject to the laws and regulations of the Contracting Party in respect of fisheries.

2. The fishing vessels of each Contracting Party shall daily enter relevant data on fishing ground, fishing effort and catch in log-books which shall at all times during the passage in the area of fisheries jurisdiction of the other Contracting Party be available for inspection. Each fishing vessel shall report by radio about the commencement and completion of fisheries within the area of fisheries jurisdiction of the other Contracting Party as well as about other relevant matters in such a manner and at such a time as may be prescribed by that Contracting Party. The appropriate authority of each Contracting Party shall furnish to the appropriate authority of the other Contracting Party detailed reports on catch, fishing time and other pertinent information in such a manner and at such a time as may be prescribed by that Contracting Party. The provisions of this paragraph shall be without prejudice to paragraph 1 of this Article.

3. In the case of the establishment of new laws, regulations or conditions of special importance to the fisheries of the other Contracting Party, appropriate advance notice shall be given.

Article 6

1. The relevant authorities of each Contracting Party shall notify to the relevant authorities of the other Contracting Party the name, registration number, the gear proposed to be used and other pertinent particulars of any fishing vessel of the first-mentioned Contracting Party which intends to fish within the area of fisheries jurisdiction of the other Contracting Party pursuant to Article 1 of this Agreement. Such notification shall also be given for any supply and support vessels specifically accompanying such fishing vessels.

2. The relevant authorities of each Contracting Party shall issue appropriate licences to each fishing vessel of the other Contracting Party which is admitted to such fisheries. Such licences shall not be subject to fees.

Article 7

1. Each Contracting Party shall ensure compliance by its vessels with the provisions of this Agreement and other relevant regulations.

2. Each Contracting Party may take within its area of fisheries jurisdiction such measures, in conformity with international law, as may be necessary to ensure the compliance of vessels flying the flag of the other Contracting Party with the provisions of this Agreement.

Article 8

The Contracting Parties undertake to cooperate directly and through appropriate international organizations to ensure proper

management and conservation of the living resources of the sea, in particular with regard to stocks occurring within the area of the Convention on Fishing and Conservation of the Living Resources in the Baltic Sea and the Belts, done at Gdansk on September 13, 1973.

Article 9

1. As from the date of entry into force of this Agreement all other previously concluded agreements on fisheries related to the areas of fisheries jurisdiction of the Contracting Parties shall not be in force with respect to the Contracting Parties.

2. This Agreement shall be without prejudice to other existing agreements between the Contracting Parties or to existing multilateral conventions to which the Contracting Parties are party. Nor shall it prejudice the view of either Contracting Party with regard to the law of the sea.

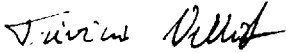
Article 10

1. This Agreement shall enter into force on the date of exchange of notifications of approval according to the constitutional requirements of each Contracting Party. This Agreement shall be applied provisionally from the date of its signature.

2. This Agreement is concluded for an initial period of ten years. The Agreement shall automatically be prolonged for additional six year periods provided that neither Contracting Party gives the other a written notice of denunciation six months before the Agreement expires.

Done at Tallinn on February 24, 1993 in duplicate in the English language.

For the Government
of the Republic of Estonia:



TRIVIMI VELLISTE
Minister of Foreign Affairs

For the Government
of the Kingdom of Sweden:



KARL ERIK OLSSON
Minister of Agriculture