



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
Αρ. 3583 της 8ης ΜΑΡΤΙΟΥ 2002
ΝΟΜΟΘΕΣΙΑ

ΜΕΡΟΣ ΙΙΙ

Ο περί της Διεθνούς Συμφωνίας περί Ιδρύσεως της Γενικής Επιτροπής Αλιείας για τη Μεσόγειο (Κυρωτικός) Νόμος του 2002, εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 5(III) του 2002

**ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΔΙΕΘΝΗ ΣΥΜΦΩΝΙΑ ΠΕΡΙ ΙΔΡΥΣΕΩΣ
ΤΗΣ ΓΕΝΙΚΗΣ ΕΠΙΤΡΟΠΗΣ ΑΛΙΕΙΑΣ ΓΙΑ ΤΗ ΜΕΣΟΓΕΙΟ**

Για σκοπούς συμμόρφωσης με δέσμευση της Δημοκρατίας προς την Ευρωπαϊκή Ένωση για προσχώρηση, μέχρι το τέλος του 2002, στη Συμφωνία περί Ιδρύσεως της Γενικής Επιτροπής Αλιείας για τη Μεσόγειο,

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Διεθνούς Συμφωνίας περί Ιδρύσεως της Γενικής Επιτροπής Αλιείας για τη Μεσόγειο (Κυρωτικός) Νόμος του 2002. Συνοπτικός τίτλος.

2. Στον παρόντα Νόμο, εκτός αν από το κείμενο προκύπτει διαφορετική έννοια— Ερμηνεία.

«Συμφωνία» σημαίνει τη Συμφωνία περί Ιδρύσεως της Γενικής Επιτροπής Αλιείας για τη Μεσόγειο, η οποία εγκρίθηκε από τον Οργανισμό Τροφίμων και Γεωργίας των Ηνωμένων Εθνών το Νοέμβριο του 1997.

3.—(1) Η Συμφωνία, της οποίας η υπογραφή από τη Δημοκρατία αποφασίστηκε με την Απόφαση του Υπουργικού Συμβουλίου με Αριθμό 51.684 και ημερομηνία 4 Μαΐου 2000, κυρώνεται με τον παρόντα Νόμο. Κύρωση.

(2) Το κείμενο της Συμφωνίας στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι του Πίνακα και η ελληνική μετάφρασή του εκτίθεται στο Μέρος ΙΙ του Πίνακα:

Πίνακας,
Μέρος Ι,
Μέρος ΙΙ.

Νοείται ότι σε περίπτωση διαφοράς μεταξύ των δύο κειμένων υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι του Πίνακα.

- Αρμόδια Αρχή. **4.** Αρμόδια Αρχή για την εφαρμογή της παρούσας Συμφωνίας είναι ο Υπουργός Γεωργίας, Φυσικών Πόρων και Περιβάλλοντος και οποιοδήποτε πρόσωπο εξουσιοδοτημένο από τον Υπουργό Γεωργίας, Φυσικών Πόρων και Περιβάλλοντος για το σκοπό αυτό.
- Κανονισμοί. **5.** Το Υπουργικό Συμβούλιο έχει εξουσία να εκδίδει Κανονισμούς για να καθορίζει ο,τιδήποτε χρειάζεται ή είναι δεκτικό καθορισμού για την καλύτερη εφαρμογή της Συμφωνίας.

ΠΙΝΑΚΑΣ
(Αρθρο 3)

**AGREEMENT FOR THE ESTABLISHMENT OF THE GENERAL
FISHERIES COMMISSION
FOR THE MEDITERRANEAN**

As amended by the General Fisheries Council for the Mediterranean at its First Special Session (May 1963), at its Thirteenth Session (July 1976) and at its Twenty-second Session (October 1997) and approved by the FAO Conference at its Twelfth Session (December 1963) and by the FAO Council at its Seventieth Session (December 1976) and at its Hundred and Thirteenth Session (November 1997)

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TEXT PRESENTLY IN FORCE

PREAMBLE

The Contracting Parties

Taking account of the relevant provisions of the United Nations Convention on the Law of the Sea which entered into force on 16 November, 1994 (hereafter referred to as the United Nations Convention) and which requires all members of the international community to cooperate in the conservation and management of the living marine resources,

Noting also the objectives and purposes stated in Chapter 17 of Agenda 21 adopted by the United Nations Conference on Environment and Development, 1992 and the Code of Conduct for Responsible Fisheries adopted by the FAO Conference in 1995,

Noting also that other international instruments have been negotiated concerning the conservation and management of certain fish stocks,

Having a mutual interest in the development and proper utilization of the living marine resources in the Mediterranean and the Black Sea and connecting waters (hereafter referred to as the Region) and desiring to further the attainment of their objectives through international cooperation which would be furthered by the establishment of a General Fisheries Commission for the Mediterranean,

Recognizing the importance of fisheries conservation and management in the Region and of promoting cooperation to that effect,

Agree as follows:

ARTICLE I

The Commission

1. The Contracting Parties hereby establish within the framework of the Food and Agriculture Organization of the United Nations (hereinafter referred to as "the Organization") a Commission to

be known as the General Fisheries Commission for the Mediterranean (hereinafter referred to as "the Commission"), for the purpose of exercising the functions and discharging the responsibilities set forth in Article III below.

2. The Members of the Commission shall be such Members and Associate Members of the Organization and such non-member States as are members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency, that are:

- (i) coastal States or Associate Members situated wholly or partly within the Region;
- (ii) States or Associate Members whose vessels engage in fishing in the Region for stocks covered by this Agreement; or
- (iii) regional economic integration organizations of which any State referred to in subparagraphs (i), or (ii) above is a member and to which that State has transferred competence over matters within the purview of this Agreement;

and which accept this Agreement in accordance with the provisions of Article XI below, it being understood that these provisions shall not affect the membership status in the Commission of such States that are not members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency as may have become parties to this Agreement prior to 22 May 1963. As regards Associate Members, this Agreement shall, in accordance with the provisions of Article XIV.5 of the Constitution and Rule XXI.3 of the General Rules of the Organization, be submitted by the Organization to the authority having responsibility for the international relations of such Associate Members.

ARTICLE II

Organization

1. Each Member shall be represented at sessions of the Commission by one delegate, who may be accompanied by an alternate and by experts and advisers. Participation in meetings of the Commission by alternates, experts, and advisers shall not entail the right to vote, except in the case of an alternate who is acting in the place of a delegate during his absence.
2. Subject to paragraph 3, each Member shall have one vote. Decisions of the Commission shall be taken by a majority of the votes cast, except as otherwise provided by this Agreement. A majority of the total membership of the Commission shall constitute a quorum.
3. A Regional Economic Integration Organization that is a Member of the Commission shall be entitled to exercise in any meeting of the Commission or of any subsidiary body of the Commission a number of votes equal to the number of its Member States that are entitled to vote in such meeting.
4. A Regional Economic Integration Organization that is a Member of the Commission shall exercise its membership rights on an alternative basis with its member States that are Members of the Commission in the areas of their respective competence. Whenever a Regional Economic Integration

Organization that is a Member of the Commission exercises its right to vote, its member States shall not exercise theirs, and conversely.

5. Any Member of the Commission may request a Regional Economic Integration Organization that is a Member of the Commission or its member States that are Members of the Commission to provide information as to which, as between the Member Organization and its member States, has competence in respect of any specific question. The Regional Economic Integration Organization or the member States concerned shall provide this information on such request.

6. Before any meeting of the Commission or a subsidiary body of the Commission, a Regional Economic Integration Organization that is a Member of the Commission, or its member States that are Members of the Commission shall indicate which, as between the Regional Economic Integration Organization and its Member States, has competence in respect to any specific question to be considered in the meeting and which, as between the Regional Economic Integration Organization and its member States, shall exercise the right to vote in respect of each particular agenda item. Nothing in this paragraph shall prevent a Regional Economic Integration Organization that is a Member of the Commission or its member States that are Members of the Commission from making a single declaration for the purposes of this paragraph, which declaration shall remain in force for questions and agenda items to be considered at all subsequent meetings subject to such exceptions or modifications as may be indicated before any individual meeting.

7. In cases where an agenda item covers both matters in respect of which competence has been transferred to the Regional Economic Integration Organization and matters which lie within the competence of its member States, both the Regional Economic Integration Organization and its member States may participate in the discussions. In such cases the meeting, in arriving at its decisions, shall take into account only the intervention of the Member which has the right to vote.

8. For the purpose of determining a quorum of any meeting of the Commission, the delegation of a Regional Economic Integration Organization that is a Member of the Commission shall be counted to the extent that it is entitled to vote in the meeting in respect of which the quorum is sought.

9. The Commission shall elect a Chairman and two Vice-Chairmen.

10. The Chairman of the Commission shall normally convene a regular session of the Commission every year unless otherwise directed by a majority of the Members. The site and date of all sessions shall be determined by the Commission in consultation with the Director-General of the Organization.

11. The seat of the Commission shall be at the headquarters of the Organization in Rome, or such other location as may be determined by the Commission.

12. The Organization shall provide the Secretariat for the Commission and the Director-General shall appoint its Secretary, who shall be administratively responsible to him.

13. The Commission may, by a two-thirds majority of its membership, adopt and amend its own Rules of Procedure provided that such Rules of Procedure or the amendments thereto are not inconsistent with this Agreement or with the Constitution of the Organization.

14. The Commission may, by a two-thirds majority of its membership, adopt and amend its own Financial Regulations, provided that such Regulations shall be consistent with the principles embodied in the Financial Regulations of the Organization. Such Regulations shall be reported to the Finance Committee of the Organization which shall have the power to disallow such Financial Regulations or amendment if it finds that they are inconsistent with the principles embodied in the Financial Regulations of the Organization.