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FISHERIES



Treaty Series No. 79 (1976)

Protocol
to the International Convention
for the Northwest Atlantic Fisheries
relating to Amendments to
the Convention

Washington, 6-20 October 1970

[The United Kingdom instrument of ratification was deposited on 14 June 1971 and
the Protocol entered into force on 4 September 1974]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
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PROTOCOL
TO THE INTERNATIONAL CONVENTION FOR THE
NORTHWEST ATLANTIC FISHERIES RELATING TO
AMENDMENTS TO THE CONVENTION

The Governments parties to the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of February 8, 1949,⁽¹⁾ which Convention, as amended,⁽²⁾ is hereinafter referred to as the Convention, desiring to facilitate the entry into force of amendments to the Convention, agree as follows:

ARTICLE I

Article XVII of the Convention is renumbered "Article XVIII" and a new Article XVII is inserted to read as follows:

"Article XVII

"1. Any Contracting Government or the Commission may propose amendments to this Convention to be considered and acted upon by a regular meeting of the Commission or by a special meeting of the Commission called in accordance with the provisions of paragraph 6 of Article II of the Convention. Any such proposed amendment shall be sent to the Executive Secretary at least ninety days prior to the meeting at which it is proposed to be acted upon, and he shall immediately transmit the proposal to all Contracting Governments and to all Commissioners.

"2. A proposed amendment to the Convention shall be adopted by the Commission by a three-fourths majority of the votes of all Contracting Governments. The text of any proposed amendment so adopted shall be transmitted by the Depositary Government to all Contracting Governments.

"3. Any amendment shall take effect for all Contracting Governments one hundred and twenty days following the date on the notification by the Depositary Government of receipt of written notification of approval by three-fourths of all Contracting Governments unless any other Contracting Government notifies the Depositary Government that it objects to the amendment, within ninety days of the date on the notification by the Depositary Government of such receipt, in which case the amendment shall not take effect for any Contracting Government. Any Contracting Government which has objected to an amendment may at any time withdraw that objection. If all objections to an amendment

⁽¹⁾ Treaty Series No. 62 (1950), Cmd. 8071.

⁽²⁾ Treaty Series No. 22 (1959), Cmnd. 687.

Treaty Series No. 40 (1966), Cmnd. 3044.

Treaty Series No. 73 (1970), Cmnd. 4435.

Treaty Series No. 74 (1970), Cmnd. 4436.

Treaty Series No. 26 (1972), Cmnd. 4914.

are withdrawn, the amendment shall take effect for all Contracting Governments one hundred and twenty days following the date on the notification by the Depositary Government of receipt of the last withdrawal.

“ 4. Any Government which becomes a party to the Convention after an amendment has been adopted in accordance with paragraph 2 of this Article shall be deemed to have approved the said amendment.

“ 5. The Depositary Government shall promptly notify all Contracting Governments of the receipts of notifications of approval of amendments, the receipt of notifications of objection or withdrawal of objections, and the entry into force of amendments.”

ARTICLE II

1. This Protocol shall be open for signature and ratification or approval or for adherence on behalf of any Government party to the Convention.

2. This Protocol shall enter into force on the date on which instruments of ratification or approval have been deposited with, or written notices of adherence have been received by, the Government of the United States of America, on behalf of all Governments parties to the Convention.⁽³⁾

3. Any Government which becomes a party to the Convention after this Protocol has been opened for signature shall at the same time adhere to this Protocol.

4. The Government of the United States of America shall inform all Governments signatory or adhering to the Convention of all ratifications and approvals deposited and adherences received and of the date this Protocol enters into force.

5. Any Protocol amending the Convention which has been signed but which has not entered into force at the date of entry into force of the present Protocol shall thereafter enter into force in accordance with the provisions of the present Protocol; provided, however, that, if instruments of ratification or approval or notices of adherence with respect to such Protocol have been received by the Depositary Government from three-fourths of all Contracting Governments at the time of entry into force of the present Protocol, the date on which the ninety, and one hundred and twenty, day periods specified in the first sentence of paragraph 3 of Article XVII shall commence with regard to such amendment shall be the date of entry into force of the present Protocol.

ARTICLE III

1. The original of this Protocol shall be deposited with the Government of the United States of America, which Government shall communicate certified copies thereof to all the Governments signatory or adhering to the Convention.

2. This Protocol shall bear the date on which it is opened for signature and shall remain open for signature for a period of fourteen days thereafter, following which period it shall be open for adherence.

(3) The Protocol entered into force on 4 September 1974.

IN WITNESS WHEREOF the undersigned, having deposited their respective full powers, have signed this Protocol.

DONE at Washington this sixth day of October 1970, in the English language.

SIGNATURES, RATIFICATIONS AND APPROVALS

<i>State</i>	<i>Date of Signature</i>	<i>Date of deposit of Instruments of Ratification (R) or Approval (A)</i>
Denmark (including Faroe Islands and Greenland)	16 Oct., 1970	27 Oct., 1970 (A)
France	12 Oct., 1970	6 Apr., 1971 (A)
Germany, Federal Republic of (including Land Berlin)	9 Oct., 1970	15 Dec., 1971 (R)
Iceland	6 Oct., 1970	6 Nov., 1970 (R)
Italy	16 Oct., 1970	18 Nov., 1971 (R)
Norway	6 Oct., 1970	8 Jan., 1971 (R)
Poland	20 Oct., 1970	30 Nov., 1971 (R)
Portugal	20 Oct., 1970	5 Feb., 1973 (R)
Romania	19 Oct., 1970	4 Sept., 1974 (R)
Spain	19 Oct., 1970	16 Apr., 1973 (R)
Union of Soviet Socialist Republics ...	20 Oct., 1970	13 Oct., 1971 (A)
United Kingdom	15 Oct., 1970	14 June, 1971 (R)
United States of America*	6 Oct., 1970	8 Feb., 1973 (R)

* The ratification by the United States of America is subject to
 “. . . the understanding that in accordance with Article I of the Protocol, it shall be the duty of the Secretary of State to register an objection to any proposed amendment if, upon approval of it by three-fourths of the Contracting Governments, action on the proposed amendment has not been completed in accordance with Article 2, Section 2 of the United States Constitution, which states that the President ‘shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.’”

ADHERENCES

<i>State</i>	<i>Date of Deposit</i>
Bulgaria	21 Aug., 1972
Canada	27 July, 1972
Cuba	28 Nov., 1975
Germany, Democratic Republic of ...	21 May, 1974
Japan	1 June, 1972

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