

Protocol between the Government of Norway and the Government of Iceland under the Agreement between the Government of Norway, the Government of Iceland and the Government of the Russian Federation concerning certain aspects of cooperation in the area of fisheries<sup>6</sup>

With reference to article 3 of the Agreement between the Government of Norway, the Government of Iceland and the Government of the Russian Federation concerning certain aspects of cooperation in the area of fisheries, signed on 15 May 1999 (hereinafter referred to as the Agreement), a separate bilateral arrangement between the Government of Norway and the Government of Iceland has been concluded, as follows:

Article 1

A total allowable catch (TAC) for North-East Arctic cod of 480, 000 tons for 1999 has been recognized by the Government of Norway and the Government of the Russian Federation. Iceland is allocated a total quota of 8,900 tons in 1999, of which Iceland is granted access to fish 4,450 tons in the Norwegian exclusive economic zone north of 62° N.

The Icelandic quota of North-East Arctic cod shall for the subsequent years be calculated as a fixed proportion of the TAC based on the quota for 1999.

In the event that the TAC is below 350,000 tons, the Icelandic quota is suspended. In that case, Norwegian quotas and fishing opportunities referred to in article 3 are also suspended.

Iceland shall not undertake fishing for Barents Sea capelin for the period for which the Agreement is in force.

Article 2

In order to conduct a rational fishery, Iceland is allocated an annual bycatch quota of other species amounting to 30 per cent of the Icelandic annual quota of North-East Arctic cod.

Article 3

The Norwegian fishing opportunities in the Icelandic exclusive economic zone shall in 1999 consist of the following:

- (a) 500 tons of tusk, ling and blue ling in a longline fishery outside 12 n.m. of the baselines and south of 64° N;
- (b) 17,000 tons of capelin to be fished north of 64° 30' N. The fishing season starts 20 June, unless otherwise agreed, and lasts until 15 February the following year.

For subsequent years the quota referred to in paragraph 1(a) shall remain constant, whereas the capelin quota referred to in paragraph 1(b) shall be adjusted proportionately to the annual Icelandic quota referred to in article 1, paragraph 2.

However, in the event the stock in question is below critical biological level, the Norwegian quota of that stock will be suspended. In such event, the Parties will enter into negotiations on alternative compensation.

#### Article 4

In order to conduct a rational longline fishery, Norway is allocated an annual bycatch quota of other species amounting to 25 per cent of the Norwegian annual quota of tusk, ling and blue ling. The bycatch of halibut, Greenland halibut and deep-sea redfish shall not exceed 5 per cent, 10 per cent and 10 per cent respectively.

#### Article 5

Norway shall duly notify Iceland about the Icelandic quotas and fishing opportunities calculated in accordance with article 1, paragraph 2. Upon receipt of such notifications, Iceland shall duly notify Norway about the Norwegian quotas and fishing opportunities referred to in article 3, paragraph 2.

#### Article 6

The number of Icelandic vessels entitled to fish under this Protocol in the Norwegian exclusive economic zone north of 62° N at any given time is restricted to 15 vessels.

The number of Norwegian vessels entitled to fish with longline and for capelin under this Protocol in the Icelandic exclusive economic zone at any given time is restricted to 3 and 5 respectively. The vessels fishing with longline shall not on the same trip conduct fishery in international waters.

#### Article 7

Applications for licences shall be forwarded to the Directorate of Fisheries, Bergen, and the Directorate of Fisheries, Reykjavik, respectively.

#### Article 8

[Each] Party shall notify in advance the other Party of relevant rules and regulations concerning the fishing within its exclusive economic zone.

#### Article 9

This Protocol shall enter into force on the date of entry into force of the Agreement.

The Protocol shall remain in force for the same period of time as the Agreement. The Protocol shall terminate on the date of termination of the Agreement.

A Party may request a review of this Protocol by formal notification to the Depositary through diplomatic channels no later than six months before the expiration of the respective period referred to in article 12, paragraph 2, of the Agreement.

In case the Icelandic quota has been suspended for two successive years in accordance with article 1, paragraph 3, of this Protocol, Iceland may request a review of this Protocol, unless the TAC for the third successive year exceeds the TAC level referred to in article 1, paragraph 3.

DONE at St. Petersburg this 15th day of May, 1999 in two originals in the Norwegian, Icelandic and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

*[Signature]*

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For the Government of Norway

*[Signature]*

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For the Government of Iceland