

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 AGREEMENT<sup>1</sup> 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 ACCORD<sup>1</sup> 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

I

*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

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

<sup>1</sup> 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.