

CONVENTION CONCERNING FISHING IN THE BLACK SEA

Adopted at Varna on 7 July 1959

The Governments of the People's Republic of Bulgaria, the Romanian People's Republic and the Union of Soviet Socialist Republics,

Having a common interest in the rational utilization of the fishery resources of the Black Sea and in the development of marine fishing,

Have decided to conclude this Convention and have for this purpose appointed as their plenipotentiaries:

who, having exchanged their full powers, found in good and due form, have agreed as follows:

Article 1

The Contracting Parties agree to co-operate and to assist one another, in accordance with the provisions of this Convention, in carrying on rational fishing in the Black Sea, in improving fishing technique, and in carrying out research in the field of ichthyology and hydrobiology for the purpose of maintaining and augmenting the stocks of fish in the Black Sea with a view to increasing the yield.

The provisions of this Convention shall not affect the status of the territorial and inland waters of the Contracting Parties.

Article 2

Fishing vessels of the People's Republic of Bulgaria, the Romanian People's Republic and the Union of Soviet Socialist Republics engaged in fishing in the open sea may enter the following ports of refuge in order to shelter from bad weather or in case of damage:

In the People's Republic of Bulgaria: Balchik, Varna, Nesebur, Burgas, Sozopol and Michurin;

In the Romanian People's Republic: Constanta and Sulina;

In the Union of Soviet Socialist Republics: Odessa, Evpatoria, Yalta, Novorossysk, Sochi, Sukhum, Poti and Batum.

The list of ports of refuge may be amended by agreement among the Parties to the Convention.

Article 3

In the cases referred to in article 2 of this Convention, the fishing vessels of the Contracting Parties shall where necessary be given an opportunity to repair the damage and to replenish their supplies of foodstuffs, drinking water, fuel, lubricants and other ship's stores so that the vessel may continue on its route or return to its nearest home port, and an opportunity to dispose of their catch fresh at the ports of refuge if it cannot be preserved on board the vessel.

Article 4

The procedure governing the disposal of fish and payment for services rendered to fishing vessels entering ports of refuge and for fish disposed of in the cases referred to in article 3 of this Convention shall be agreed between the competent authorities of the Parties to the Convention.

Article 5

The following shall be the minimum sizes at which fish may be taken:

Beluga (*Huso huso*).140 cm

Russian sturgeon (*Acipenser guldenstaedti*)80 cm

Sevryuga (*Acipenser stellatus*)75 cm

Turbot (*Rhombus macoticus*) 35 cm

Shad (*Alosa kessleri pontica*)16 cm

The size of a fish shall be determined by measuring its length from the tip of the snout to the base of the tail fin.

Any fish taken which is under the prescribed size must be put back in the sea.

The taking of fish under the prescribed minimum size shall be permissible in a proportion not exceeding the following percentage by number of the total catch of each protected species:

8 per cent in the case of shad (*Alosa kessleri pontica*);

5 per cent in the case of turbot (*Rhombus macoticus*); and

5 per cent in the case of *Acipenseridae* (*Huso huso*, *Acipenser guldenstaedti*, *Acipenser stellatus*).

The taking of *Acipenser nudiventris* shall be prohibited for five years from the date of entry into force of this Convention.

Article 6

For the purpose of preparing forecasts for fishing in the Black Sea, the Contracting Parties agree to exchange by any suitable means operational information concerning the migration of industrial fish, indicating the time and place at which they congregate, the direction of movement, the density of the schools, and the hydrometeorological conditions in which such congregations and migrations are observed.

Article 7

With a view to the rational utilization of the stocks of fish in the Black Sea, the Contracting Parties agree to exchange information annually on the results of scientific research in the fields of marine ichthyology, hydrobiology and fishing technique.

The Contracting Parties shall exchange statistical data on catches of fish.

Article 8

With a view to working out and co-ordinating measures for the application of this Convention, a Mixed Commission shall be established.

Within one month after the entry into force of the Convention, each Contracting Party shall appoint one representative to the said Commission and shall communicate the name of its representative to the other Contracting Parties.

The Mixed Commission shall meet at least once a year in the territory of each of the Contracting Parties in turn.

The Mixed Commission shall function under a statute drafted by it at its first meeting and approved by the Contracting Parties.

Article 9

The Mixed Commission shall have the following functions:

1. It shall work out agreed measures to regulate fishing, with a view to the conservation and augmentation of the stocks of fish in the Black Sea, and to develop industrial fishing technique;
2. It shall introduce amendments to article 5 of the Convention concerning the species and dimensions of fish caught in the Black Sea. Proposals for such amendments must be communicated to the representatives of the Contracting Parties on the Mixed Commission not later than three months before the opening of the Commission's regular session;
3. It shall co-ordinate the planning of scientific research projects on matters relating to fishing in the Black Sea, to be conducted by the competent authorities of the Contracting Parties;
4. It shall determine the nature and extent of the statistical and other data which each Contracting Party shall furnish to the Mixed Commission for the purpose of implementing this Convention;
5. It shall exchange information concerning the application of this Convention;
6. It shall examine such other matters as the Contracting Parties may refer to it.

Article 10

The Mixed Commission shall make recommendations to the Contracting Parties on the matters referred to in article 9 with the exception of paragraph 2 of that article, on which the Commission may take decisions.

Recommendations and decisions shall be deemed to be adopted by the Mixed Commission if they receive the favourable votes of the representatives of all the Contracting Parties.

The recommendations of the Mixed Commission shall be submitted to the Contracting Parties for approval and may be given effect if none of the Parties raises objections within four months.

Article 11

This Convention shall not impede the conclusion of bilateral agreements on matters relating to fishing in the Black Sea between any two Contracting Parties or between a Contracting Party and any other Black Sea State, so long as such agreements do not conflict with the terms of this Convention.

Article 12

This Convention shall be ratified and shall enter into force on the date of deposit of the last instrument of ratification with the Government of the People's Republic of Bulgaria, in whose archives the original of the Convention shall be kept.

The Government of the People's Republic of Bulgaria shall notify the Governments of all Contracting Parties of the date of deposit of the last instrument of ratification.

Certified true copies of this Convention shall be transmitted by the Government of the People's Republic of Bulgaria to the other Contracting Parties.

Article 13

This Convention is concluded for a term of five years. It shall remain in force for successive terms of five years for those Contracting Parties which do not inform the Government of the People's Republic of Bulgaria, six months before the expiry of the current five-year term, that they wish to terminate the Convention.

Article 14

Other Black Sea States may accede to this Convention.

Article 15

The Government of the People's Republic of Bulgaria shall take the necessary action to register this Convention with the Secretariat of the United Nations.

Done at Varna, on 7 July 1959, in one copy in the Bulgarian, Romanian and Russian languages, all texts being equally authentic.