

FISHING AGREEMENT BETWEEN THE GOVERNMENT
OF THE REPUBLIC OF TRINIDAD AND TOBAGO
AND THE GOVERNMENT OF THE REPUBLIC OF
VENEZUELA

The Government of the Republic of Trinidad and Tobago and the Government of the Republic of Venezuela herein referred to as the Contracting Parties;

Recognizing that the relations between both countries are based on mutual respect and observance of the principles of sovereignty and national independence, of the equality of rights and non-interference in each other's affairs;

Reaffirming the excellent relations which have always existed between both countries and the desirability of maintaining and reaffirming these relations for the mutual benefit of their peoples;

Desirous of adopting proper conservation and management measures in order to obtain optimum utilization and benefits from the rational exploitation of the fisheries resources to be found in the areas set out in the present Agreement;

Interested in establishing applicable norms for commercial fishing in the aforementioned areas;

Convinced of the need to carry out joint programmes of fisheries research and exploratory fishing in the marine areas adjacent to both countries;

Have agreed as follows:

ARTICLE I

1. Fishing boats flying the flag of or which are registered in Trinidad and Tobago or in Venezuela, and which are duly authorized by their respective governments shall have access to the areas specified in Articles II, III, IV and V of this Agreement for the purpose of exploiting the fisheries resources. This access shall be undertaken in accordance with Articles II, III, IV and V of this Agreement.
2. The access referred to in paragraph 1 of this Article shall be permitted only to boats which are the property of nationals of the Contracting Parties.
3. With the exception of activities undertaken in connection with fisheries research carried out in accordance with Article X of this Agreement, fishing boats enjoying access to fishing areas, in accordance with the present Agreement, shall not engage in activities other than fishing.

ARTICLE II

AREA SOUTH OF TRINIDAD AND NORTH OF VENEZUELA

1. Artisanal and non-artisanal fishing boats of Trinidad and Tobago as well as of Venezuela referred to in Article I of this Agreement shall, without prejudice to paragraph 3 of this Article, have freedom of access to the following area South of Trinidad and North of Venezuela:

The area South of Trinidad and North of Venezuela is the area encompassed between, on the one side, a straight line drawn from Punta del Arenal on the coast of Trinidad and whose approximate coordinates are Lat. $10^{\circ} 02' 47''$ N and Long. $61^{\circ} 55' 47''$ W.

to Punta Tolete on the coast of Venezuela and whose approximate coordinates are Lat. $10^{\circ} 01' 15''$ N and Long. $62^{\circ} 11' 52''$ W and on the other side, a straight line drawn from Point Galeota on the coast of Trinidad and whose approximate coordinates are Lat. $10^{\circ} 08' 07''$ N and Long. $60^{\circ} 59' 27''$ W to Punta Araguapiche on the coast of Venezuela and whose approximate coordinates are Lat. $09^{\circ} 29' 30''$ N and Long. $60^{\circ} 56' 00''$ W.

Excluded from the area South of Trinidad and North of Venezuela is the Special Fishing Area described in Article III of the present Agreement as well as a zone two miles wide from the coast of either country.

2. Without prejudice to paragraph 3 of this Article, fishing boats of Trinidad and Tobago and of Venezuela, in carrying out their fishing activities in the area South of Trinidad and North of Venezuela, shall comply with the relevant laws and regulations adopted by the State of their nationality.

3. (a) For the purpose of harmonizing the rules and measures adopted by each government and in order to obtain the optimum benefits from the rational exploitation of the fisheries resources of the area South of Trinidad and North of Venezuela, the Fisheries Commission established in accordance with Article VIII of this Agreement shall recommend to the respective Governments the adoption of rules and measures relating to the management and conservation of these resources.

(b) These rules and measures may be adopted by each Government and applied to boats of its nationality envisaged in Article I of this Agreement. They may include, inter alia, regulations relating to the number and structural characteristics of the fishing boats, size or weight of the species under exploitation, zones and fishing seasons, catch quotas, fishing gear and methods.

ARTICLE III
SPECIAL FISHING AREA

1. The Special Fishing Area in Venezuelan internal waters is the area between, on the one side, a straight line drawn from Punta Bombeadores whose approximate coordinates are Lat. $09^{\circ} 54' 22''$ N and Long. $61^{\circ} 40' 07''$ W up to Punta Tolete whose approximate coordinates are Lat. $10^{\circ} 01' 15''$ N and Long. $62^{\circ} 11' 52''$ W and on the other side, the Venezuelan coastline.
2. In the Special Fishing Area described in paragraph 1 of this Article, the Government of Venezuela in the exercise of its sovereignty, shall grant for the purpose of exploiting the shrimp resources, the relevant permits to Trinidad and Tobago fishing boats envisaged in Article I of the present Agreement, and which comply with the following characteristics:
 - (i) A maximum length of twelve (12) metres.
 - (ii) Construction of hull in wood and/or fibre glass.
 - (iii) Propulsion: a maximum of two outboard motors with a maximum power for the two of 110 H.P. (No one motor shall exceed 60 H.P.) or an internal diesel engine with maximum power of 110 H.P.

- (iv) Storage capacity shall not exceed five hundred (500) kilograms net effective catch.
- (v) The trawling nets shall have a maximum length of 15 metres and a maximum breadth of 15 metres taking as the measurement of this breadth the distance between the ends of the head rope. The trawl nets shall be of artisanal type with a mesh opening whose diameter shall be equal to or greater than 3.5 centimetres, that is to say, equal to or greater than 1.75 centimetres between knots at the cod end.
- (vi) The fishing boats shall use only one net at a time which shall be operated manually without the aid of any electrical or mechanical equipment for the casting or retrieval of same.
- (vii) Each boat shall have a maximum crew of four (4) persons, including the Captain.
- (viii) The Government of Venezuela, after consultation with the Fisheries Commission established in accordance with Article VIII of this Agreement may modify the structural characteristics of the permitted fishing boats as well as those of the permitted gear indicated in the previous sub-paragraphs, at any time that reasons of national interest may so justify. The Government of Venezuela shall duly inform the Government of Trinidad and Tobago of its reasons.

3. The operating conditions of the fishing boats which have been permitted to trawl shall be, inter alia, the following:

- (i) No fishing activity shall be permitted in the tributaries of the Orinoco River.
- (ii) No fishing other than shrimp trawling shall be done. This prohibition does not include, however, the By-Catch from shrimp-trawling.
- (iii) Shrimp trawling shall be allowed only on the basis of operations of an individual character.
- (iv) Shrimp trawling shall be done only from December 1 to June 30.
- (v) The Fisheries Commission established in accordance with Article VIII of this Agreement will recommend appropriate procedures for the supply of information with respect to the arrival of vessels in the Special Fishing Area.

4. Fifty per cent (50%) of the catch by Trinidad and Tobago boats shall be sold in Venezuela to Venezuelan Companies authorized by the Government of Venezuela or to Joint Ventures envisaged in Article IX of the present Agreement. This sale shall take place in the Orinoco Delta Zone in close proximity to the Special Fishing Area referred to in the present Article and will have as a reference the International Price in U.S. dollars.

5. The Government of Venezuela shall grant access to sixty (60) boats with the characteristics stipulated in paragraph 2 of the present Article.

6. The Government of Venezuela shall stipulate the conditions required for the grant of the relevant permits such as the supply of information and documents.

7. The possession of the fishing permits shall be of an individual character and no more than one (1) permit shall be allowed to each natural or juridical person.

ARTICLE IV

AREA NORTH OF TRINIDAD

1. (a) The area North of Trinidad is the area included, on one side, in the West by a line drawn by joining points whose respective coordinates are:

10° 44' 31" N	61° 47' 31" W
10° 45' 30" N	61° 47' 06" W
10° 47' 53" N	61° 46' 02" W and
10° 53' 42" N	61° 43' 53" W

and on the other side, in the East, the meridian of Point Galera on the coast of Trinidad, whose approximate coordinates are 10° 49' 56" N and 60° 54' 41" W.

(b) The Southern limit of the area North of Trinidad is the parallel of Corozal Point on the coast of Trinidad, and whose value is 10° 44' 31" N.

(c) Excluded from the area North of Trinidad is a zone two miles wide from the coast of Trinidad as well as the area beyond the twelve mile limit as measured from this coast.

2. In the area North of Trinidad described in paragraph 1 of this Article, the Government of Trinidad and Tobago in the exercise of its sovereignty shall grant for the purpose of exploiting the demersal and pelagic fishes the relevant permits to Venezuelan fishing boats envisaged in Article I

of this Agreement and which comply with the following characteristics:

- (i) A maximum length of thirteen (13) metres.
- (ii) Construction of hull in wood and/or fibre glass.
- (iii) Storage capacity shall not exceed two (2) metric tonnes net effective catch.
- (iv) Fishing shall be by line, cordel and palangre.
- (v) All lines, cordels and palangres shall be manually operated.
- (vi) The maximum number of hooks on a palangre line shall be 100 and the maximum for other forms of line fishing shall be 10.
- (vii) Electrical and electronic equipment shall only be used for navigation.
- (viii) Each boat shall have a maximum crew of six (6) persons including the Captain.
- (ix) The Government of Trinidad and Tobago, after consultation with the Fisheries Commission established in accordance with Article VIII of this Agreement, may modify the structural characteristics of the permitted fishing boats as well as those of the permitted gear indicated in the previous sub-paragraphs, at any time that reasons of national interest may so justify. The Government of Trinidad and Tobago shall duly inform the Government of Venezuela of its reasons.

3. The operating conditions of the fishing boats which have been permitted to fish by line, cordel and palangre shall be, inter alia, the following:

- (i) No fishing activity shall be permitted within two miles or beyond twelve miles from the coast.
- (ii) No fishing other than for pelagic and demersal fishing by palangre, cordel and line shall be permitted.
- (iii) Fishing shall be allowed only on the basis of operations of an individual character.
- (iv) The use of mother ships or of ships to supply bait, replenish supplies or crew, or for the transport of catches, is prohibited.
- (v) The Fisheries Commission established in accordance with Article VIII of this Agreement will recommend appropriate procedures for the supply of information with respect to the arrival of vessels in the Area North of Trinidad.

4. Fifty per cent (50%) of the catch made by Venezuelan boats shall be sold in Trinidad and Tobago to Trinidad and Tobago Companies authorized by the Government of Trinidad and Tobago or to Joint Ventures envisaged in Article IX of the present Agreement. This sale shall be carried out in a zone in close proximity to the area North of Trinidad referred to in the present Article and will have as a reference the International price in U.S. dollars.

5. The Government of Trinidad and Tobago shall grant access to forty (40) boats with the characteristics stipulated in paragraph 2 of this Article.
6. The Government of Trinidad and Tobago shall stipulate the conditions required for the granting of the relevant permits such as the supply of information and documents.
7. The possession of the fishing permits shall be on an individual basis and no more than one (1) permit shall be allowed to each natural or juridical person.

ARTICLE V

AREA NORTH AND EAST OF TRINIDAD

1. The area North and East of Trinidad is the following:
 - (a) The area between, on the one side, the meridian line, $61^{\circ} 43' 53''$ on the West, and on the other side the meridian of Point Galera on the coast of Trinidad in the East and whose approximate coordinates are Lat. $10^{\circ} 49' 56''$ N and Long. $60^{\circ} 54' 41''$ W.
 - (b) The area to the south of the parallel of Point Galera on the coast of Trinidad.
 - (c) Excluded from the area North and East of Trinidad is an area twelve miles wide from the coast of Trinidad.
2. In the area North and East of Trinidad described in paragraph 1 of the present Article the Government of Trinidad and Tobago, in the exercise of its sovereignty or national jurisdiction shall grant for the exploitation of demersal and pelagic fishes the relevant permits to Venezuelan boats.

3. The operating conditions of the fishing boats which have been permitted to fish by line, cordel and palangre shall be, inter alia, the following:

- (i) No fishing activity shall be permitted within two miles or beyond twelve miles from the coast.
- (ii) No fishing other than for pelagic and demersal fishing by palangre, cordel and line shall be permitted.
- (iii) Fishing shall be allowed only on the basis of operations of an individual character.
- (iv) The use of mother ships or of ships to supply bait, replenish supplies or crew, or for the transport of catches, is prohibited.
- (v) The Fisheries Commission established in accordance with Article VIII of this Agreement will recommend appropriate procedures for the supply of information with respect to the arrival of vessels in the Area North of Trinidad.

4. Fifty per cent (50%) of the catch made by Venezuelan boats shall be sold in Trinidad and Tobago to Trinidad and Tobago Companies authorized by the Government of Trinidad and Tobago or to Joint Ventures envisaged in Article IX of the present Agreement. This sale shall be carried out in a zone in close proximity to the area North of Trinidad referred to in the present Article and will have as a reference the International price in U.S. dollars.

5. The Government of Trinidad and Tobago shall grant access to forty (40) boats with the characteristics stipulated in paragraph 2 of this Article.
6. The Government of Trinidad and Tobago shall stipulate the conditions required for the granting of the relevant permits such as the supply of information and documents.
7. The possession of the fishing permits shall be on an individual basis and no more than one (1) permit shall be allowed to each natural or juridical person.

ARTICLE V

AREA NORTH AND EAST OF TRINIDAD

1. The area North and East of Trinidad is the following:
 - (a) The area between, on the one side, the meridian line, $61^{\circ} 43' 53''$ on the West, and on the other side the meridian of Point Galera on the coast of Trinidad in the East and whose approximate coordinates are Lat. $10^{\circ} 49' 56''$ N and Long. $60^{\circ} 54' 41''$ W.
 - (b) The area to the south of the parallel of Point Galera on the coast of Trinidad.
 - (c) Excluded from the area North and East of Trinidad is an area twelve miles wide from the coast of Trinidad.
2. In the area North and East of Trinidad described in paragraph 1 of the present Article the Government of Trinidad and Tobago, in the exercise of its sovereignty or national jurisdiction shall grant for the exploitation of demersal and pelagic fishes the relevant permits to Venezuelan boats.

envisaged in Article I of the present Agreement and which comply with the following characteristics:

- (i) A maximum length of twenty-five (25) metres.
- (ii) Construction of hull shall be in wood and/or fibre glass and/or steel.
- (iii) Propulsion: engines up to a maximum power of 400 H.P.
- (iv) Storage capacity shall not exceed forty (40) metric tonnes including catch and ice.
- (v) Fishing shall be by line, palangre and cordel.
- (vi) The use of equipment for line shooting and retrieval of line, palangre and cordel is permitted.
- (vii) A maximum of 550 hooks may be used on palangre lines and a maximum of 10 hooks on other lines. A maximum of 5 lines may be used at any one time.
- (viii) Each boat shall have a maximum crew of seven (7) including the Captain.
- (ix) The Government of Trinidad and Tobago after consultation with the Fisheries Commission established in accordance with Article VIII of this Agreement, may modify the structural characteristics of the permitted fishing boats as well as those of the permitted gear indicated in the previous sub-paragraphs at any time that reasons of national interest may so justify. The Government of Trinidad and Tobago shall duly inform the Government of Venezuela of its reasons.

3. The operating conditions of the fishing boats which have been permitted to fish by line, cordel and palangre shall be, inter alia, the following:

- (i) No fishing activity shall be allowed within twelve miles from the coast.
- (ii) No fishing other than for pelagic and demersal fishes by palangre, cordel and line shall be permitted.
- (iii) Fishing shall be allowed only on the basis of operations of an individual character.
- (iv) The use of mother ships or ships to supply bait, replenish supplies or crew or for the transport of catches is prohibited.
- (v) Fishing is prohibited during the months of October, November and December.
- (vi) The boats shall report their arrival in the fishing area.

4. Fifty per cent (50%) of the catch made by Venezuelan boats shall be sold in Trinidad and Tobago to Trinidad and Tobago Companies authorized by the Government of Trinidad and Tobago or to joint Ventures envisaged in Article IX of the present Agreement. This sale shall be carried out at the National Fisheries Company Ltd., or at any other recognized port designated by the Government of Trinidad and Tobago after consultation with the Fisheries Commission and will have as a reference the International Price in U.S. dollars.

5. The Government of Trinidad and Tobago shall grant access to thirty (30) boats with the characteristics stipulated in paragraph 2 of the present Agreement.

6. Each permitted Venezuelan boat shall pay each year before receiving the fishing permit the sum of US \$200 to the Public Entity designated by the Government of Trinidad and Tobago.

7. The Government of Trinidad and Tobago shall stipulate the conditions required for the granting of the relevant permits such as the supply of information and documents.

8. The possession of fishing permits shall be on an individual basis and no more than one (1) permit shall be allowed to each natural or juridical person.

ARTICLE VI

ACCESS OF ADDITIONAL BOATS INCLUDING BOATS WITH CHARACTERISTICS OTHER THAN THOSE ENVISAGED IN THE PRESENT AGREEMENT

1. Both Governments may consider on the recommendations of the Fisheries Commission, granting access, on such terms and conditions to be agreed, to additional boats referred to in Article I of the present Agreement in the Special Fishing Area as described in Article III of the present Agreement, and in the Area North and East of Trinidad as described in Article V of the present Agreement, including boats with characteristics other than those specified in the said Articles III and V of the present Agreement.

2. Recommendations of the Fisheries Commission in this regard shall take fully into account, the resource capability of the respective areas and the need for proper conservation and management of such resources.

ARTICLE VII

REFERENCE DATUM

1. The positions of the points described in the present Agreement have been defined by Latitudes and Longitudes according to 1927 North American Datum, Clarke Ellipsoid 1866.

2. The lines describing the several fishing zones have been drawn for illustrative purposes on the attached map which forms an integral part of the present Agreement.

ARTICLE VIII

THE FISHERIES COMMISSION

1. For the purpose of this Agreement, the Contracting Parties agree to create a Trinidad and Tobago/Venezuela Fisheries Commission, consisting of three (3) representatives of each country together with such advisers as may be deemed necessary and whose names shall be duly communicated through diplomatic channels, and which shall meet at least once every six months or any time at the request of either of the Contracting Parties. Meetings shall be held alternatively in Trinidad and Tobago and Venezuela.

2. The functions of the Fisheries Commission created in accordance with paragraph 1 of this Article shall be inter alia:

- (a) To supervise the implementation of the present Agreement;
- (b) To establish the modalities of the joint undertaking of programmes of bio-economic and Fisheries Research in the area South of Trinidad and North of Venezuela referred to in Article II of this Agreement;
- (c) To recommend to the Government of Trinidad and Tobago and of Venezuela, the adoption of rules and measures relating to the management and conservation of the fisheries resources of the area South of Trinidad and North of Venezuela;

- (d) To coordinate, in accordance with Article X the exchange of data resulting from research programmes and/or fishing activities;
- (e) To submit to the Contracting Parties, prior to the termination of the present Agreement its recommendations regarding the extension of the said Agreement or the negotiation of a new Agreement;
- (f) To deal with all matters specifically referred to the Fisheries Commission in this Agreement and to do all such other things consistent with the aims and purposes of the present Agreement as may be necessary for the proper and effective implementation by the Contracting Parties, of the provisions of the said Agreement; and
- (g) Any other functions that the Parties may deem necessary to refer to the Commission.

ARTICLE IX
JOINT VENTURES

1. The Contracting Parties shall promote the establishment of Joint Ventures or other cooperative arrangements for catching, processing and marketing of fisheries products.

ARTICLE X
FISHERIES RESEARCH

1. The Contracting Parties agree to jointly undertake, using commercial or other vessels, programmes of bio-economic

and fisheries research in the area South of Trinidad and North of Venezuela as defined in Article II of this Agreement in accordance with the modalities established by the Trinidad and Tobago/Venezuela Fisheries Commission.

2. Each Contracting Party agrees to undertake programmes of fisheries research in the fishing areas falling under its sovereignty and/or jurisdiction in order to provide the basic information necessary for the definition of more appropriate management regimes for the fisheries resources of each country.

3. Results obtained from Research Programmes and fishing activities in the areas referred to in paragraphs 1 and 2 of this Article shall be exchanged by the Contracting Parties within a reasonable period, whether in the form of raw or processed data or by means of joint publications of technical reports. The Fisheries Commission shall be entrusted with the coordination of such activities.

ARTICLE XI

PRESERVATION OF RIGHTS

Nothing in this Agreement is to be considered as a diminution or limitation of the rights of either Contracting Party in relation to the limits of its internal waters, archipelagic waters, territorial sea, continental shelf or exclusive economic zone nor shall anything contained in this Agreement in respect of fishing in the marine areas of either Contracting Party be invoked or claimed as a precedent.

ARTICLE XII
DISPUTE SETTLEMENT

Any dispute between the Contracting Parties concerning the interpretation or application of this Agreement shall be settled through direct negotiations or through diplomatic channels.

ARTICLE XIII
FINAL CLAUSES

1. The Present Agreement shall enter into force on the date the exchange of notes takes place which indicates compliance with the legal formalities required by the constitutional procedures of each Contracting Party.
2. The present agreement shall have a duration of two (2) years.
3. The Contracting Parties shall initiate contacts three months before the termination of the period of two (2) years stipulated in paragraph 2 of the present Article, with a view to the negotiation of a new Fishing Agreement or the continuation of the present Agreement for an additional period of one (1) year.

4. In the event that before the termination of the period of two (2) years referred to in paragraph 2 of this Article, the Contracting Parties have decided to begin negotiations with a view to adopting a new Fishing Agreement the Contracting Parties considered it desirable that the existing Agreement shall continue in effect for a period not exceeding one (1) year, except in the event that during this period the new Fishing Agreement has been signed. In this case, the Contracting Parties may decide that the Fishing Agreement continue in effect on a provisional basis for an additional period not exceeding the time deemed necessary for completing the necessary formalities for the entry into force of the new Fishing Agreement.

In Witness whereof, the undersigned, being duly authorised thereto by their respective Governments, have signed the present Agreement.

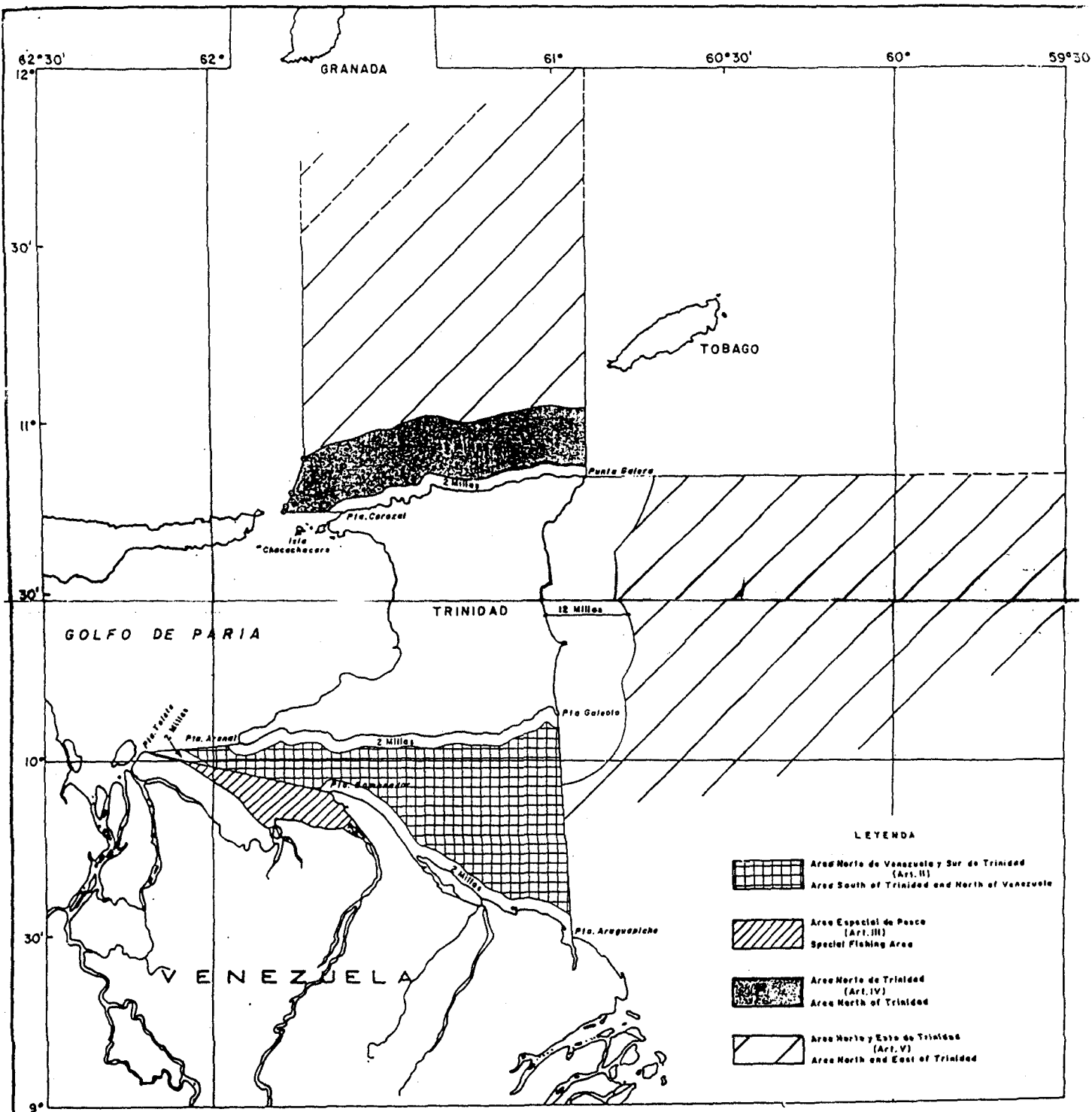
Done in duplicate in the English and Spanish languages both texts being equally authentic, at ~~Part-of-~~Spain on the 26th day of November, Nineteen Hundred and Eight-five.

For the Government of the
Republic of Trinidad and
Tobago:

For the Government of the
Republic of Venezuela:

ERROL E. MAHABIR(Sgd)
Minister of External
Affairs

SIMON A. CONSALVI (Sgd)
Minister of External
Relations



LEYENDA

-  Área Norte de Venezuela y Sur de Trinidad (Art. II)
Area South of Trinidad and North of Venezuela
-  Área Especial de Pesca (Art. III)
Special Fishing Area
-  Área Norte de Trinidad (Art. IV)
Area North of Trinidad
-  Área Norte y Este de Trinidad (Art. V)
Area North and East of Trinidad

Este mapa es anexo al acuerdo pesquero entre Venezuela y Trinidad-Tobago, firmado en este mismo fecha por los plenipotenciarios que suscriben de Venezuela y Trinidad-Tobago.

Puerto España, 26 de Noviembre de 1985

Simón A. Consalvi

Erró E. Mahabir

This map is annexed to the fishing agreement between Trinidad and Tobago and Venezuela, signed on this date by the undersigned plenipotentiaries of Trinidad and Tobago and Venezuela.

Port of Spain, 26 of November of 1985

Erró E. Mahabir

Simón A. Consalvi