

AGREEMENT FOR THE ESTABLISHMENT OF A GENERAL FISHERIES COUNCIL FOR THE MEDITERRANEAN

Rome, 24 September 1949

AMENDMENTS TO THE ABOVE-MENTIONED AGREEMENT ADOPTED ON 22 MAY 1963 BY THE GENERAL FISHERIES COUNCIL FOR THE MEDITERRANEAN AT ITS FIRST SPECIAL SESSION, HELD AT ROME, 21-22 MAY 1963, AND APPROVED ON 3 DECEMBER 1963 BY RESOLUTION No. 39/63 OF THE TWELFTH SESSION OF THE CONFERENCE OF THE FOOD AND AGRICULTURE ORGANIZATION FROM 16 NOVEMBER TO 5 DECEMBER 1963*

AGREEMENT FOR THE ESTABLISHMENT OF A GENERAL FISHERIES COUNCIL FOR THE MEDITERRANEAN

(As amended by the First Special Session of the Council, Rome, 21-22 May 1963)

PREAMBLE

The [Governments of France, Greece, Italy, Lebanon, Turkey, the United Kingdom, Yugoslavia, Members of the Food and Agriculture Organization of the United Nation] *Contracting Governments* having a mutual interest in the development and proper utilization of the resources of the Mediterranean and contiguous waters, and desiring to further the attainment of their objectives through international cooperation which would be furthered by the establishment of a General Fisheries Council for the Mediterranean, agree as follows:

Article I

THE COUNCIL

1. [The contracting Governments agree to] *Contracting Governments hereby establish within the framework of the Food and Agriculture Organization of the United Nations (hereinafter referred to as "the Organization")* a Council to be known as the General Fisheries Council for the Mediterranean, (hereinafter referred to as "the Council"), for the purpose of exercising the functions and discharging the responsibilities set forth in Article [III] IV below.

2. The Members of the Council shall be [the Governments] *such Member Nations and Associate Members of the Organization and such non-member Nations of the Organization that are Members of the United Nations, which accept this Agreement in accordance with the provisions of Article [VIII] IX below, it being understood that these provisions shall not affect the membership status in the Council of such nations that are not Members of the United Nations 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 [Governments] shall be represented at sessions of the Council by one delegate, who may be accompanied by an alternate and by experts and advisers. Participation in meetings of the Council 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. Each Member [Governments] shall have one vote. Decisions of the Council shall be taken by a [simple] majority of the votes cast, except as otherwise provided by this Agreement. A majority of the total membership of the Council shall constitute a quorum.

3. The Council shall elect a Chairman and two Vice-Chairmen .

[4. The Council shall determine the frequency, dates, and place of its sessions, from such committees as it deems desirable, and establish rules governing its procedure.]

[5. The Chairman shall call a session of the Council at least once a year, unless directed otherwise by a majority of the Member Governments. The initial session shall be called by the Food and Agriculture Organization of the United Nations within six months after the entry into force of this Agreement and at such place as it may designate.]

4. The Chairman of the Council shall normally convene a regular session of the Council at least once every two years unless otherwise directed by a majority of the Members. The site and date of all sessions shall be determined by the Council in consultation with the Director-General of the Organization.

[6.]5. The seat of the Council shall be at the [seat of the European Regional Office of the Food and Agriculture Organization of the United Nations now at] Headquarters of the Organization in Rome [Italy].

[7.]6. The [Food and Agriculture Organization of the United Nations] shall provide the Secretariat for the Council [.] *and the Director-General shall appoint its Secretary, who shall be administratively responsible to him.*

7. The Council may, by a two-thirds majority of its membership, adopt and amend its own Rules of Procedure which shall be consistent with the General Rules of the Organization. The Rules of the Council and any amendments thereto shall come into force as from the date of approval by the Director-General of the Organization, subject to confirmation by the Council of the Organization.

Article III

COMMITTEES, WORKING PARTIES AND SPECIALISTS

1. The Council may establish temporary, special or standing committees to study and report on matters pertaining to the purposes of the Council and working parties to study and recommend on specific technical problems.

2. The committees and working parties referred to in paragraph 1 above shall be convened by the Chairman of the Council at such times and places as are determined by the Chairman in consultation with the Director-General of the Organization.

3. The Council may suggest to the Organization the recruitment or appointment of specialists at the expense of the Organization, for the consideration of specific questions or problems.

4. The establishment of committees and working parties referred to in paragraph 1 above and the recruitment or appointment of specialists referred to in paragraph 3 above, shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization: the determination of such availability shall be made by the Director-General of the Organization. Before taking any decision involving expenditures in connection with the establishment of committees and working parties and the recruitment or appointment of specialists, the Council shall have before it a report from the Director-General of the Organization on the administrative and financial implications thereof:

Article [III] IV

FUNCTIONS

The Council shall have the following functions and responsibilities:

a) To formulate all oceanographical and technical aspects of the problems of development and proper utilization of aquatic resources.

b) To encourage and co-ordinate research and the application of improved methods employed in fishery and allied industries with a view to the utilization of aquatic resources.

c) To assemble, publish, or [otherwise] disseminate all oceanographical and technical information relating to aquatic resources;

d) To recommend to Members [Governments] such national and international research and development projects as may appear necessary or desirable to fill gaps in such knowledge;

e) To undertake, where appropriate, cooperative research and development projects directed to this end;

f) To propose, and where necessary to adopt measures to bring about the standardization of scientific equipment, techniques, and nomenclature;

g) To make comparative studies of [the] fishery legislation [of different countries] with a view to making recommendations to its Members [Governments] respecting the greatest possible coordination;

h) To encourage research into the hygiene and prevention of occupational diseases of fishermen;

i) To extend its good offices in assisting Member(s) [Governments] to secure essential materials and equipment;

j) To report upon such questions relating to all oceanographical and technical problems as may be recommended to it by Members [Governments] or by the [Food and Agriculture] Organization [of the United Nations] and, if it thinks proper to do so, by other international, national, or private organizations with related interests;

[To report annually upon its activities to Member Governments and to the Conference of the Food and Agriculture Organization of the United Nations; and to make such other reports to the Food and Agriculture Organization of the United Nations on matters falling within the competence of the Council as may seem to it necessary and desirable.]

k) To transmit, every two years, to the Director-General of the Organization, a report embodying its views, recommendations and decisions, and make such other reports to the Director-General of the Organization as may seem to it necessary or desirable. Reports of the committees and working parties of the Council provided for in Article III of this Agreement shall be transmitted to the Director-General of the Organization through the Council.

Article [IV] V

[AREA] REGION

The Council shall carry out the functions and responsibilities set forth in Article [III] IV in the [Mediterranean waters as they are geographically described. If, however, the Council contemplates studies outside this area, it shall make the necessary arrangements with the governments and organizations concerned, in conformity with paragraph (j) of Article III] region as referred to in the Preamble.

Article [V] VI

CO-OPERATION WITH INTERNATIONAL ORGANIZATIONS

[1.] The Council shall co-operate closely with other international organizations in matters of mutual interest.

[2. The Council shall, if it so deems opportune and useful, entrust to the international bodies referred to above, those responsibilities set forth in Article III which are of a scientific nature.]

Article [VI] VII

EXPENSES

1. The expenses of delegates and their alternates, experts and advisers occasioned by attendance at [meetings] *sessions* of Council *and the expenses of representatives sent to committees or working parties established in accordance with Article III of this Agreement* shall be determined and paid by their respective governments.

2. The expenses of the Secretariat, including publications and communications and the expenses incurred by the Chairman and Vice-Chairman of the Council when performing duties on behalf of the Council between Council sessions, shall be determined and paid by the [Food and Agriculture] Organization [of the United Nations] *within the limits of [an annual budget prepared and approved in accordance with the current regulations of that Organization] the relevant appropriations provided for in the budget of the Organization.*

3. The expenses of research and development projects undertaken by individual Members of the Council, whether independently or upon recommendation of the Council, shall be determined and paid by the governments concerned.

4. The expenses incurred in connection with cooperative research or development projects undertaken in accordance with the provisions of Article [III] IV, paragraphs (d) and (e) unless otherwise available shall be determined and paid by the Members [Governments] in the form and proportion to which they shall mutually agree. *Cooperative projects shall be submitted to the Council of the Organization prior to implementation. Contributions for co-operative projects shall be paid into a trust fund to be established by the Organization and shall be administered by the Organization in, accordance with the Financial Regulations and rules of the Organization.*

5. *The expenses of experts invited, with the concurrence of the Director-General, to attend meetings of the Council, committees or working parties in their individual capacity shall be borne by the budget of the Organization.*

Article [VII] VIII

AMENDMENTS

[Any amendment to this Agreement shall require the approval of a two-thirds majority of all the Members of the Council. An exception to this rule is made in the following cases:

a) Amendments to this Agreement enlarging the functions of the Council require the approval of the Conference of the Food and Agriculture Organization of the United Nations in addition to approval by a two-thirds majority of all the Members of the Council;

b) Amendments to the Agreement enlarging the powers of the Council to incur expenses to be borne by the Food and Agriculture Organization of the United Nations, shall require the approval of a two-thirds majority of all the Members of the Council and of the District-General of the Food and Agriculture Organization of the United Nations.]