

THE GOVERNMENT OF ESTONIA

of the one part and

THE GOVERNMENT OF DENMARK AND THE HOME GOVERNMENT OF  
THE FAROE ISLANDS

of the other part

RECALLING the status of the Faroe Islands as a self-governing part of the Kingdom of Denmark;

CONSIDERING the vital importance for the Faroe Islands of fisheries which constitute their essential economic activity;

CONSIDERING their common desire to ensure the conservation and rational management of the fish stocks of the waters adjacent to their coasts;

TAKING into account the United Nations Convention on the Law of the Sea of 10 December 1982;

AFFIRMING that the extension by coastal states of their areas of jurisdiction over the living resources, and the exercise within these areas of sovereign rights for the purpose of exploring, exploiting, conserving and managing these resources, should be conducted pursuant to and in accordance with principles of international law;

HAVING REGARD to the fact that there is around the Faroe Islands a fishery zone extending to 200 nautical miles off the coast, and Estonia has an exclusive economic zone in the Baltic Sea, within which zones the Faroe Islands and Estonia respectively exercise sovereign rights for the purpose of exploring, exploiting, conserving and managing the living resources thereof;

DESIROUS of establishing the terms and conditions pertaining to fisheries of mutual concern

HAVE AGREED AS FOLLOWS:

Article 1

Each Party shall grant access to fishing vessels of the other Party to fish within its area of fisheries jurisdiction in accordance with the provisions set out below.

## Article 2

Each Party shall, as appropriate, determine annually for its area of fisheries jurisdiction, subject to adjustment when necessary to meet unforeseen circumstances, and on the basis of the need for rational management of the living resources:

- a) the total allowable catch for individual stocks or complexes of stocks, taking into account the best scientific evidence available to it, the interdependence of stocks, the work of appropriate international organizations and other relevant factors;
- b) after appropriate consultations, allotments for fishing vessels of the other Party and the areas within which these allotments may be fished. The two Parties shall have as their aim the realization of the satisfactory balance between their fishing possibilities in their respective fishery zones. In determining these fishing possibilities, each Party shall take into account:
  - (i) the habitual catches of both Parties,
  - (ii) the need to minimize difficulties for both Parties in the case where fishing possibilities would be reduced,
  - (iii) all other relevant factors.

The measures to regulate fisheries taken by each Party for the purpose of conservation by maintaining fish stocks at, or restoring them to, levels which can produce the maximum sustainable yield shall not be of such a nature as to jeopardize the full exercise of the fishing rights allocated under the Agreement.

## Article 3

Each Party may require that fishing in its area of fisheries jurisdiction by fishing vessels of the other Party shall be subject to licence. The competent authority of each Party shall, as appropriate, communicate in due time to the other Party the name, registration number, and other relevant particulars of the fishing vessels which shall be eligible to fish within the area of fisheries jurisdiction of the other Party. The second Party shall thereupon issue such licences in a manner commensurate with the possibilities for fishing granted under the provisions of Article 2(b).

Article 4

1. Fishing vessels of one Party shall, when fishing within the area of fisheries jurisdiction of the other Party, comply with the conservation measures and other terms and conditions established by that Party and with the rules and regulations of that Party in respect of fisheries.
2. Appropriate advance notice shall be given of any new terms, conditions, laws or regulations.

Article 5

1. Each Party shall take all necessary measures to ensure compliance with the provisions of this Agreement and other relevant regulations by its vessels.
2. Each Party may take within its area of fishing jurisdiction such measures, in conformity with international law, as may be necessary to ensure compliance with the provisions of this Agreement by vessels of the other Party.

Article 6

The Parties undertake to cooperate to ensure proper management and conservation of the living resources of the sea, and to facilitate the necessary scientific research in this respect, both bilaterally and through appropriate international bodies, particularly in relation to stocks of common interest occurring in areas within the fisheries jurisdiction of either Party and in the areas beyond and adjacent to such areas.

Article 7

The Parties agree to consult on questions relating to the implementation and proper functioning of this Agreement.

In the event of a dispute concerning the interpretation or application of this Agreement, such a dispute shall be the subject of consultations between the Parties.

Article 8

Nothing in the present Agreement shall affect or prejudice in any manner the views of either Party with respect to any question relating to the Law of the Sea.

Article 9

The Parties shall assist in fisheries cooperation between interested organizations, cooperatives and companies in cases, where there is a mutual interest.

Article 10

The present Agreement shall apply, on the one hand, to Estonia and, on the other hand, to the Faroe Islands.

Article 11

This Agreement shall enter into force on the date on which the Contracting Parties notify each other of the completion of the procedures necessary for this purpose. Pending its entry into force it shall be applied provisionally with effect from the 20th February 1992.

Article 12

This Agreement shall remain in force for an initial period of 5 years after the date of its entry into force. In the event of the Agreement not being terminated by either Party through notice of termination given at least nine months before the expiry of that period, it shall remain in force for additional periods of 2 years' duration thereafter, provided that notice of termination has not been given at least six months before the expiry of any such period.

Article 13

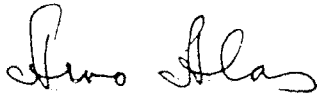
*This Agreement is drawn up in three copies in the Faroese, Danish and Estonian languages, each of these texts being equally authentic.*

Agreed Record of Conclusions of Negotiations  
on a Framework Agreement on Mutual Fisheries  
between Estonia and the Faroe Islands  
Copenhagen, 20th February 1992

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1. 20th February 1992 a delegation representing the authorities of Denmark and of the Faroe Islands and a delegation representing Estonian authorities met in Copenhagen for negotiations on a framework agreement between the Government of Denmark and the Home Government of The Faroe Islands of the one Part and the Government of Estonia of the other Part on Mutual Fisheries between The Faroe Islands and Estonia.
- ./. A list of the two delegations is attached in the Annex.
2. The delegations agreed upon the wording of the attached initialled text, which they will recommend their respective governments to prepare for signing as soon as practically possible.

For the delegation representing Estonia:



Arvo-Jürgens Alas

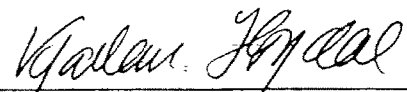


Jaak Põllu

For the delegation representing Denmark and the Faroe Islands:



Árni Olafsson



Kjartan Hoydal

Agreed Record of Fisheries Consultations  
between The Faroe Islands and Estonia  
Copenhagen 20th February 1992.

1. A delegation representing the Fisheries Authorities of the Faroe Islands, headed by Director of Fisheries, Kjartan Hoydal, and a delegation representing the Fisheries Authorities of Estonia, headed by Councillor Jaak Põllu, met in Copenhagen on 20th February 1992 for consultations on mutual fisheries in 1992.

The participants in the two delegations are named in the ./ . Annex.

2. The Delegations took note of the agreement, according to note verbale from the Danish Embassy in Tallin of 19th December 1991, and telecommunication from the Estonian Fisheries authorities to The Faroese Fisheries authorities of 10th of January 1992, on continuation of mutual fishing in the first quarter of 1992, the catches in this period to be counted against fishing quotas to be determined when a final agreement were reached.

Furthermore, the Delegations took note of the ongoing negotiations on a Framework Agreement between The Government of Denmark and the Home Government of the Faroe Islands on the one hand and the Estonian Government of the other hand on mutual fisheries relations between The Faroe Islands and Estonia, and of the intention of the Parties to conclude such agreement as soon as practically possible.

3. With this in mind, the Delegations have agreed to recommend to their competent authorities the following arrangement for mutual fishing in 1992 :
  - a. The Faroese Authorities will grant a quota of 6.000 tonnes of blue whiting for Estonian vessels. Included in these 6.000 tonnes a by-catch of mackerel up to 10 % will be allowed. These 6.000 tonnes will be granted in exchange for the quotas mentioned in 3. b and taking into account the special difficulties faced by the Estonian fishing industry trying to adapt to changed circumstances and the very depressed state of the Baltic cod resource.

- b. The Estonian Authorities will grant the following quotas for Faroese vessels:

500 tonnes of cod

200 tonnes of herring

20 tonnes of salmon

- c. The number of Estonian vessels licensed to fish in Faroese waters shall be 3

The number allowed to fish simultaneously in the "main fishing area of blue whiting", which may be established by the Faroese authorities: 2

- d. The number of Faroese vessels licensed to fish in Estonian waters shall be 8 .

- e. The vessels which on this date have a licence to fish in the waters of the other Party shall continue to have such licence for the rest of 1992 unless a change is requested by either Party.

- f. Both Sides will as soon as possible inform the other Side of the applicable rules for the fishing conducted by the other Side in its waters.

4. The Delegations agreed to recommend to their authorities to facilitate co-operation between their respective commercial fisheries sectors. In the context of such co-operation, additional allocations to of blue whiting for Estonian vessels in Faroese waters may be considered.


5. The Parties shall notify oneanother as soon as their competent authorities have decided upon the implementation of the arrangements agreed under Article 3.

For the Fisheries Authorities For the Fisheries Authorities

of the Faroe Islands:

  
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Kjartan Hoydal

of Estonia:

  
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Jaak Põllu

Negotiations between a delegation representing The Government of Denmark and the Home Government of The Faroe Islands and a delegation representing the Authorities of Estonia, concerning a framework agreement on mutual fisheries between the Faroe Islands and Estonia, Copenhagen 20th February 1992.

Delegation representing The Government of Denmark and the Home Government of The Faroe Islands:

Árni Olafsson                      Councillor on Faroe Islands Affairs, Danish Ministry of Foreign Affairs.

Kjartan Hoydal                     Director of Fisheries, Faroese Home Government.

Ulla Wang                            Head of section, department of Fisheries

Tryggvi Johansen                 Head of Faroese Government Office in Copenhagen

Delegation representing Estonia:

Arvo-Jürgen Alas                  Estonian Ambassador in Copenhagen

Jaak Põllu                            Councillor, National Estonian Board of Fisheries.



Annex

Fisheries consultations between The Faroe Islands and Estonia,  
Copenhagen 20th February 1992.

Delegation representing The Faroe Islands:

Kjartan Hoydal	Director of Fisheries, Faroese Home Government.
Ulla Wang	Head of section, department of Fisheries
Tryggvi Johansen	Head of Faroese Government Office in Copenhagen
Árni Olafsson	Councillor on Faroe Islands Affairs, Danish Ministry of Foreign Affairs.

Delegation representing Estonia:

Jaak Põllu	Councillor, National Estonian Board of Fisheries.
Arvo-Jürgen Alas	Estonian Ambassador in Copenhagen.