

**FRANCE
and
SWITZERLAND**

**Agreement regarding fishing in Lake Geneva (with annex
and Implementing Regulations). Signed at Berne on
20 November 1980**

Authentic text: French.

Registered by France on 30 March 1983.

**FRANCE
et
SUISSE**

**Accord concernant la pêche dans le lac Léman (avec annexe
et Règlement d'application). Signé à Berne le 20 no-
vembre 1980**

Texte authentique : français.

Enregistré par la France le 30 mars 1983.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE SWISS FEDERAL COUNCIL REGARDING FISHING IN LAKE GENEVA

The Government of the French Republic and the Swiss Federal Council, desiring to regulate questions regarding fishing in Lake Geneva, have agreed as follows:

Article 1. SCOPE OF APPLICATION

1. This Agreement applies to the Swiss and French parts of Lake Geneva. The Implementing Regulations provided for in article 3 establish the boundaries between the lake, its tributaries and its effluent.
2. For the purposes of this Agreement, the term "fish" means also crayfish.

Article 2. OBJECT

The object of this Agreement is:

- (a) To harmonize between the two States the provisions regarding fishing;
- (b) To ensure the effective protection of fish and their habitat.

Article 3. IMPLEMENTING REGULATIONS

1. The technical provisions relating to fishing in Lake Geneva are the subject of the Implementing Regulations for this Agreement. These Regulations contain, in particular, provisions concerning:
- (a) Protected areas for fish and biotopes;
 - (b) The fishing methods which may be used by amateur fishermen;
 - (c) The minimum size of fish which may be caught;
 - (d) Periods during which fish are protected.

These provisions should serve to ensure fish reproduction and to prevent fish from being unnecessarily injured or damaged.

2. Without prejudice to the provisions of this Agreement, the Contracting Parties may, by an exchange of notes, after receiving notification from the Commission provided for in article 7, make any amendments which they may deem necessary in the Implementing Regulations defined in paragraph 1.

Article 4. DEVELOPMENT PLAN

1. In order to ensure the proper management of fish stocks in Lake Geneva, the Commission provided for in article 7 proposes, for successive periods of five

¹ Came into force on 1 September 1982, i.e., the first day of the second month following the date of receipt of the last of the notifications (effected on 18 December 1980 and 25 June 1982) by which the Contracting Parties had informed each other of the completion of the required constitutional procedures, in accordance with article 16 (1).

years, irrespective of the length of the Agreement, development plans which should contain provisions regarding:

- (a) The nature and scope of replenishment measures and the size of the allocations authorized for that purpose;
- (b) The scale of fishing;
- (c) The number of permits to be issued and the criteria for issuing them;
- (d) Measures to re-establish a proper balance among fish species.

2. Each development plan shall be approved by the Contracting Parties and shall enter into force on the date of the exchange of notes confirming such approvals.

Article 5. FISHING RIGHTS

1. Professional fishermen may fish only in waters under the sovereignty of the State in which they have their domicile.

2. Amateur fishermen having a valid permit issued in the State in which they reside may fish in all the areas of Lake Geneva in which fishing is permitted. However, in both French and Swiss waters, ordinary fishing may be authorized, from the shore or from a boat, without a permit, in accordance with the legislation of each State.

3. Every fisherman is subject to:

- (a) The regulations of this Agreement and its Implementing Regulations;
- (b) The special provisions of the State in whose waters he fishes, in so far as such provisions are not contrary to those of this Agreement. He is required to keep himself informed about these provisions.

4. A person who has been deprived of the right to fish in either State shall not be granted a fishing permit for Lake Geneva in the other State.

Article 6. PROTECTION OF THE FISH HABITAT

1. The fish habitat, in particular the areas which are especially important for fish reproduction and development, shall be protected from all harmful influences.

2. When work is carried out on the lake shore or lake bottom, and when measures are taken to alter the régime or quality of the water, the two States agree to make all necessary arrangements to ensure the protection of fish and the fauna on which they feed.

Article 7. CONSULTATIVE COMMISSION

1. A Consultative Commission shall be established as soon as this Agreement enters into force.

2. Each Contracting Party shall appoint the members of its delegation, which shall be limited to four persons. The Commission shall establish its rules of procedure.

3. In particular, the Commission shall:

- (a) Monitor the implementation of this Agreement;
- (b) Ensure the flow of information between the States;

- (c) Prepare and submit proposals with a view to amending the Implementing Regulations in conformity with article 3, paragraph 2, of this Agreement;
 - (d) Prepare and submit proposals for the development plan in conformity with article 4 of this Agreement;
 - (e) Facilitate relations between the authorities entrusted with the implementation of the provisions of this Agreement and its Implementing Regulations;
 - (f) Endeavour to resolve difficulties arising from the implementation of this Agreement and its Implementing Regulations.
4. Experts may be appointed to form part of each delegation.
 5. Any member of a delegation may be replaced by an expert.
 6. The Commission may appoint working groups.
 7. The Commission shall hold an annual meeting and shall meet additionally at the request of either delegation within three months.

Article 8. INFORMATION IN CASE OF EMERGENCY

When the fish of Lake Geneva are threatened by epizootic disease, the competent authorities of the two States shall inform each other as soon as possible.

Article 9. RESTOCKING MEASURES

1. The competent authorities of the two States shall operate, or ensure the operation of, incubation and breeding establishments and shall organize the capture of fish required for breeding.

2. Species and breeds of fish which are not native to Lake Geneva may be introduced into the lake only with the joint permission of the competent authorities of the two States.

Article 10. RESEARCH

The two States shall encourage applied research in the fields of hydrobiology and fishing, in particular fish breeding, the study of fish diseases and their prevention, fishing economy and the development of fish breeding in the lake.

Article 11. SUPERVISION OF FISHING

1. The competent authorities of the two States shall appoint officials who shall be responsible for the supervising of fishing and the development of fish breeding in Lake Geneva.

2. Such officials may perform their duties only in that part of the lake which is under the sovereignty of the State of which they are nationals. However, in cases of flagrant offences they may perform their duties and, in particular, draw up reports in the territory of the other State, as far as the lake shore, without taking any coercive measures or carrying out seizures.

3. The officials in the exercise of their duties in the territory of the other State must wear their insignia. They may wear their uniform and carry their service weapon. They may use their service weapon only in cases of self-defence.

4. The officials may request the competent authorities of the neighbouring State to search for persons or to seize incriminating articles situated in the terri-

tory of that State as well as fish caught illegally. Acts of assistance shall be carried out in conformity with the law of the State in which they are executed.

Article 12. OFFENCES AGAINST OFFICIALS

1. Where, in conformity with the provisions of article 11, paragraph 2, of this Agreement, officials perform their duties in the territory of the other State, they shall enjoy the same protection and the same assistance as the officials of that State.

2. In cases of offences committed against officials of either State, while they are on duty in the territory of the other State, the provisions of the penal code which deal with similar acts committed against officials of that other State who perform similar duties shall be applied.

Article 13. PROSECUTION OF OFFENCES

1. Each State shall prosecute persons residing in its territory who have allegedly infringed, in the territory of the other State, this Agreement or its implementing provisions common to both States, in the same manner and applying the same laws as would have been applied if the offence had been committed in its territory.

2. Proceedings shall be instituted upon official transmittal of the report establishing the offence, by the judicial authorities of the State where the offence has been committed, to the judicial authorities of the State competent to take cognizance of the offence in accordance with paragraph 1 of this article.

3. However, no legal proceedings shall take place if the offender proves that he has been subjected to a measure which definitively ends the prosecution, or that he has been definitively sentenced in the other State for the same offence and, in the case of conviction, that he has served his entire sentence, that the sentence has lapsed or has been waived under a pardon or an amnesty applicable to the entire sentence or that part of the sentence which has not been served.

4. The costs of proceedings shall not be reimbursed. The total amount of the fines received shall remain the property of the prosecuting State. The damages shall go to the injured party.

Article 14. COMMUNICATIONS BETWEEN AUTHORITIES

Each State shall appoint the competent authorities for the implementation of this Agreement and its Regulations, and shall transmit the list of such authorities to the other State. The authorities shall communicate directly between themselves and in the shortest possible time:

- (a) The list of names of the official responsible for monitoring fishing;
- (b) The boundaries of the protection zones;
- (c) Statistics concerning catches and introduction of fish into the lake;
- (d) The derogations permitted under article 6 of the Regulations;
- (e) The programmes and results of scientific studies;
- (f) The lists of fishermen whose fishing rights have been withdrawn.

Article 15. ARBITRATION CLAUSE

Any disputes between the Contracting Parties concerning the interpretation or application of this Agreement which cannot be settled through negotiation

shall, unless the Contracting Parties arrange otherwise, be submitted at the request of either Party to arbitration as laid down in the annex to this Agreement.

Article 16. ENTRY INTO FORCE AND TERMINATION

1. Each Contracting Party shall notify the other of the completion of the procedures required under its Constitution for the entry into force of this Agreement, which shall take effect on the first day of the second month following the date of receipt of the last of such notifications.

2. This Agreement is concluded for an initial period of two years with effect from the date of its entry into force. If it is not terminated by one of the Parties six months before the date of expiry of that initial period, the Agreement shall remain in force for additional periods of one year, unless the other Party is notified of termination at least three months before the date of expiry of each period.

IN WITNESS WHEREOF, the representatives of the two Governments, being duly authorized for this purpose, have signed this Agreement and have thereto affixed their seals.

DONE at Berne, on 20 November 1980, in duplicate, in the French language.

For the Government
of the French Republic:

[Signed]

GILLES CURIEN
Ambassador Extraordinary
and Plenipotentiary in Switzerland

For the Swiss Federal Council:

[Signed]

DIEZ

ANNEX RELATING TO ARBITRATION

1. Unless the Parties to the dispute arrange otherwise, the arbitration procedure shall be conducted in accordance with the provisions of this annex.

2. The arbitration tribunal shall consist of three members. Each Party to the dispute shall appoint one arbitrator. The two arbitrators so appointed shall nominate by mutual agreement the third arbitrator, who shall be Chairman of the tribunal.

If, at the end of two months after the appointment of the second arbitrator, the Chairman of the tribunal has not been nominated, the President of the European Court of Human Rights shall proceed to nominate him in response to the first request received from one of the Parties.

3. If, within a period of two months from the receipt of the request, either Party to the dispute has not nominated one member of the tribunal as required, the other Party may bring the matter before the President of the European Court of Human Rights, who shall nominate the Chairman of the arbitration tribunal within a further period of two months. As soon as he is nominated, the Chairman of the arbitration tribunal shall request the Party that has not appointed an arbitrator to do so within two months. After the expiry of this period, he shall refer the matter to the President of the European Court of Human Rights, who shall make the appointment within a further period of two months.

4. If, in the cases mentioned in the preceding paragraphs, the President of the European Court of Human Rights is incapacitated or if he is a national of one of the Parties to the dispute, it shall be for the Vice-President of the Court or the most senior

member of the Court who is not incapacitated and who is not a national of either Party to the dispute to nominate the Chairman of the arbitration tribunal or to appoint the arbitrator.

5. The preceding provisions shall apply, according to the circumstances, for the purpose of filling casual vacancies.

6. The arbitration tribunal shall reach its decisions according to the rules of international law and, in particular, of this Agreement.

7. The arbitration tribunal shall adopt its decisions, in respect of both procedure and substance, by the majority vote of its members; the absence or abstention of one member of the tribunal nominated by the Parties shall not prevent the tribunal from ruling. Where the votes are equally divided, the Chairman's vote shall prevail. The decisions of the tribunal shall be binding on the Parties. The Parties shall bear the costs of the arbitrator nominated by them and shall share the other costs equally. On other matters, the arbitration tribunal shall determine its own rules of procedure.

[GILLES CURIEN]

[DIEZ]

IMPLEMENTING REGULATIONS OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE SWISS FEDERAL COUNCIL REGARDING FISHING IN LAKE GENEVA

The Government of the French Republic and the Swiss Federal Council, having regard to article 3 of the Agreement, have agreed as follows:

Article 1. BOUNDARIES BETWEEN THE LAKE, ITS TRIBUTARIES AND ITS EFFLUENT

1. The boundary between the lake and the effluent Rhone is the upstream side of the Mont Blanc Bridge at Geneva.

2. The boundary between the lake and its tributaries is the extension of the natural shores of the lake.

Article 2. PROTECTED AREAS

1. The competent authorities shall define the protected areas:

- (a) In which fishing is prohibited during all or part of the year;
- (b) In which the fish habitat, in particular the areas which are especially important for fish reproduction and development, shall be protected from all harmful influences.

2. Fishing shall be prohibited in the reed beds and natural reserves.

Article 3. FISHING GEAR AND METHODS

1. Each State shall define the gear permitted for professional fishing in its territory. However, the Consultative Commission must receive prior notice of the use of new kinds of gear or the enhanced fishing capacity of gear in use at the time these Regulations enter into force.

2. The only fishing methods which amateur fishermen may use are:

- (a) Three lines to be chosen from among the following, which may only be used from the shore or from a stationary boat: floated line, casting line, sinking line or weighted line, with support or lead weight, such lines having a maximum of six hooks each, with a maximum length of 15 millimetres between the tip and the shaft, whatever the number of tips;
- (b) Four troll lines or dragnets or trail nets having a maximum of 20 hooks and drawn behind a boat;

- (c) The gauze net or scoop net, having a maximum diameter of 75 centimetres, usable only to remove from the water fish which have already been hooked or to fish for chum bait for personal use;
- (d) Two bottles with minnows or flycatchers, each having a maximum capacity of two litres usable to fish for chum bait for personal use.

3. Fishing by hand is prohibited and the following means shall not be used for fishing:

- (a) Materials for stunning fish, explosives, toxic matter or electric current;
- (b) Firearms;
- (c) Gear used to harpoon or wound fish;
- (d) Traps;
- (e) Chemical products or optical or acoustic devices for luring fish;
- (f) Underwater diving gear;
- (g) Echo-sounding apparatus.

Article 4. MINIMUM SIZE OF FISH

1. The size of fish is measured from the tip of the nose to the end of the normally extended tail fin.

2. The fish listed below shall not be caught unless they have attained the following minimum size:

(a) Trout (all species)	35 cm
(b) Char	27 cm
(c) Grayling	27 cm
(d) Whitefish	30 cm
(e) Pike	40 cm
(f) Perch	15 cm.

3. Any fish which has not attained the minimum size shall be immediately and carefully returned to the water.

Article 5. FISH PROTECTION PERIODS

1. Fish shall be protected during the following periods:

(a) Trout (all species):	from 15 October to 15 January
(b) Char:	from 15 October to 15 January
(c) Whitefish:	from 15 October to 15 January
(d) Pike:	from 1 April to 10 May
(e) Perch:	from 5 May to 20 May.

2. Any fish caught during its protection period shall be immediately and carefully returned to the water.

3. However, the taking of breeding fish for restocking purposes shall be permitted during protection periods, on the responsibility of the competent authorities of the two States.

Article 6. DEROGATIONS

1. The competent authorities of the two States may, by mutual agreement, by way of exception and for a limited time, waive or authorize waivers, under their supervision, to articles 2, 3, 4 and 5 of these Regulations, in the following cases:

- (a) Measures to re-establish a balance among fish species;
- (b) Other measures which shall be required for biological or ecological reasons.

2. The competent authorities of each State may, by way of exception and for a limited time, waive or authorize waivers, under their supervision to articles 2, 3, 4 and 5 of these Regulations for the needs of scientific studies.

IN WITNESS WHEREOF, the representatives of the two Governments, being duly authorized for this purpose, have signed this Agreement and have thereto affixed their seals.

DONE at Berne on 20 November 1980, in duplicate, in the French language.

For the Government
of the French Republic:

[Signed]

GILLES CURIEN
Ambassador Extraordinary
and Plenipotentiary in Switzerland

For the Swiss Federal Council:

[Signed]

DIEZ

[TRANSLATION — TRADUCTION]

No. 21785. AGREEMENT BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE SWISS FEDERAL COUNCIL CONCERNING FISHING IN LAKE GENEVA. SIGNED AT BERNE ON 20 NOVEMBER 1980¹

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT² AMENDING THE IMPLEMENTING REGULATIONS ANNEXED TO THE ABOVE-MENTIONED AGREEMENT (WITH ANNEXES).
BERNE, 16 DECEMBER 1985

Authentic text: French.

Registered by France on 6 October 1987.

I

FEDERAL DEPARTMENT OF FOREIGN AFFAIRS

p.B.12.21.F.0

The Federal Department of Foreign Affairs presents its compliments to the Embassy of France and, with reference to the Agreement of 20 November 1980 between the Swiss Federal Council and the Government of the French Republic regarding Fishing in Lake Geneva,¹ has the honour to communicate the following:

On 24 September 1985, the Consultative Commission on Fishing in Lake Geneva agreed, in accordance with article 3 of the aforementioned Agreement, to propose to the Governments an amendment to the Implementing Regulations attached to this note (annex 1). The Commission also decided, on the basis of articles 3, 4 and 7 of the Agreement, to submit for the approval of the Governments the fish stock development plan 1986-1990 (annex 2).

The Department wishes to inform the Embassy that the Swiss Federal Council has approved the above proposals. If these proposals are agreeable to the French Government, this note and the reply shall constitute the exchange of notes specified in articles 3 and 4 of the Agreement which, annexes 1 and 2 being an integral part of this exchange of notes, shall enter into force on 1 January 1986.

The Department takes this opportunity, etc.

Berne, 16 December 1985

The French Embassy
Berne

ANNEXES:

Amendment to the Implementing Regulations of the Agreement between the Swiss Federal Council and the Government of the French Republic regarding Fishing in Lake Geneva

Five-year fish stock development plan pursuant to the Agreement between the Swiss Federal Council and the Government of the French Republic regarding Fishing in Lake Geneva, for the period 1 January 1986 to 31 December 1990

Full powers

¹ United Nations, *Treaty Series*, vol. 1306, p. 337.

² Came into force on 1 January 1986, in accordance with the provisions of the said notes.

ANNEX 1

FRANCO-SWISS COMMISSION FOR FISHING IN LAKE GENEVA

PROCÈS-VERBAL OF THE MEETING OF 24 SEPTEMBER 1985 PROPOSING AN AMENDMENT TO THE IMPLEMENTING REGULATIONS OF THE AGREEMENT BETWEEN THE SWISS FEDERAL COUNCIL AND THE GOVERNMENT OF THE FRENCH REPUBLIC REGARDING FISHING IN LAKE GENEVA

The amendments shall be as follows:

"Article 5, paragraph 1, (e)

"(e) Perch: From 5 May to 30 May.

"Article 5, paragraph 4 (new)

"4. The competent authorities of the two States may, by mutual agreement, extend or shorten the protection period for perch."

Lausanne, 24 September 1985

[Signed]

H. U. SCHWEIZER
Chairman of the Consultative Commission
for Fishing in Lake Geneva

ANNEX 2

FRANCO-SWISS COMMISSION FOR FISHING IN LAKE GENEVA

PROCÈS-VERBAL OF THE MEETING OF 24 SEPTEMBER 1985 PROPOSING A FIVE-YEAR FISH-STOCK DEVELOPMENT PLAN UNDER THE AGREEMENT BETWEEN THE SWISS FEDERAL COUNCIL AND THE GOVERNMENT OF THE FRENCH REPUBLIC REGARDING FISHING IN LAKE GENEVA (1 JANUARY 1986–31 DECEMBER 1990)

The Consultative Commission for Fishing in Lake Geneva,

Considering:

That the future of each species of fish must be ensured by the maintaining and adequate number of fish having attained reproductive size;

That an adjustment of the mesh size of the nets to reproductive size is consequently necessary;

That the scale of fishing must be regulated so that the stock of breeding fish necessary for reproduction is maintained and several age groups of fish are available;

That fishing by amateur fishermen must be taken into consideration in estimating fishing activity;

That such fishing must be strictly limited to sporting purposes, excluding any commercial activities involving fish, and that the number of fish caught must be limited to the needs of family consumption;

That the fishing gear currently used should be borne in mind in so far as the aforementioned principles are not fundamentally violated;

Proposes the following provisions:

CHAPTER I. PERCH MANAGEMENT

*Article 1**Protection period*

1. The protection period for perch shall be from 5 May to 30 May.

2. Nevertheless, the authorities designated by each State may, by mutual agreement and in accordance with the actual egg-laying season, extend or shorten the protection period.

Article 2

Fishing gear

1. The following nets shall be authorized in French waters for the capture of perch:

- (a) Five nets measuring no more than 100 metres long and 2 metres deep, with a mesh no finer than 23 millimetres;
- (b) Three nets measuring no more than 100 metres long and 2 metres deep, with a mesh no finer than 26 millimetres;
- (c) Two nets measuring no more than 100 metres long and 2 metres deep, with a mesh no finer than 28 millimetres.

2. The following nets shall be authorized in Swiss waters for the capture of perch:

- (a) Eight nets measuring no more than 100 metres long and 2 metres deep, with a mesh no finer than 26 millimetres;
- (b) Two nets measuring no more than 100 metres long and 2 metres deep, with a mesh no finer than 28 millimetres.

3. A net measuring 100 metres long may be replaced by two nets measuring 50 metres long.

4. The number of nets attached to the top-bed shall be limited to four from 1 April to the day prior to the day on which the protection period for perch begins.

Article 3

Seine net

1. The mesh size at the bottom of the seine net bag shall be no finer than 25 millimetres.

2. The use of the seine net is prohibited from noon on Saturday and on Sunday.

Article 4

Fishpots

The number of fishpots shall be limited to six, with a mesh no finer than 23 millimetres, this dimension corresponding to the shortest distance, excluding the thickness of the cords, between the two parallel sides of the webbing.

Article 5

Limitation of the catch for sport fishing

The catch for amateur fishermen shall be limited to 80 perch per day and per fisherman.

CHAPTER II. WHITEFISH MANAGEMENT

Article 6

Fishing gear

1. The number of drift nets per fishing ground shall be limited in the following manner:

- (a) In French waters, six large drift nets measuring no more than 120 metres long and 20 metres deep, with a mesh no finer than 48 millimetres, and four small drift nets measuring no more than 100 metres long and 8 metres deep, with a mesh no finer than 48 millimetres;

- (b) In Swiss waters, eight drift nets measuring no more than 120 metres long and 20 metres deep, with a mesh no finer than 48 millimetres.

CHAPTER III. LAKE TROUT MANAGEMENT

Article 7

Fishing gear

1. The number of trout nets shall be limited to three nets measuring no more than 100 metres long and 3 metres deep, with a mesh no finer than 48 millimetres.
2. These nets shall be authorized only from 16 January to 31 March inclusive. They may be set on the surface of the water. They may be set only after 4 p.m. and they must be hauled in before 9 a.m. and, in addition, they must be anchored and marked.
3. With the approval of the Consultative Commission, the competent authorities of the two States may, from 1 January 1987, replace the three nets set on the surface of the water, referred to in paragraph 1, by nets set under 2 metres of water.

Article 8

Limitation of the catch for sports fishing

The catch for amateur fishermen shall be limited to 8 trout per day and to 250 trout per year and per fisherman.

CHAPTER IV. GRAYLING MANAGEMENT

Article 9

Fishing gear

Nets used to catch grayling shall have a mesh no finer than 32 millimetres.

Article 10

Limitation of the catch for sports fishing

The catch of sports fishermen shall be limited to 10 graylings per day and 250 graylings per year and per fisherman.

CHAPTER V. FISHING SCHEDULE

Article 11

Fishing schedule

1. The hours during which fishing is authorized and during which the setting or hauling in of nets and fishpots are permitted shall be as follows:

- From 6.30 A.M. to 6 P.M. in January;
- From 6 A.M. to 6.45 P.M. in February;
- From 5.30 A.M. to 7.30 P.M. in March;
- From 5 A.M. to 8 P.M. in April;
- From 4.15 A.M. to 8.45 P.M. in May;
- From 4 A.M. to 9.15 P.M. in June;
- From 4.15 A.M. to 9 P.M. in July;
- From 4.45 A.M. to 8.30 P.M. in August;
- From 5 A.M. to 7.30 P.M. in September;
- From 5.15 A.M. to 6.30 P.M. in October;

— From 5.45 A.M. to 5.45 P.M. in November;

— From 6.30 A.M. to 5.30 P.M. in December.

2. By way of exception, drift nets may be hauled in one hour before the opening hour.

3. During the period of daylight saving time, one hour should be added to each hour specified in the table above.

4. Traffic on the lake with dry fishing gear shall be permitted one-half hour before the daily opening hour for fishing.

5. Traffic on the lake with fishing gear or with fish shall be permitted until one-half hour after the daily closing hour for fishing.

CHAPTER VI. RESEARCH AND STATISTICS

Article 12

Spawning grounds and protected areas

Studies concerning the protection of natural spawning grounds and the creation of artificial spawning grounds shall be carried out by each of the two States.

Article 13

Protection of perch

A scientific study on fishing intensity, using nets having mesh sizes of 23 to 28 millimetres shall be carried out by the working group "Fishery Research".

Article 14

Protection of whitefish

Experimental fishing for whitefish, using nets having mesh sizes of 40 to 60 millimetres, shall be carried out by the working group "Fishery Research".

Article 15

Study on fisherman quotas

A study shall be conducted to determine the acceptable maximum number of professional fishermen, based on the fishing potential of the lake.

Article 16

Statistics and monitoring of the catch

1. A fishing permit, to be designed by the working group "Fish Stock Development Plan", shall be introduced for amateur fishermen.

2. This working group shall study co-ordination of the methods of data collection.

Article 17

Annual report

An annual report on the implementation of the development plan, based on the model proposed by the working group, "Fish Stock Development Plan", shall be presented by each State.

CHAPTER VII. SPECIAL AND INTERIM PROVISIONS

Article 18

Limited number of nets in Switzerland

The total number of nets authorized for use shall be understood to mean by fishing area.

*Article 19**Interim provisions for 1986*

Notwithstanding articles 2 (1) and 6, the following shall be authorized:

1. In French waters:

- (a) Six nets measuring no more than 100 metres long and 2 metres deep, with a mesh no finer than 23 millimetres;
- (b) Four nets measuring 100 metres long and 2 metres deep, with a mesh no finer than 26 millimetres;
- (c) The two nets measuring no more than 100 metres long and two metres deep, with a mesh no finer than 28 millimetres, shall not be employed.

2. In Swiss waters: One bag net with a mesh no finer than 30 millimetres and having the following maximum dimensions: depth, 40 metres; length of each arm, 120 metres; depth of bag, 25 metres.

Lausanne, 24 September 1985

[Signed]

H. U. SCHWEIZER
Chairman of the Consultative Committee
for Fishing in Lake Geneva

II

EMBASSY OF FRANCE IN SWITZERLAND

No. 380

The Embassy of France presents its compliments to the Federal Department of Foreign Affairs and has the honour to acknowledge receipt of its note of 16 December 1985, which reads as follows:

[See note I]

The Embassy of France has the honour to inform the Federal Department of the agreement of the French Government with the foregoing provisions. Consequently, and in accordance with the terms of the note of 16 December 1985 of the Federal Department, the aforementioned note of the Federal Department and this note of the French Embassy shall constitute an Agreement which shall enter into force on 1 January 1986.

The French Embassy takes this opportunity, etc.

Berne, 16 December 1985

Federal Department of Foreign Affairs
Berne

[TRANSLATION — TRADUCTION]

No. 21785. AGREEMENT BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE SWISS FEDERAL COUNCIL REGARDING FISHING IN LAKE GENEVA. SIGNED AT BERNE ON 20 NOVEMBER 1980¹

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT² AMENDING THE FIVE-YEAR PISCICULTURAL DEVELOPMENT PLAN PROVIDED FOR IN THE ABOVE-MENTIONED AGREEMENT. BERNE, 25 NOVEMBER 1987

Authentic text: French.

Registered by France on 6 June 1988.

I

EMBASSY OF FRANCE IN SWITZERLAND

No. 300

The Embassy of France presents its compliments to the Federal Department of Foreign Affairs and, with reference to the exchange of notes of 16 December 1985³ between the Government of the French Republic and the Swiss Federal Council concerning the Agreement of 20 November 1980 regarding fishing in Lake Geneva,⁴ has the honour to communicate the following:

On 27 October 1986 and 17 March 1987, the Consultative Commission on Fishing in Lake Geneva agreed, in accordance with the provisions of articles 3, 4 and 7 of the aforementioned Agreement, to propose to the Governments amendments to the fish stock development plan 1986-1990, as specified in annex I attached hereto, which is an integral part of this exchange of notes.

The Embassy wishes to inform the Department that the Government of the French Republic has approved the above proposals. If these proposals are agreeable to the Swiss Federal Council, this note and the reply shall constitute the exchange of notes specified in articles 3 and 4 of the Agreement, which shall enter into force on the signature of this exchange of notes.

The Embassy of France takes this opportunity, etc.

Berne, 25 November 1987

[JEAN-MARIE MÉRILLON]

Federal Department of Foreign Affairs
Berne

¹ United Nations, *Treaty Series*, vol. 1306, p. 337, and annex A in volume 1483.

² Came into force on 25 November 1987, in accordance with the provisions of the said notes.

³ United Nations, *Treaty Series*, vol. 1483, No. A-21785.

⁴ *Ibid.*, vol. 1306, p. 337.

ANNEX I

AMENDMENT TO THE FIVE-YEAR FISH STOCK DEVELOPMENT PLAN DONE AT BERNE ON 16 DECEMBER 1985, REGARDING THE AGREEMENT OF 20 NOVEMBER 1980 BETWEEN THE SWISS FEDERAL COUNCIL AND THE GOVERNMENT OF THE FRENCH REPUBLIC REGARDING FISHING IN LAKE GENEVA (1 JANUARY 1986-31 DECEMBER 1990)

*Amendment**Article 2, paragraphs 1 and 2*

1. The following nets shall be authorized in French waters for the capture of perch:
 - (A) Six nets measuring no more than 100 metres long and 2 metres deep, with a mesh no finer than 23 millimetres;
 - (B) Four nets measuring no more than 100 metres long and 2 metres deep, with a mesh no finer than 26 millimetres.
2. The following nets shall be authorized in Swiss waters for the capture of perch: Ten nets measuring no more than 100 metres long and 2 metres deep, with a mesh no finer than 26 millimetres.

Article 3, paragraph 1

1. The mesh size at the bottom of the seine net bag shall be no finer than 23 millimetres in French waters and 25 millimetres in Swiss waters.

Article 6 bis (new)

1. The arms of the large net shall each measure no more than 120 metres long and 40 metres deep and the bag no more than 25 metres deep. The mesh size of the bag shall be no finer than 35 millimetres and that of the arms shall be no finer than 40 millimetres.
2. The use of the large net shall not be permitted:
 - (a) From 15 October to 15 January;
 - (b) From 16 January to 21 January, on the spawning-grounds of the grayling;
 - (c) From 15 April to 30 June, less than 1,000 metres from the shore.
3. The attachment of large nets shall not be authorized more than 1,000 metres from the shore.

Article 20 (new)

The mesh sizes of the nets for perch fishing and those of the seine nets shall be determined according to the system of measurement used in 1986 in the two States for measuring mesh size.

II

FEDERAL DEPARTMENT OF FOREIGN AFFAIRS

s.B.12.21.F.O.

The Federal Department of Foreign Affairs presents its compliments to the Embassy of France and has the honour to acknowledge receipt of its note of 25 November 1987, which reads as follows:

[See note I]

The Department has the honour to inform the Embassy of the agreement of the Federal Council to the foregoing provisions. Consequently, and in accordance with the terms of the note of 25 November 1987 of the Embassy, the note verbale of the Embassy and this note of the Department shall constitute an Agreement which shall enter into force on the date of this exchange of notes.

The Department takes this opportunity, etc.

[MATHIAS KRAFFT]

Berne, 25 November 1987

Embassy of France
Berne

[Annex as under letter I]
