

**FISHING AGREEMENT BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF
TRINIDAD AND TOBAGO AND THE
GOVERNMENT OF BARBADOS:**

The Government of the Republic of Trinidad and Tobago and the Government of Barbados hereinafter referred to as the Contracting Parties;

RECOGNIZING that relations between both countries are based on mutual respect and observance of the principles of sovereignty and national independence;

REAFFIRMING the excellent relations existing between both countries and the desirability of maintaining and strengthening these relations for the mutual benefit of their peoples;

BEARING IN MIND the Joint Communiqué of April 29, 1986 and April 1987 issued by the Prime Minister of the Republic of Trinidad and Tobago and the Prime Minister of Barbados in which both Prime Ministers agreed, inter alia, on the necessity of concluding an Agreement to promote bilateral cooperation in the fisheries sector;

SHARING the spirit and objectives of CARICOM with respect to functional cooperation and integration of economic activities and mutual advancement of technological development;

INSPIRED by the desire to ensure that maximum benefit accrue to both nations derived from the rational management and optimum use of the fishery resources;

INTERESTED in developing cooperation in fisheries which is aimed at protecting national interests, promoting the transfer of appropriate technologies and developing national capabilities in this sector;

ACKNOWLEDGING the desire of Barbados fishermen to engage in harvesting flying fish and associated pelagic species in the fishing area within the Exclusive Economic Zone of Trinidad and Tobago and the desire of the Republic of Trinidad and Tobago to formalize access to Barbados as a market for fish;

AGREE as follows:

ARTICLE I

Definitions

For the purpose of this Agreement:

"agreed fishing period" means a period of not more than eight (8) days spent in the Exclusive Economic Zone of the Republic of Trinidad and Tobago.

"associated pelagic species" means dolphinfish, sailfish, kingfish, wahoo, tuna and shark.

"Fisheries Commission" means the Commission established under Article V.

"fishing season" means the period from January 1 to April 30 1991.

ARTICLE II

Access to the Exclusive Economic Zone of Trinidad and Tobago

1. The Government of the Republic of Trinidad and Tobago in the exercise of its sovereign rights and jurisdiction shall, for the purpose of harvesting flying fish and associated pelagic species, afford access to its Exclusive Economic Zone, subject to paragraph 2(1) of Article III, to not more than forty (40) fishing vessels which fly the flag of Barbados and which are duly authorized by the Government of Barbados, through the issuance and use of a maximum of forty (40) licences in accordance with the procedure set out at APPENDIX I.

2. The access to which paragraph 1 of this Article refers shall be subject to the terms and conditions set out in the Agreement and shall only be permitted in respect of vessels which are wholly owned by citizens of Barbados.

3. The fishing vessels which are accorded access to the Exclusive Economic Zone of the Republic of Trinidad and Tobago in accordance with the provisions of the present Agreement shall not engage in activities other than fishing.

ARTICLE III

Vessel Characteristics and Terms and Conditions of Access

1. Barbados fishing vessels eligible for a fishing licence shall have the following characteristics:
- (i) maximum length overall fifteen (15) metres,
 - (ii) engine(s) with a total maximum power of 350 H.P.,
 - (iii) storage capacity up to five metric tonnes of net effective catch.
2. The operating conditions for permitted vessels specified in paragraph 1 of the present Article shall be the following:
- (i) no fishing is allowed within the closed areas. The closed areas are the marine areas within twelve (12) nautical miles as measured from the straight archipelagic baselines from which the territorial sea of the Republic of Trinidad and Tobago is measured; the marine area West of the meridian whose approximate coordinates are 61° 0' 0" W; and the marine area South of the parallel through St Giles Island and whose approximate coordinates are 11° 21' 28"N. The foregoing closed areas are described on the map set out at APPENDIX II which forms an integral part of the present Agreement;
 - (ii) fishing for flying fish and associated pelagic species shall be carried out by the use of surface gill nets, hand dip

nets and not more than six (6) drifting surface hand-lines, with not more than one hook each;

- (iii) the use of surface or bottom longlines, fish pots, trawl gear or drift-nets other than those specified in paragraph 2(ii) of this Article is prohibited;
- (iv) fishing shall take place only from January 1 to April 30 1991;
- (v) each vessel shall have a maximum of four (4) crew including the master;
- (vi) direct transfer of a fishing licence from one authorized Barbados fishing vessel to any other Barbados fishing vessel either at sea or in any manner contrary to procedures provided for in Appendix I is expressly prohibited;
- (vii) the use of mother ships or of ships to supply bait, replenish supplies or crew, or for the transport of catches, is prohibited;
- (viii) the masters of the vessels must:
 - (a) report to the North Post Radio Station, the Coast Guard in Trinidad and Tobago or any other designated station by using their international radio call sign on their entry into the fishing area designated in this Article and on departure therefrom;
 - (b) maintain a daily fishing log in a form similar to that shown in ANNEX I;
 - (c) report at least once within a twelve hour period on their position, while in the fishing area.

- 3. (i) The Government of the Republic of Trinidad and Tobago shall grant access to forty (40) vessels, with the characteristics stipulated in paragraph 1 of this article.

(ii) not more than two groups of thirteen (13) and one (1) group of fourteen (14) Barbados fishing vessels shall at any one time be engaged in fishing in the fishing area during the agreed fishing period in accordance with ANNEX II.

(iii) The Government of Barbados, through its High Commission in Trinidad and Tobago, shall submit to the Government of the Republic of Trinidad and Tobago at least two months before the start of the fishing season, a list of vessels eligible for licensing, in accordance with the present Agreement, together with the completed application forms in respect of each vessel as set out in ANNEX III.

4. (i) Every authorized Barbados fishing vessel shall pay before receiving the fishing licence the sum of US \$800.00 or its equivalent in Barbados Dollars to the High Commission of the Republic of Trinidad and Tobago in Barbados.

(ii) The Government of the Republic of Trinidad and Tobago shall provide through its High Commission in Barbados the corresponding licences and fishing logs immediately upon payment of the amount stipulated in sub-paragraph (i) of this paragraph. Each licence shall be in the form set out in ANNEX IV.

(iii) In the event that a licensed fishing vessel misses a trip due to an Act of God or breakdown not caused by the negligence or willful act of the owner or crew, the Government of the Republic of Trinidad and Tobago shall, on a claim being certified by the Fisheries Commission, refund one-fifth of the cost of the licence in respect of that trip.

5. Every licensed Barbados fishing vessel shall at all times while in the fishing area:
- (i) fly the flag of Barbados;
 - (ii) display on the superstructure and hull and in such a way as to be clearly visible during daytime and night-time and both from the sea and from the air, in letters and numbers at least 0.5 metres in height and 0.05 metres in thickness on a contrasting background, its registration number;
 - (iii) have on board:
 - (a) its fishing licence; and
 - (b) the passports and or other identification documents of the master and other members of the crew as required by national legislation.

ARTICLE IV

Access to Barbados Market

1. The Contracting Parties undertake to promote mutual trade in fish and fish products which satisfy the CARICOM rules of origin.
2. The Government of Barbados shall grant licences for the importation of 300 metric tonnes of whole and processed flying fish and associated pelagic species of an acceptable quality from approved Trinidad and Tobago fish vendors, at prices to be agreed between the vendors and authorized Barbados purchasing companies, as follows:
 - (a) eighty (80) metric tonnes of flying fish from January 1 to April 30 1991.
 - (b) one hundred and sixty (160) metric tonnes of flying fish from May 1 to December 31, 1991.
 - (c) sixty (60) metric tonnes of associated pelagic species from January 1 to December 31, 1991.

3. The Government of Barbados shall inform the Government of the Republic of Trinidad and Tobago at least two months prior to the commencement of the fishing season of the purchasing companies which are authorized to purchase the aforementioned 300 metric tonnes of fish as well as the required arrangement to effect the same. Similarly the Government of the Republic of Trinidad and Tobago shall inform the Government of Barbados of the vendors. The procedure for the exportation of fish to Barbados under this Agreement shall be as set out at APPENDIX III.

ARTICLE V

Fisheries Commission

1. For the purpose of this Agreement, the Contracting Parties agree to create a Trinidad and Tobago/Barbados Fisheries Commission, consisting of four (4) representatives of each country together with such advisers as may be deemed necessary and whose names shall be duly communicated through diplomatic channels.
2. The functions of the Fisheries Commission created in accordance with paragraph 1 of this Article shall be inter alia:
 - (a) to supervise the implementation of the present Agreement;
 - (b) to coordinate, in accordance with Article VII, the exchange of data resulting from research programmes and or fishing activities;
 - (c) to determine all claims referred to it under Article III 4(iii);
 - (d) to do all such things consistent with the aims and purposes of the present Agreement as may be necessary for the proper and effective implementation by the Contracting Parties of the provisions of the Agreement; and

(e) any other functions that the Contracting Parties may deem necessary to refer to the Commission.

3. The Fisheries Commission is empowered to establish a Joint Technical Team in fisheries research to deal with research of flying fish and associated pelagic species and their resource management.
4. The schedule of meetings of the Trinidad and Tobago/Barbados Commission shall be as follows:-
 - (i) The First meeting of the Commission shall take place in Barbados at least thirty (30) days prior to the commencement of the fishing season on January 1, 1991.
 - (ii) The Second meeting shall take place in Tobago on or about January 31, 1991 to assess the first month of operations of the Agreement.
 - (iii) The Third meeting shall take place in Barbados on or about March 15, 1991 to assess the operation of the Agreement.
 - (iv) The Fourth meeting shall take place in Trinidad and Tobago on or about May 15, 1991 in order to assess and evaluate the operations for the entire season and to make recommendations about the future of the Agreement, and to prepare reports for the respective Contracting Parties.
5. Other meetings of the Commission shall be held at the request of either of the Contracting Parties in Trinidad and Tobago or in Barbados.

ARTICLE VI

Establishment of Joint Ventures

1. The Contracting Parties may facilitate the promotion of Joint Ventures or other cooperative arrangements between each other with respect to the harvesting, processing, distribution and marketing of fish and fish products.

ARTICLE VII

Exchange of Fisheries Data and Technical Cooperation in Fisheries

1. The Contracting Parties shall promote the exchange of fisheries data and may engage in projects, programmes and other technical cooperation activities as follows:
 - (i) training of nationals in fishing techniques by the placing of trainees on board licensed fishing vessels;
 - (ii) the conduct of joint fisheries research as identified by the Fisheries Commission under Article V (3); and
 - (iii) the placing of observers on board licensed fishing vessels.
2. The Contracting Parties agree that the placement of trainees or observers shall be arranged in such a way as to ensure minimum disruption of normal fishing activities.

ARTICLE VIII

Access by Trinidad and Tobago Fishing Vessels to the Exclusive Economic Zone of Barbados

1. Should the Government of the Republic of Trinidad and Tobago indicate to the Government of Barbados that vessels wholly owned by citizens of the Republic of Trinidad and Tobago wish to engage in fishing in the Exclusive Economic Zone of Barbados, the Government of Barbados shall allow such fishing on terms and conditions as may be agreed.
2. The Contracting Parties undertake to enter into negotiations at the request of the Government of the Republic of Trinidad and Tobago in respect of the nature of such access.

ARTICLE IX

Compliance and Enforcement

1. Authorized Barbados fishing vessels shall comply strictly with the fisheries laws and regulations in force in the Republic of Trinidad and Tobago while engaged in fishing activities in the waters under the jurisdiction of the Republic of Trinidad and Tobago.
2. The Government of the Republic of Trinidad and Tobago shall give due notice of the laws and regulations mentioned in paragraph 1 of this Article.
3. The Contracting Parties shall take all reasonable measures to ensure compliance with the provisions of the present Agreement.
4. The Government of the Republic of Trinidad and Tobago may suspend or revoke the fishing licence granted to a Barbados fishing vessel when it does not comply with its obligations under this Agreement and shall notify the Government of

Barbados of the circumstances of such suspension or revocation.

5. The master of fishing vessels licensed under this Agreement shall, while operating in marine areas under the jurisdiction of the Republic of Trinidad and Tobago, allow and assist the boarding and inspection of vessels by any enforcement officer of the Republic of Trinidad and Tobago to ensure that the duly authorized provisions of this Agreement and the laws of the Republic of Trinidad and Tobago are complied with.

ARTICLE X

Settlement of Disputes

1. Any dispute between the Contracting Parties concerning the interpretation or application of the present Agreement shall be dealt with in the first instance by the Fisheries Commission.
2. If no settlement is achieved by the Fisheries Commission within thirty (30) days from commencement of deliberations, resolution of the dispute may be sought through diplomatic channels.

ARTICLE XI

Preservation of Rights

Nothing in this Agreement is to be considered as a diminution or limitation of the rights which either Contracting Party enjoys in respect of its internal waters, archipelagic waters, territorial sea, continental shelf or Exclusive Economic Zone nor shall anything contained in this Agreement in respect of fishing in the marine areas of either Contracting Party be invoked or claimed as a precedent.

ARTICLE XII

Final Clauses

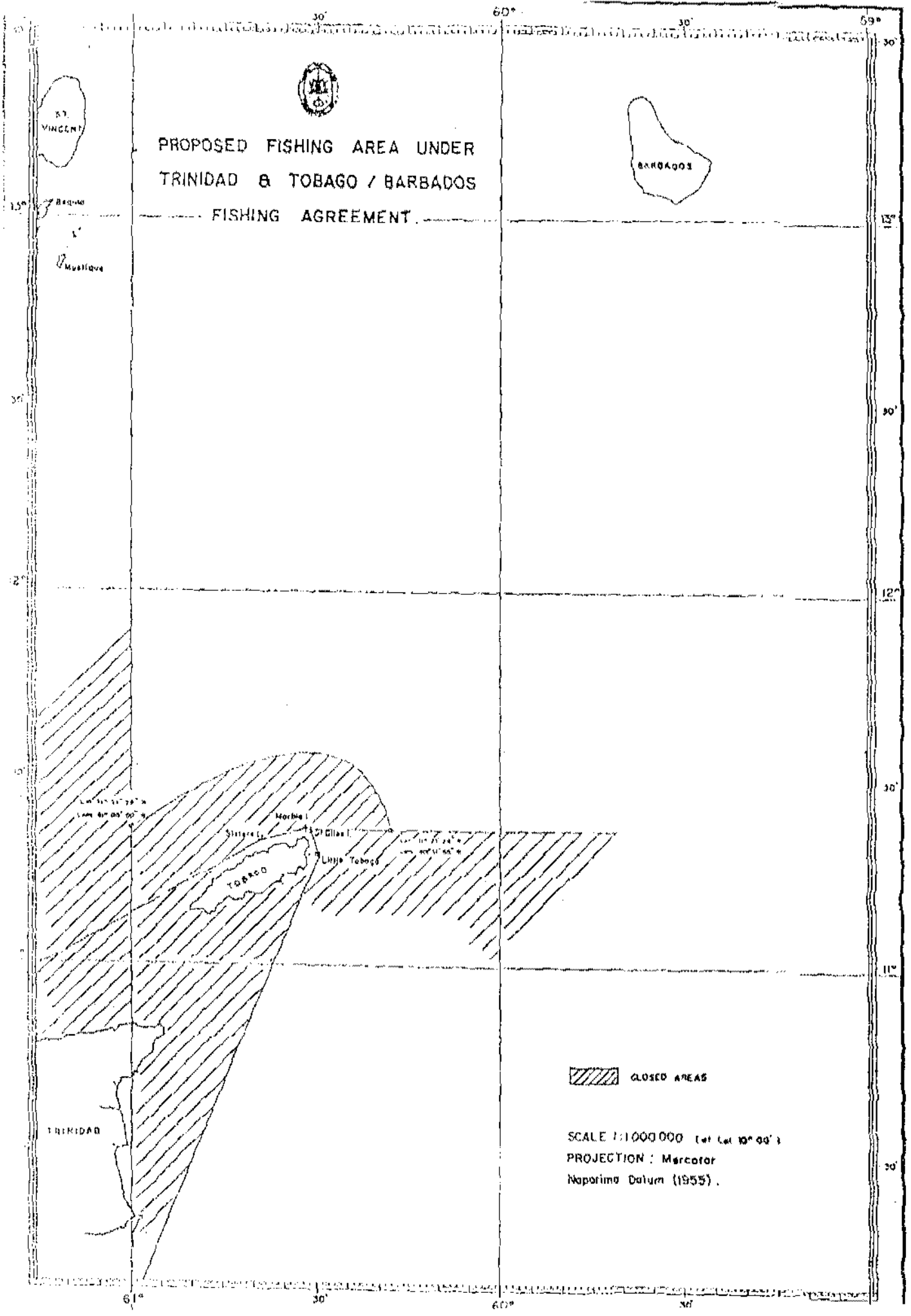
1. The present Agreement shall be effective from the date of signature.
2. The present Agreement shall have a duration of one (1) year January 1 to December 31, 1991.
3. The Contracting Parties may enter into negotiations not later than three (3) months prior to the expiry date of this Agreement in order to negotiate a new Agreement.

IN WITNESS THEREOF the undersigned, being duly authorized thereto by their respective Governments have signed the present Agreement.

Done in duplicate in the English language at Port-of-Spain on the Twenty-Third day of November, Nineteen Hundred and Ninety.

.....
SAHADEO BASDEO
Minister of External Affairs
and International Trade
For the Government of the
Republic of Trinidad and Tobago

.....
WARWICK FRANKLIN
Minister of Agriculture
and Fisheries
For the Government of
Barbados



PROPOSED FISHING AREA UNDER
 TRINIDAD & TOBAGO / BARBADOS
 FISHING AGREEMENT.

ST. VINCENT


BARBADOS

FISHING AGREEMENT.

Mustique

TOBAGO

TRINIDAD

 CLOSED AREAS

SCALE 1:1 000 000 (at Lat 10° 00')

PROJECTION: Mercator

Naporing Datum (1955).

APPENDIX I

PROCEDURE FOR THE APPLICATION, ISSUANCE AND CONTROL OF FISHING LICENCES

1. Forty (40) fishing licences in the Form set out in Annex IV and numbered TT-BAR 01 to 40 shall be made available by the Government of the Republic of Trinidad and Tobago to the Government of Barbados.
2. A list of a maximum of forty (40) eligible vessels shall be submitted on the form set out at Annex I by the High Commission of Barbados in Port-of-Spain to the Ministry of External Affairs and International Trade two (2) months prior to the beginning of the fishing season.
3. The owners of the authorized fishing vessels shall pay to the High Commission of the Republic of Trinidad and Tobago in Barbados the sum of US \$900.00 or its equivalent in Barbados Dollars, thirty (30) days prior to the start of the fishing season.
4. The owners or masters of the authorized Barbados fishing vessels shall collect their individual licence and fishing log from the High Commission of the Republic of Trinidad and Tobago in Barbados, upon payment for their licence.
5. The fishing logs shall be returned to the High Commission of the Republic of Trinidad and Tobago in Barbados, within fourteen days (14) after the completion of each fishing period to which that log refers.

**PROCEDURE FOR THE EXPORTATION
OF FISH TO BARBADOS**

1. Application for vendors seeking permission to export fish to Barbados shall be submitted on the form set out at Annex V together with a copy of the appropriate Government Health certificate by the High Commission of the Republic of Trinidad and Tobago in Barbados, to the Government of Barbados two (2) months prior to the start of the fishing season.
2. The facilities of the vendors shall be inspected and certified by relevant authorities of the Republic of Trinidad and Tobago as being suitable for food handling, before approval is considered.
3. The list of approved vendors shall be submitted to the High Commission of the Republic of Trinidad and Tobago in Barbados, within six (6) weeks of the date of receipt of the applications.
4. Fish shall be imported only from the approved vendors.
5. Vendors shall ensure that fish to be exported to Barbados is of an acceptable quality and is properly stored in order to avoid spoilage during shipment.
6. All fish imported into Barbados shall be inspected on arrival and shall be required to comply with the health requirements of Barbados.
7. Each approved vendor shall complete the log for fish exported to Barbados, shown in Annex VI. The logs shall be returned to the High Commission of Barbados in Trinidad and Tobago, not more than fourteen (14) days after the calendar month to which the fish export refers.

SCHEDULED FISHING PERIODGroup 1

LICENCE NUMBERS =====	COLOUR CODE =====	FISHING PERIODS =====	
01 to 13	Green	January 01 -	January 08
		January 25 -	February 01
		February 18 -	February 25
		March 14 -	March 21
		April 07 -	April 14

Group 2

LICENCE NUMBERS =====	COLOUR CODE =====	FISHING PERIODS =====	
14 to 26	White	January 09 -	January 16
		February 02 -	February 09
		February 26 -	March 05
		March 22 -	March 29
		April 15 -	April 22

Group 3

LICENCE NUMBERS =====	COLOUR CODE =====	FISHING PERIODS =====	
27 to 40	Red	January 17 -	January 24
		February 10 -	February 17
		March 06 -	March 13
		March 30 -	April 06
		April 23 -	April 30

ANNEX III

APPLICATION FOR PERMISSION TO FISH IN
THE FISHING AREA OF THE REPUBLIC OF
TRINIDAD AND TOBAGO

1. Boat Certificate Number Date of Issue
2. Registration Number and
Date of Issue
3. (a) Port of Registry
- (b) Previous Port of
Registry, [if applicable]
4. Port where operations are
based if different from
(3) above
5. Name of Vessel
6. Name and Nationality of
Owner
7. Address of Owner including
Telephone and Telex Numbers
8. Name and Address of Operator
if different from (6) above
9. Age of Vessel (years)/Year
in which vessel was built

- | | | |
|-----|---|----------------------|
| 10. | Colour Markings | Hull..... |
| | | Deck |
| | | Superstructure |
| 11. | Construction of Vessel | Wood |
| | | Fibreglass |
| | | Steel |
| | | Other |
| 12. | Tonnage | Gross |
| | | Net |
| 13. | Fish Hold Storage capacity
(Tonnes) | |
| 14. | Length (metres) LOA | |
| 15. | Width/beam (metres) | |
| 16. | Draft (metres) | |
| 17. | Engine Horse-power (Main
engine) | |
| 18. | Engine Horse-power
(Auxiliary) | |
| 19. | Make of engine (Main Engine)
and Serial Number | |
| 20. | Vessel Range (Kms) | |
| 21. | Maximum Speed (knots) | |
| 22. | Fuel Type | |

- 23. Fuel Capacity
- 24. Type of Refrigeration Crushed Ice.....
 Flake-Ice
- 25. Radio Type VHF/HP
- 26. Radio Call Sign
- 27. Radar
- 28. Echo-Sounder
- 29. Fish Finder
- 30. Sonar
- 31. Type and specification of fishing gear, including size Flying fish nets.....
 Handline
- Dipnets.....
- Others

.....
 Signature of Applicant

Date

ANNEX IV

FISHING LICENCE----- 1991
TRINIDAD AND TOBAGO/BARBADOS FISHING AGREEMENT

This Fishing Licence is issued by the Republic of Trinidad and Tobago to an authorized fishing vessel of Barbados under the 1991 Trinidad and Tobago/Barbados Fishing Agreement.

FISHING LICENCE NO. TT/BAR VESSEL REGISTRATION NO. -----

COLOUR CODE: ----- GROUP NO: -----

OWNERS: -----

ADDRESS: -----

- FISHING PERIODS: (1)
(2)
(3)
(4)
(5)

The owner of the vessel to which this Fishing Licence is issued shall be responsible for ensuring that the vessel shall comply with the provisions of the 1991 Trinidad and Tobago/Barbados Fishing Agreement.

.....
MINISTER OF FOOD PRODUCTION AND
MARINE EXPLOITATION

Date:

APPLICATION FOR EXPORTATION
OF FISH TO BARRADOS

INFORMATION ON VENDOR

1. Name of Vendor.....

2. Address of Vendor

.....

3. Name and Address of applicant (if different from 1 and 2)

.....

.....

4. Address of Facilities of Vendor (if different from 2)

.....

.....

5. Type of Vendor

- | | | | |
|-----|------------|------|----------------|
| (i) | Individual | (ii) | An association |
| - | fishermen | - | fishermen |
| - | boatowner | - | boatowners |
| - | vendor | - | vendors |

(iii) Fish Processing Plant

6. Is the vendor (i) a citizen of Trinidad and Tobago Yes

No

(ii) a company wholly owned by citizens of
Trinidad and Tobago Yes No
(If no, give details on separate
sheet)

7. Name(s) of fish to be exported:
- | | |
|-------------|----------|
| Flying fish | Dolphin |
| Wahoo | Kingfish |
| Tuna | Shark |
| Sailfish | |

Other (specify)

8. Form in which fish will be exported to Barbados:
- | | |
|-------------------|-------------------|
| (i) whole | (ii) filleted |
| - chilled | - chilled |
| - frozen | - frozen |
| - other (specify) | - canned |
| | - vacuum packed |
| | - Other (specify) |
| | |

INFORMATION ON VENDOR'S FACILITY:

9. Storage method used	Capacity (mt)	Temperature C
=====	=====	=====
.....
.....
.....
.....

.....
Signature of Applicant

Date:

FISH EXPORT LOG

DATE OF EXPORT =====	TYPE OF FISH =====	FORM OF EXPORT =====	QUANTITY OF FISH =====	NAME OF IMPORTER =====
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.....
Signature of Vendor

Date: