

ORGANISATION OF EASTERN CARIBBEAN STATES

AGREEMENT

ESTABLISHING COMMON FISHERIES SURVEILLANCE ZONES OF PARTICIPATING MEMBER STATES OF THE ORGANISATION OF EASTERN CARIBBEAN STATES

Desiring that the Governments of Member States of the Organisation of Eastern Caribbean States (OECS) shall establish Common Fisheries Zones within the waters falling under their jurisdiction for the purpose of surveillance and the enforcement of the fisheries Laws of the Member States within those Zones:

The Governments of Member States of the OECS, in this Agreement referred to as Participating Member States, agree:

1. To establish Common Fisheries Zones comprising the fishery waters, the waters within the fishery limits and the Exclusive Economic Zone, as the case may be of the Participating Member States.
2. The Common Fisheries Zones are established for the purposes only of surveillance and the enforcement by the Participating Member States of their Fisheries Laws.
3. For the purposes of this Agreement, an "authorised officer" means any fisheries officer, any customs officer or police officer and any other person or category of persons designated as an authorised officer under the Fisheries Acts of the Participating Member States.
4. Any Authorised Officer of each Participating Member State shall be an Authorised Officer for the purposes of surveillance of the Common Fisheries

Zones and the enforcement of the Fisheries Laws of Participating Member States.

5. An Authorised Officer may -

- (a) stop, board and search any fishing vessel within the Common Fisheries Zones;
- (b) require to be produced, examine and take copies of any licence or other document required under the Fisheries Laws of Participating Member States;
- (c) require to be produced and examine any fishing gear;
- (d) take samples of any fish found in any vessel search;
- (e) seize any vessel (together with its gear, stores and cargo) fishing gear or other fishing appliance which he has reason to believe has been used in the commission of an offence or in respect of which an offence has been committed;
- (f) seize any fish which he has reason to believe has been caught in the commission of an offence;
- (g) seize any explosive or poison which he has reason to believe has been used in or is being possessed for the commission of an offence;
- (h) arrest the crew of any vessel seized where he has reason to believe that the vessel has been used in the commission of an offence.

6. The Authorised Officer shall deliver the seized vessel and the crew to the Police at the nearest and most convenient port of a Participating Member State.

7. The seized vessel and crew shall be dealt with in accordance with the Fisheries Laws of the Participating Member State to which they have been delivered.
8. Where a fishing vessel not authorised to fish within the Common Fisheries Zone has committed an offence within the Common Fisheries Zones and such fishing vessel is pursued beyond the limits of the Common Fisheries Zones, the powers conferred on the Authorised Officer under this Agreement may be exercised beyond the limits of the Common Fisheries Zones in accordance with the principle of "hot pursuit" as recognised under international law.
9. An Authorised Officer shall, on demand, produce such means of identification as may be necessary to show that he is an Authorised Officer for the purposes of surveillance and enforcement within the Common Fisheries Zones.
10. No action shall be brought against an Authorised Officer in respect of anything done or omitted to be done by him in good faith in the execution or purported execution of his authority under this Agreement.
11. Any Government which is not a party to this Agreement may accede to it on such terms and conditions as may be agreed between the Participating Governments and the acceding Government.
12. The Government of any Participating Member State may withdraw from participation in this Agreement upon giving twelve months notice in writing to the Director-General of the OECS for the notification

of all Governments or Participating Member States.

13. Participating Member States undertake to introduce legislation and regulations for giving effect to this Agreement within each State.


14. The original text of this Agreement shall be deposited with the Central Secretariat of the Organisation of Eastern Caribbean States which shall transmit certified copies thereof to all the signatories.

15. This Agreement shall enter into force on the first day of *March* One Thousand Nine Hundred and Ninety-one.

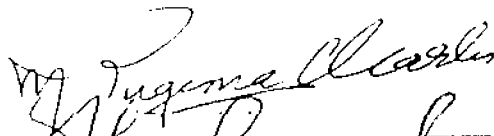
IN WITNESS WHEREOF the undersigned duly authorised by their respective Governments, have signed this Agreement.

For the Government of

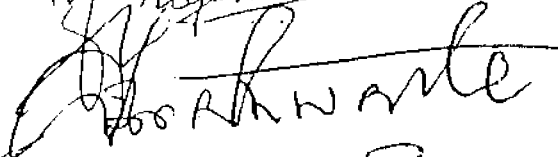
ANTIGUA AND BARBUDA



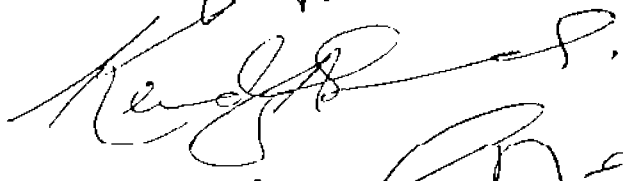
THE COMMONWEALTH OF DOMINICA



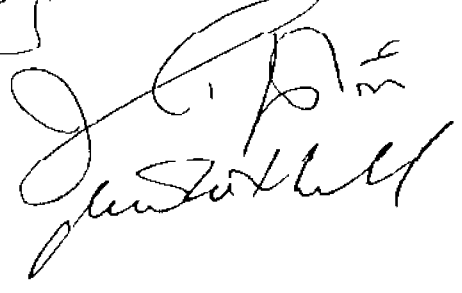
GRENADA



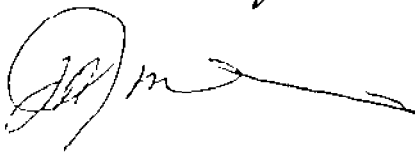
ST KITTS AND NEVIS



SAINT LUCIA



SAINT VINCENT AND THE GRENADINES



MONTSERRAT

BRITISH VIRGIN ISLANDS

DELINEATION OF COMMON FISHERIES (SURVEILLANCE) ZONES

The Zones will be designated as follows:

ZONES	AREA(S) ENCOMPASSED
Northern Zone	British Virgin Islands' fishery waters
North Central Zone	Antigua and Barbuda's, St Kitts and Nevis' and Montserrat fishery waters
South Central Zone	Dominica's Fishery Waters
Southern Zone	Grenada's, St Lucia's and St Vincent and The Grenadines' fisheries waters

In the absence of negotiated boundaries the equidistant principle will be the method used in delimiting the boundaries of these zones in accordance with international law.

Zones may be delineated by geographical coordinates as and when OECS Member States complete boundary delimitation with neighbouring States.