

Convention Concerning Fishing in the Waters
of the Danube

Convention relative à la pêche dans le Danube

(Übereinkommen betreffend das Fischen in der Donau)

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Romania	20.12.1968
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The Governments of the Romanian People's Republic, the People's Republic of Bulgaria, the Federal People's Republic of Yugoslavia and the Union of Soviet Socialist Republics,

Having a common interest in the rational utilization and expansion of the stocks of fish in the river Danube,

Recognizing the need for co-operation in working out a scientific basis for intensive augmentation of the stocks of fish and the regulation of fishing,

Have decided to conclude this Convention and have for this purpose appointed as their plenipotentiaries :

The Government of the Romanian People's Republic : Constantin Teodoru, Deputy Minister of the Consumer Goods Industry;

The Government of the People's Republic of Bulgaria : Lalyu Ganchev, First Deputy Minister of the Food Industry;

The Government of the Federal People's Republic of Yugoslavia : Nikola Džuverović, member of the Executive Council of the People's Republic of Serbia;

The Government of the Union of Soviet Socialist Republics : Aleksandr Akimovich Ishkov, Minister of the USSR;

who, having exchanged their full powers, found in good and due form, have agreed as follows :

Article 1

The Contracting Parties agree to regulate fishing in the waters of the Danube throughout its course within the territory of the Contracting Parties to the point of entry into the Black Sea, including the Danube Delta, in accordance with the provisions of this Convention.

Article 2

Each Contracting Party shall exercise the right of fishing in the Danube in its own waters bounded by the State frontier.

Article 3

This Convention shall apply to the waters of the Danube, including its mouth, to tributaries of the Danube up to the maximum extent of its flood waters, and to lakes, estuaries and pools permanently or temporarily connected with the Danube, in the Danube flood-basin in the territory of the Contracting Parties, including the area adjoining the mouth.

Article 4

The Contracting Parties agree to put into effect and apply on their own sections of the Danube and on the waters referred to in article 3, simultaneously with the entry into force of this Convention, the Regulations for Fishing in the River Danube which are annexed to and form an integral part of this Convention.

Article 5

The Contracting Parties agree to carry out in the river Danube and in the waters referred to in article 3 improvement works and piscicultural operations to ameliorate the natural conditions for the breeding, growth and normal increase in stocks of fish of economic importance.

In the event of the erection on the Danube of water engineering works, in particular dams, which may change the hydrological and hydrobiological regime of the river, those Contracting Parties which construct and use the said works shall prepare in advance and apply jointly a plan of action to safeguard

the normal migratory movements of fish.

The Contracting Parties shall at the same time carry out such piscicultural operations as will safeguard the normal breeding and development of economically valuable species of fish, in the sections of the river situated above and below the said works, under the new environmental conditions created by the erection of those works.

The question of payment of the costs of construction and use of piscicultural and water improvement works on the Danube shall be resolved in each individual case by agreement between the States concerned.

Article 6

In order to increase the stocks of economically valuable species of fish in the waters referred to in this Convention, stations for the artificial breeding of such species of fish, in particular the *acipenseridae*, shall be established as necessary.

Article 7

The Contracting Parties shall work out and apply measures to prevent the contamination and pollution of the river Danube and of the waters referred to in article 3 by unclarified sewage and other waste from industrial and municipal undertakings which are harmful to fish and other aquatic organisms, and measures to regulate blasting operations.

Article 8

In the interests of rational fishing and in order to ensure the normal breeding and conservation of economically valuable species of fish, the Contracting Parties shall communicate to one another, in good time, information on the catches and migratory movements of fish in all waters to which this Convention applies.

Article 9

In order to strengthen scientific and technical collaboration in matters of fishery economy, fish breeding and hydrobiology in the Danube basin, the Contracting Parties shall co-operate with one another under the appropriate scientific and technical agreements.

Article 10

For purposes of scientific research the Contracting Parties may conduct joint experimental fishing operations in the Danube waters of any of the States Parties to this Convention, on the basis of recommendations by the Mixed Commission and by agreement between the countries concerned in each particular case.

Article 11

With a view to working out and co-ordinating measures for the application of this Convention, a Mixed Commission shall be established. Each Contracting Party shall appoint two representatives to the said Commission within three months after the entry into force of this Convention. The Governments of the Contracting Parties shall communicate to one another through the diplomatic channel the names of their representatives on the Commission.

The Mixed Commission shall meet at least once a year in the territory of each of the Contracting Parties in turn.

The Mixed Commission shall function under a statute which shall be drafted by the Commission at its first meeting after the entry into force of this

Convention and approved by the Governments of the Contracting Parties.

The place and date of meeting of the Mixed Commission shall be fixed by the Commission in advance.

Article 12

It shall be the duty of the Mixed Commission :

(1) To work out agreed measures, arising out of this Convention, for the regulation of fishing and the augmentation of the stocks of fish in the river Danube;

(2) To present proposals to the Contracting Parties with a view to amending or supplementing the Regulations for Fishing in the River Danube and to take decisions on questions which it is authorized under the said Fishing Regulations to resolve;

(3) To organize the exchange of information among the Contracting Parties concerning the implementation of this Convention;

(4) To co-ordinate the planning of scientific research projects on the study of fishing in the Danube to be conducted jointly or severally by the competent agencies of the Contracting Parties;

(5) To determine the nature and scope of the statistical and other data which each Contracting Party shall furnish to the Mixed Commission for the purpose of implementing this Convention;

(6) To deal with such other matters as the Contracting Parties may refer to it.

Article 13

The Mixed Commission may make recommendations to the Contracting Parties on the matters within its competence.

The recommendations of the Mixed Commission and its decisions on the matters mentioned in article 12 above shall be deemed adopted by the Commission if they receive the favourable votes of the representatives of all the countries members thereof.

Article 14

In order that the measures to regulate fishing and operations for breeding and increasing the stocks of economically valuable species of fish may be extended to other parts of the Danube, this Convention shall be open for accession by other Danubian States.

Article 15

This Convention shall not impede the conclusion of bilateral agreements on matters relating to fishing in the Danube between any two Contracting Parties or between a Contracting Party and any other Danubian State, provided that such agreements do not conflict with the interests of the conservation of stocks of fish or with the Fishing Regulations laid down by this Convention.

Article 16

This Convention shall be ratified and shall enter into force on the date of deposit of the last instrument of ratification with the Government of the Romanian People's Republic, in whose archives the original of the Convention shall be kept.

The Government of the Romanian People's Republic shall notify the Governments of all the Contracting Parties of the date of deposit of the last instrument of ratification.

Article 17

This Convention is concluded for a term of five years.

For those Contracting Parties which do not give notice of termination of this Convention to the Government of the Romanian People's Republic not later than six months before the expiry of this term, it shall remain in force for a further period of five years.

Article 18

The Government of the Romanian People's Republic shall take the necessary action to register this Convention with the Secretariat of the United Nations.

Certified true copies of this Convention shall be transmitted by the Government of the Romanian People's Republic to all the other Parties to the Convention.

DONE at Bucharest, on 29 January 1958, in one copy in the Romanian, Bulgarian, Serbo-Croat and Russian languages, all texts being equally authentic.

A N N E X

REGULATIONS FOR FISHING IN THE RIVER DANUBE AND IN THE WATERS REFERRED TO IN ARTICLE 3 OF THE CONVENTION

PART I

PROHIBITED PLACES AND TIMES FOR FISHING

Article 1

Fishing in the waters of the river Danube shall be prohibited each year for a period of thirty days between 15 April and 15 June, according to hydrometeorological conditions.

In 1958 the close period shall be from 15 April to 15 May. Thereafter the dates of the close period shall be determined by the Mixed Commission.

The Contracting Parties may by common agreement stagger the close period by sectors of the Danube, provided that such period is of thirty days' duration and falls between 15 April and 15 June.

The close period for the taking of *acipenseridae* and herring shall be as prescribed in article 2 below.

Article 2

For the *acipenseridae* the close period, sector by sector, shall be as follows :

- In the sector from the Black Sea to the mouth of the Prut : 15 March to 15 April;
- In the sector from the mouth of the Prut to the mouth of the Timok : 15 April to 15 May;
- In the sector from the mouth of the Timok up to Kladovo : 15 May to 15 June.

For the taking of Danube herring the close period, sector by sector, shall be as follows :

- In the sector from the Black Sea to Ceatalul Ismail : five consecutive days in the period between 15 March and 1 May;
- In the sector from Ceatalul Ismail to Vadul Oii : twenty consecutive days in the period between 1 April and 15 May;
- In the sector from Vadul Oii to the mouth of the Timok : thirty consecutive days in the period between 15 April and 1 July.

The date of each close period shall be recommended by the Fishery Research Institute of the Romanian People's Republic and shall be communicated to the Parties not later than ten days before the start of the close period.

Article 3

In order to safeguard the passage of Danube herring and *acipenseridae* in breeding condition into the Danube and the escape of the young of these species to the sea, fishing shall be prohibited throughout the year in the waters adjoining the mouth, in corridors extending laterally one kilometre on either side of the axis of each branch of the river and a distance of five kilometres out to sea.

During the period 1 June to 31 July the corridors referred to in the first paragraph of this article shall be extended laterally one additional kilometre on either side, so that each corridor covers a zone with a total width of four kilometres.

Article 4

The taking of Black Sea salmon (*salmo trutta labrax*) and Danube salmon (*salmo hucho*) in the Danube shall be prohibited throughout the year.

The taking of the said salmon may be permitted solely for purposes of pisciculture and scientific research.

PART II

PROHIBITED TACKLE AND METHODS OF FISHING

Article 5

The following shall be prohibited throughout the year :

(1) Fishing with anchovy, sardine and herring seines in the system of the Danube and in the waters adjoining the mouth for a distance of ten kilometres out to sea, over a zone extending laterally two kilometres on either side of the axis of each branch of the river;

(2) Fishing with drag-nets or trawls in the waters adjoining the mouth of the Danube;

(3) The use of explosive, poisonous and narcotic substances and of firearms for the purpose of fishing in the river Danube, in any waters connected therewith (channels, lakes, estuaries or pools) and in the waters adjoining the mouth;

(4) Fishing for *acipenseridae* with *ahana* nets;

(5) Fishing with fish-traps and bag-nets in the waters of the Danube shall henceforth be regulated by the Mixed Commission, which shall set a quota on such devices for each State Party to this Convention;

(6) Fishing with sardine nets in lakes and estuaries between 1 March and 31 October.

Article 6

The setting of fish barriers in canals and branches connecting the Danube with lakes in the sector between the mouth of the Danube and Kladovo shall be permitted only after the end of the spring run of fish, from 10 May to 31 October. The interval between the stakes of the barriers shall not be less than three centimetres.

Article 7

It shall be unlawful to fish with fixed or mobile tackle which takes up more than two-thirds of the width of the Danube, its channels or branches, or to cast seines from opposite points on both banks at once.

PART III

SIZE OF MESH OF FISHING-NETS

Article 8

It shall be unlawful to use fishing-nets with a mesh of less than the following size

(in millimetres) :

(1) Purse of fine-meshed seines and trawls	28
(2) Purse of herring-seines and trawls	26
(3) Sac of fish-traps	25
(4) Nets for catching pike-perch, bream and carp	40
Nets for catching Danube herring	28

Trammel nets may be used provided that the size of the coarse mesh is not less than 50 millimetres, or for Danube herring-fishing, not less than 28 millimetres.

PART IV

SIZE OF FISH, CRAYFISH AND MOLLUSCS

Article 9

It shall be unlawful to take, receive, sell, process or preserve fish of less than the following industrial size (in centimetres) in fresh condition :

Beluga (<i>huso huso</i>)	140
Russian sturgeon (<i>acipenser guldenstaedti</i>)	80
Sevryuga (<i>acipenser stellatus</i>)	75
Sterlet (<i>acipenser ruthenus</i>)	53
Carp (<i>cyprinus carpio</i>)	25
Pike-perch (<i>lucioperca sandra</i>)	30
Bream (<i>abramis brama</i>)	20
Herring (<i>caspialosa pontica</i>)	16
Crayfish (<i>astacus leptodactylus</i>)	9
Mussel (<i>unio pictorum</i>)	8

Measurements to determine the industrial size of fish must be made from the tip of the snout to the base of the tail fin.

The taking of fish under the prescribed industrial size shall be permissible in a proportion not exceeding 10 per cent by number of the total catch.

The taking of *acipenser nudiventris* shall be prohibited for five years from the date of entry into force of the Convention.

PART V

GENERAL PROVISIONS

Article 10

The acclimatization and breeding of new species of fish and other animals and of aquatic plants in the waters of the Danube to which the Convention applies may not be carried out ~~save with the consent of the Mixed Commission.~~

Article 11

The penalties for violation of these Regulations shall be prescribed by the legislation of the Contracting Parties.

Article 12

The Mixed Commission shall have the right to fix the dates of close periods for fishing, to determine the boundaries of the sectors covered by the staggered close period for fishing provided for in articles 1 and 2 of these Regulations, and to revise and adopt decisions under articles 3, 5, 6 and 8 of these Regulations.

With the consent of the Governments of the Contracting Parties, the Mixed Commission may amend and supplement article 9 of these Regulations (on the basis of article 12, paragraph (2), of the Convention concerning fishing in the waters of the Danube).

Article 13

The use of fishing devices harmful to the stocks of fish shall gradually be discontinued; steps to this end shall be taken as soon as possible. Consequently, beginning in 1958,

there shall be no increase in the number of such devices.

The introduction of all new fishing devices and methods (use of electric current, etc.) shall be subject to the condition that they have no adverse effect on the stocks of fish.

Article 14

With a view to the uniform interpretation of the provisions of the Convention and the Fishing Regulations, it is understood that the term « *rybolovstvo* » in the Russian text, the term « *ribarstvo* » in the Bulgarian and Serbo-Croat texts and the term « *pescuit* » in the Romanian text are identical in meaning.

Article 15

These Regulations for fishing in the river Danube shall constitute an annex to and an integral part of the Convention concerning fishing in the waters of the Danube.