

No. 30858

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**

and

FRANCE

Exchange of notes constituting an agreement concerning the activities of fishermen in the vicinity of the Channel Islands and the French coast of the Cotentin Peninsula and, in particular, on the Schole Bank (with chart and lists). Paris, 10 July 1992

Authentic texts of the Exchange of notes: English and French.

Authentic text of the lists: French.

Registered by the United Kingdom of Great Britain and Northern Ireland on 28 March 1994.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD**

et

FRANCE

Échange de notes constituant un accord concernant les activités des pêcheurs à proximité des Îles anglo-normandes et de la côte française de la péninsule du Cotentin et, notamment, sur le Banc de la Schole (avec carte et listes). Paris, 10 juillet 1992

Textes authentiques de l'Échange de notes : anglais et français.

Texte authentique des listes : français.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 28 mars 1994.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE FRENCH REPUBLIC CONCERNING THE ACTIVITIES OF FISHERMEN IN THE VICINITY OF THE CHANNEL ISLANDS AND THE FRENCH COAST OF THE COTENTIN PENINSULA AND, IN PARTICULAR, ON THE SCHOLE BANK

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LE GOUVERNEMENT DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD ET LE GOUVERNEMENT DE LA RÉPUBLIQUE FRANÇAISE CONCERNANT LES ACTIVITÉS DES PÊCHEURS À PROXIMITÉ DES ÎLES ANGLO-NORMANDES ET DE LA CÔTE FRANÇAISE DE LA PÉNINSULE DU COTENTIN ET, NOTAMMENT, SUR LE BANC DE LA SCHOLE

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*Her Britannic Majesty's Embassy at Paris
to the Ministry of External Relations of the French Republic*

BRITISH EMBASSY
PARIS

10 July 1992

Note 135/93

Her Britannic Majesty's Embassy presents its compliments to the Ministry of Foreign Affairs and has the honour to refer to recent discussions which have taken place between representatives of the British and French governments about the existing neighbourhood relations regarding activities by local coastal fishermen in the vicinity of the Channel Islands and the French coast of the Cotentin peninsula and, in particular, about the question of French fishing on the Schole Bank.

During the course of these discussions, the British representatives informed the French representatives of the following:—

- (a) With effect from 1 September 1992, the authorities in the Bailiwick of Guernsey will exercise technical controls over fishing activities, corresponding to the measures mentioned in paragraph (b) below, within a limit extending to a maximum of 12nm from the baselines, including powers to prosecute breaches of the regulations

¹ Came into force on 10 July 1992, the date of the note in reply, in accordance with the provisions of the said notes.

¹ Entré en vigueur le 10 juillet 1992, date de la note de réponse, conformément aux dispositions des dites notes.

applicable in those waters, thereby averting any practical need to take small French vessels to English ports for trial.

- (b) Subject to the provisions of paragraph 3 below, the authorities in the Bailiwick of Guernsey will prescribe and enforce measures reflecting the technical conservation and management measures relating to sea fishing made from time to time by the European Communities and applicable in ICES Area VIIe.
- (c) A limit has been laid down for the Bailiwick of Guernsey in the waters situated towards the Bailiwick of Jersey for the purposes of controls over fisheries.

In the light of these discussions, the British Government has the honour to propose the following:—

- (1) The limits for the purposes of controls over fisheries in the waters situated between the Bailiwick of Guernsey and France shall be Line A and Line B, as defined below:—

Line A is composed of loxodromes joining the following points defined by co-ordinates of latitude and longitude on European Datum (first Adjustment 1950):

1.	49 55'23"N	02 03'12"W (12nm Limit)
2.	49 48'34"N	02 02'56"W
3.	49 45'18"N	02 03'28"W
4.	49 45'08"N	02 03'30"W
5.	49 44'09"N	02 03'34"W
6.	49 40'55"N	02 03'52"W
7.	49 39'03"N	02 04'54"W
8.	49 38'32"N	02 05'01"W
9.	49 35'52"N	02 06'16"W
10.	49 32'47"N	02 07'50"W
11.	49 32'36"N	02 08'04"W
12.	49 32'27"N	02 08'15"W
13.	49 29'52"N	02 06'56"W
14.	49 27'38"N	02 05'51"W

Line B is composed of loxodromes joining the following points defined by co-ordinates of latitude and longitude on European data (first adjustment 1950):

15.	49 13'15"N	02 33'33"W
16.	49 13'29"N	02 34'16"W
17.	49 13'39"N	02 34'43"W
18.	49 14'39"N	02 38'19"W
19.	49 15'36"N	02 41'33"W
20.	49 16'13"N	02 43'57"W
21.	49 16'17"N	02 44'12"W
22.	49 16'47"N	02 46'38"W
23.	49 18'18"N	02 56'09"W

Lines A and B are shown, by way of illustration, on the chart attached to this Note.

- (2) Each French fisherman whose name and particulars are included on a list attached hereto may continue his present fishing activity on the Schole Bank until retirement or at the latest until 1 January 2010, provided he continues when fishing on the Bank to use the same method of fishing and the same vessel or one similar to that specified on the attached list. There are included on this list the French fishermen who visit the Schole Bank regularly.

In addition, subject to the limit of 4 vessels per calendar day, each French fisherman whose name and particulars are included on a second list attached hereto may continue, except during the months of April and May, his present fishing activity on the Schole Bank until his retirement or at the latest until 1 January 2010, provided he continues when fishing on the Bank to use the same method of fishing and the same vessel or one similar to that specified on the attached list. There are included on this list the French fishermen who visit the Schole Bank occasionally.

The French authorities will communicate to the authorities of Guernsey each day for the day after the following day, the names and related information of the vessels which have sought and received authorisation to fish on that day, commencing at 0001 hours European Standard Time. If a vessel has not been so named, it may not fish on that day. If no vessels have sought and received authorisation for that day this information will be communicated to the Guernsey authorities.

If a fisherman named on either list changes his vessel, the characteristics of the new vessel (length between perpendiculars, horse-power and tonnage, as well as the name and registration number) shall be communicated to the British authorities.

The term "similar vessel" means one using the same method of fishing and of which none of the above-mentioned characteristics is more than 10% larger than those of the original vessel.

The Schole Bank is the submerged bank situated to the east of Guernsey and delimited by loxodromes joining the following points defined by co-ordinates of latitude and longitude on European Datum (First Adjustment 1950):

- | | | |
|----|------------|------------|
| 1. | 49 35'30"N | 02 14'30"W |
| 2. | 49 35'30"N | 02 12'00"W |
| 3. | 49 32'54"N | 02 12'00"W |
| 4. | 49 32'54"N | 02 14'30"W |
| 5. | 49 35'30"N | 02 14'30"W |

The lines are shown, by way of illustration, on the chart attached to this Note.

(3) The existing practices with regard to fishing by coastal fishermen from France and the Bailiwick of Guernsey in the waters in the vicinity of the Channel Islands and the French coast of the Cotentin peninsula, apart from the Schole Bank, will not be affected.

(4) If the authorities in the Bailiwick of Guernsey find it necessary in the exceptional circumstances to issue technical conservation measures which are different from the measures adopted by the European Communities and in force at the time for ICES Area VIIe, in particular in the case of accidental pollution or of a natural calamity, such measures shall as far as possible be transmitted to the French authorities before their entry into force. Such regulations shall not be discriminatory in regard to French fishermen and shall not have the effect of modifying the latter's conditions of access to fishing zones except to the extent made strictly necessary by the situation.

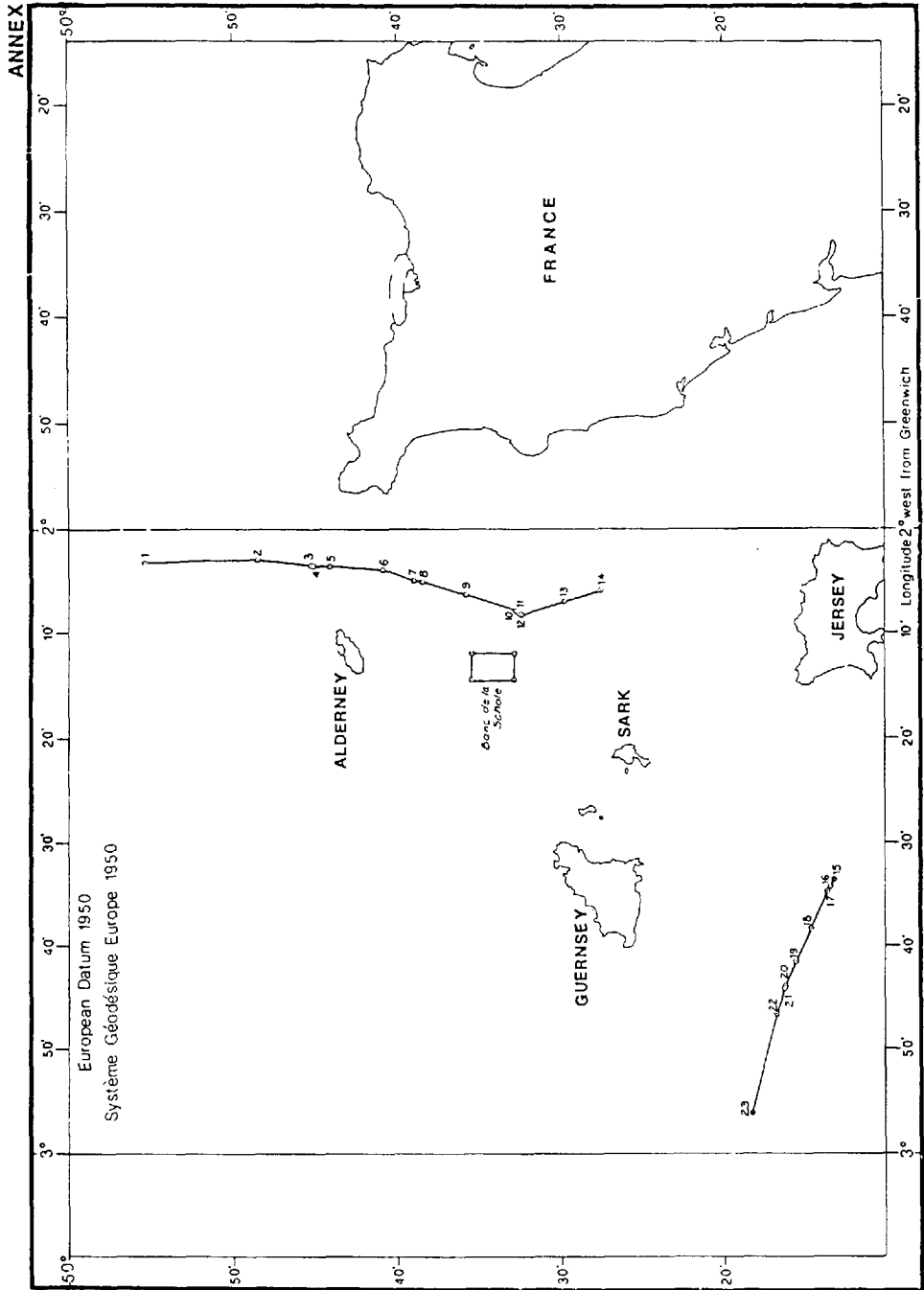
(5) The British and French competent authorities will be invited to continue to deal with possible prosecutions of British fishermen in French waters and of French fishermen in British waters as quickly as possible.

(6) The parties shall inform each other through diplomatic channels of any problem which may arise over the application of the foregoing provisions. At the request of either party, they may meet in order to examine the question and to deal with any matter in relation to the present Note, including questions concerning the conservation of the resources of the Schole Bank and the levels of fishing.

The above provisions do not prevent contacts between fishermen at local level. Fishermen shall be encouraged to discuss between themselves fishing problems which they meet.

If the foregoing proposals are acceptable to the Government of the French Republic, the Embassy has the honour to propose that this Note and the Ministry's reply in that sense shall constitute an agreement between the British and French governments which shall enter into force on the date of the Ministry's reply.

Her Britannic Majesty's Embassy avails itself of this opportunity to renew to the Ministry of Foreign Affairs the assurance of its highest consideration.



LISTE "A"—PROPOSITION D'AVRIL 1992

<i>Nom du navire</i>	<i>Numéro immatric.</i>	<i>Type</i>	<i>Année construct.</i>	<i>Longueur en mètres</i>	<i>Puissance KW</i>	<i>Tonnage TX</i>	<i>Port exploit.</i>	<i>Nom du prop.</i>	<i>Numéro identif.</i>	<i>Année de naissance</i>
Equinoxe	775 925	Caseyeur	1991	10,45m	110kw	9,98tx	Carteret	Jean-Marie TEXIER	73N1940	11.09.54
Rose des Champs	449 375B	Chalutier polyvalent	1978	9,54m	103kw	5,60tx	Carteret	Jacky DUVAL	75T1426	24.03.60
Impatiens	711 742	Caseyeur	1989	11,98m	155kw	9,85tx	Carteret	Hubert MARGUERIE	76A1507	07.12.54
Boukalot	389 836K	Chalutier	1977	10,50m	82kw	9,61tx	Carteret	Pierre MUZARD	75B1365	27.03.46
Maygirl	638 618A	Caseyeur	1984	8,70m	88kw	7,83tx	Carteret	François LECUREUIL	69L0447	05.03.49
Alizé	775 449	Caseyeur	1990	9,85m	162kw	5,96tx	Carteret	Remi DUVAL	72D294	28.10.56
L'Ange des mers	303 277	Caseyeur	1966	10,00m	81kw	8,36tx	Carteret	Dany LE PETIT	80P1149	28.08.60
Edelweiss	711 604H	Caseyeur	1988	11,97m	221kw	11,35tx	Carteret	Yannick DUVAL	78D1267	01.09.62
L'Albatros	775 901W	Caseyeur catamaran	1991	11,98m	220kw	20,92tx	Carteret	Raymond DAVODET	66A1848	06.07.49
La Schole	518 387P	Chalutier pêche arrière	1981	15,23m	195kw	27,94tx	Carteret	Claude RAOUL	61S1171	16.09.46
Cap de Carteret	273 948V	Chalutier pêche latérale	1969	14,40m	152kw	27,17tx	Carteret	Michel RAOUL	64A1470	11.01.50
Cach	231 879T	Chalutier pêche arrière	1973	12,50m	221kw	12,50tx	Carteret	Claude LAVAULEE	57F0589	11.01.58

LISTE " B "—NAVIRES DE PECHE FREQUENTANT OCCASIONNELLEMENT LE " BANC DE SCHOLE "

Saint Helier Georges LANORT	679153G	Chalutier 60S0407	1986 29.10.45	13.25	242	26.00	GRANVILLE
Stella Polaris Yves LEVERRIER	162592F	Chalutier 62W0950	1973 23.07.48	13.68	210	27.00	GRANVILLE
Bavolette Philippe BOUILLON	231932A	Chalutier 79L1141	1973 01.01.65	14.13	220	30.00	GRANVILLE
Christophe LAURENT 2 Georges HERPIN	449755Q	Chalutier 61L0844	1979 07.05.44	14.50	278	31.00	GRANVILLE
Catherine Philippe Roger ALLAIN	449489A	Chalutier 66T1588	1979 30.11.50	14.50	220	30.00	GRANVILLE
Le Dylan Joel BARBEY	329586W	Chalutier 73Z1951	1975 22.12.54	14.91	205	30.00	GRANVILLE
Massabielle Claude LAZARO	338276S	Chalutier 59N0353	1976 23.12.35	15.20	294	30.00	GRANVILLE
Essor Pascal PAPILLON	517745S	Chalutier 82F1082	1980 20.09.67	15.25	294	33.00	GRANVILLE
L'Armada Leon BOUCHART	273914H	Chalutier 60Z0046	1967 02.10.44	15.60	243	30.00	GRANVILLE
Vic Jo Law Victor BOURGET	517946	Chalutier 58R0074	1980 25.02.40	15.39	278	30.00	GRANVILLE
Le Kleber Alain BOUCHART	274321	Chalutier 65K1484	1975 28.08.48	15.80	280	30.00	GRANVILLE
Brise d'Armor Yvon HALNAUT	339616	Chalutier 75W1406	1972 27.01.59	16.50	211	30.00	GRANVILLE

LISTE "B"—NAVIRES DE PECHE FREQUENTANT OCCASIONNELLEMENT LE "BANC DE SCHOLE"—(continued)

Le Garlandy Jacques MARGOLLE	2762062	Chalutier 54X0106	1974 28.06.40	16.50	281	30.00	GRANVILLE
Cap NW Luc LAZARO	518116V	Chalutier 76Z1460	1981 06.07.59	16.67	256	35.00	GRANVILLE
Hermes I Jean-Pierre GIROULT	711273Y	Chalutier 65M1486	1987 26.11.49	16.90	278	49.00	GRANVILLE
Christoph Arnaud F CATHERINE	232S994	Chalutier 72B0338	1974 22.02.56	17.47	294	49.00	GRANVILLE
Iguane Gilles LEGAND	302813V	Chalutier 69B0461	1969 01.06.52	17.90	353	50.00	GRANVILLE
Antaeus Philippe BOULEY	711864R	Chalutier 73J2006	1989 08.07.59	20.85	429	73.76	GRANVILLE
Le Derby Didier JEANNE	711761D	Chalutier 74U1560	1989 24.07.54	21.10	412	67.76	GRANVILLE
Le Tiberiade Jean-Pierre LEVERRIER	711553V	Chalutier 60N1278	1989 04.05.47	18.85	405	64.45	GRANVILLE
Marie Galante Serge MILON	429744	Chalutier 72H5151	1978 11.01.56	16.78	323	29.74	GRANVILLE
Philcathane Marcel HEUZE	639451	Chalutier 59W0360	1987 20.08.44	16.90	280	46.56	GRANVILLE
La Belle Gueuse II Henri BOULLAND	711700	Chalutier 63R1364	1989 17.06.47	18.20	405	62.37	GRANVILLE
Mam Goz II Jean-Pierre BALNY	176213	Chalutier 65U1515	1972 25.07.48	18.80	323	49.71	GRANVILLE
Manourellie II Alain TANGUY	775473	Chalutier 70M0522	1991 29.04.54	15.95	243	45.95	GRANVILLE

[TRANSLATION¹ — TRADUCTION²]

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United Kingdom of Great Britain and Northern Ireland and has the honour to acknowledge receipt of its Note No. 135/92 of 10 July 1992 which reads as follows:

[See note I]

The Ministry of Foreign Affairs has the honour to inform the Embassy of the United Kingdom of Great Britain and Northern Ireland of the French Government's agreement to the foregoing provisions.

It avails itself of this opportunity to renew to the Embassy of the United Kingdom of Great Britain and Northern Ireland the assurance of its highest consideration.

[Annex and lists as under note I]

¹ Translation provided by the Government of the United Kingdom.

² Traduction fournie par le Gouvernement du Royaume-Uni.