

**No. 27470**

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**AUSTRALIA  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement relating to cooperation in fisheries (with annexes).  
Signed at Canberra on 15 February 1990**

*Authentic texts: English and Russian.*

*Registered by Australia on 30 July 1990.*

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**AUSTRALIE  
et  
UNION DES RÉPUBLIQUES  
SOCIALISTES SOVIÉTIQUES**

**Accord relatif à la coopération en matière de pêcheries (avec  
annexes). Signé à Canberra le 15 février 1990**

*Textes authentiques : anglais et russe.*

*Enregistré par l'Australie le 30 juillet 1990.*

## AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS RELATING TO CO-OPERATION IN FISHERIES

The Government of Australia and the Government of the Union of Soviet Socialist Republics, hereinafter referred to as the Parties;

Taking into account developments in the International Law of the Sea, including the 1982 United Nations Convention on the Law of the Sea;<sup>2</sup>

Recognising that the Australian Party exercises, in accordance with international law, sovereign rights for the purposes of exploring and exploiting, conserving and managing living resources in the zone extending 200 nautical miles from the baselines from which the breadth of the territorial sea of Australia is measured, hereinafter referred to as "The Australian Fishing Zone";

Recalling their mutual interest in the rational management, conservation and optimum utilisation of the living resources of the sea;

Desirous of establishing the terms and conditions under which access shall be granted to Australian ports for USSR fishing vessels;

Desirous of establishing the terms and conditions under which USSR fishing vessels shall engage in feasibility fishing in the Australian Fishing Zone;

Being interested in the development of mutually beneficial economic, scientific and technological exchanges relating to fisheries matters;

Taking into account their desire further to develop friendly relations between Australia and the Union of Soviet Socialist Republics;

Have agreed as follows:

### *Article I*

In this Agreement:

1. "Designated Australian authority" means the agency of the Australian Party designated from time to time to the appropriate organisation of the Soviet Party through diplomatic channels; and

2. "USSR fishing vessel" means a vessel registered in the Union of Soviet Socialist Republics and flying its flag and which is:

- (a) Being used or equipped to be used for fishing;
- (b) Performing any activity relating to fishing including carrying or processing; or
- (c) Supporting one or more of the foregoing vessels at sea.

<sup>1</sup> Came into force on 15 February 1990 by signature, in accordance with article XVII (1).

<sup>2</sup> Not entered into force at the date of registration of the Agreement published herein. For the text of the Convention as adopted by the Conference, see Documents of the United Nations Conference on the Law of the Sea, A/CONF.62/122 and Corr.1 to 11 or United Nations publication Sales No. E.83.V.5.

### *Article II*

1. The Australian Party shall permit USSR fishing vessels to enter such port or ports as it may designate for the purposes of repairs, maintenance, provedoring, revictualling, crew changeovers, crew rest and such other purposes as the Parties may jointly decide.

2. Entry into port by USSR fishing vessels shall be in accordance with Australian law. Such entry shall be in accordance with the guidelines contained in Annex A to this Agreement.

3. The port or ports into which entry will be permitted shall be designated in an exchange of diplomatic notes.

4. Repairs, maintenance, provedoring and revictualling of USSR fishing vessels in Australian ports shall be carried out in accordance with the usual practices applying to other vessels in Australian ports.

5. The Australian Party may designate a separate port or ports for different activities under this Agreement.

### *Article III*

1. The Australian Party shall permit USSR fishing vessels to carry out feasibility fishing operations in areas of the Australian Fishing Zone. Unless the Parties otherwise agree, such feasibility fishing shall be carried out in accordance with this Agreement, a subsidiary agreement, Australian law and the procedures outlined in Annex B.

2. Areas of operation, fees and other conditions for any such feasibility fishing shall be contained in a subsidiary Agreement.

3. USSR fishing vessels shall not undertake activities related to fishing in the Australian Fishing Zone or Australian internal waters except as permitted under this Agreement.

### *Article IV*

1. The Parties shall facilitate co-operation in various matters relating to fisheries of mutual interest. They shall, at the request of either Party, examine proposals for co-operation in the following areas:

- (a) The conduct of scientific research for the purposes of the effective conservation and optimum utilization of the marine living resources within the Australian Fishing Zone;
- (b) Research on marine living resources in areas outside the Australian Fishing Zone;
- (c) Feasibility fishing, post harvest technology including processing of fish products, marketing and mariculture;
- (d) Exchanges and training of fisheries specialists, scientists and students;
- (e) Commercial co-operation in accordance with Article VIII of this Agreement.

2. The Parties shall co-operate directly or through appropriate international organizations with a view to assuring the conservation and management of marine living resources beyond the Australian Fishing Zone.

3. The Soviet Party shall make available to the Australian Party such statistical and biological information as may be required by the Australian Party for the purposes of managing and conserving the marine living resources within the Australian Fishing Zone.

#### *Article V*

The Soviet Party shall take appropriate measures to ensure that while any USSR fishing vessel is within the Australian Fishing Zone or Australian internal waters:

- (a) All fishing gear carried by the vessel is inboard, stowed and secured unless the vessel is undertaking fishing operations in accordance with this Agreement;
- (b) The vessel and its crew observe the terms of this Agreement and all relevant Australian law, including all law relating to the conservation and protection of marine mammals; and
- (c) That persons on board USSR fishing vessels facilitate boarding and comply with the instructions of duly authorised Australian officials for the purposes of enforcement of applicable Australian law.

#### *Article VI*

The Soviet Party shall, when requested by the Australian authorities, require USSR fishing vessels in the Australian Fishing Zone to carry up to three Australian marine scientific and fishing industry observers per vessel at any one time and to provide information on fishing operations to such observers. The cost of accommodation and meals for the Australian observers while on board USSR vessels shall be met by the Soviet Party.

#### *Article VII*

The appropriate authorities of the Soviet Party shall appoint an Australian citizen or Australian registered corporation as an agent in each port for which entry by USSR fishing vessels is permitted in order to provide administrative assistance. Those authorities shall provide to the designated Australian authority the names, addresses and telephone and telex numbers of all such agents.

#### *Article VIII*

1. The Parties, in accordance with their law, shall encourage contacts and facilitate co-operation on a commercial basis between their enterprises and organisations, in particular, in the establishing of joint ventures in fishing, processing and marketing of living marine resources.

2. An Australian joint venture with a Soviet partner may apply for access for fishing in the Australian Fishing Zone. The Australian Party shall consider any such application in accordance with its established policies and guidelines for the management and development of fisheries in the Australian Fishing Zone applicable to Australian joint ventures with partners from other countries.

#### *Article IX*

1. Subject to any applicable law relating to the import of fish into Australia, the Soviet Party may offer for sale to Australian commercial enterprises fish taken by USSR fishing vessels.