

SENATO DELLA REPUBBLICA

V LEGISLATURA

(N. 333)

DISEGNO DI LEGGE

presentato dal **Ministro degli Affari Esteri**

(MEDICI)

di concerto col **Ministro della Marina Mercantile**

(SPAGNOLLI)

COMUNICATO ALLA PRESIDENZA IL 19 NOVEMBRE 1968

Ratifica ed esecuzione del Protocollo per l'entrata in vigore delle proposte adottate dalla Commissione prevista dalla Convenzione per la pesca nel Nord Atlantico dell'8 febbraio 1949 e del Protocollo relativo alle misure di controllo di detta Convenzione, adottati a Washington il 29 novembre 1965

ONOREVOLI SENATORI. — In base alla Convenzione internazionale per la pesca nell'Atlantico nord occidentale (ICNAF), firmata a Washington l'8 febbraio 1949 e resa esecutiva con legge 30 luglio 1952, n. 1092, l'Atlantico nord occidentale — escluse le acque territoriali alle quali non si applica la Convenzione — è stato diviso in cinque zone di pesca una delle quali è riservata al Canada e agli Stati Uniti di America, le altre quattro zone sono aperte all'attività degli altri Stati contraenti tra i quali l'Italia.

La partecipazione all'ICNAF ha consentito una cospicua integrazione delle risorse itti-

che a nostra disposizione limitate dalla scarsa pescosità del Mediterraneo.

Al fine di consentire alla Commissione internazionale, prevista dalla Convenzione dell'8 febbraio 1949, l'iniziativa di proporre misure di controllo nazionale ed internazionale in alto mare e assicurare in tal modo l'applicazione delle norme della Convenzione e allo scopo inoltre di semplificare l'attuale procedura relativa all'entrata in vigore delle proposte adottate dalla Commissione, i Paesi membri dell'ICNAF hanno sottoscritto a Washington, il 29 novembre 1965, i due Protocolli, che formano oggetto del presente disegno di legge, con i quali vengono opportunamente emendati i paragrafi 5, 7 e 8 dell'articolo VIII della Convenzione.

DISEGNO DI LEGGE**Art. 1.**

Il Presidente della Repubblica è autorizzato a ratificare i seguenti Atti internazionali, adottati a Washington il 29 novembre 1965, per la modifica dei paragrafi 5, 7 e 8 dell'articolo VIII della Convenzione per la pesca nel Nord Atlantico dell'8 febbraio 1949:

a) Protocollo per l'entrata in vigore delle proposte della Commissione prevista dalla Convenzione;

b) Protocollo relativo alle misure di controllo.

Art. 2.

Piena ed intera esecuzione è data ai Protocolli di cui all'articolo precedente a decorrere dalla loro entrata in vigore in conformità, rispettivamente, all'articolo II del Protocollo indicato *sub a)* e all'articolo III del Protocollo indicato *sub b)*.

ALLEGATO

PROTOCOL TO THE INTERNATIONAL CONVENTION FOR THE NORTHWEST
ATLANTIC FISHERIES RELATING TO ENTRY INTO FORCE OF PROPOSALS
ADOPTED BY THE COMMISSION

The Governments parties to the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of February 8, 1949, which Convention, as amended, is hereinafter referred to as the Convention, desiring to facilitate the entry into force of proposals adopted by the Commission, agree as follows:

Article I

Paragraphs 7 and 8 of Article VIII of the Convention shall be amended to read as follows:

“ 7. (a) Each proposal made by the Commission under paragraphs 1 or 5 of this Article shall become effective for all Contracting Governments six months after the date on the notification from the Depository Government transmitting the proposal to the Contracting Governments, except as otherwise provided herein.

(b) If any Contracting Government participating in the Panel or Panels for the sub-area or sub-areas to which a proposal applies, or any Contracting Government in the case of a proposal made under paragraph 5 above, presents to the Depository Government objection to any proposal within six months of the date on the notification of the proposal by the Depository Government, the proposal shall not become effective for any Government for an additional sixty days. Thereupon any other Contracting Government participating in the Panel or Panels concerned, or any other Contracting Government, in the case of a proposal made under paragraph 5 above, may similarly object prior to the expiration of the additional sixty-day period, or within thirty days after receiving notice of an objection by another Contracting Government made within such additional sixty days, whichever date shall be the later. The proposal shall become effective for all Contracting Governments, except those Governments which have presented objections, at the end of the extended period or periods for objecting. If, however, objections have been presented by a majority of Contracting Governments participating in the Panel or Panels concerned, or by a majority of all Contracting Governments in the case of a proposal made under paragraph 5, the proposal shall not become effective unless any or all of the Contracting Governments nevertheless agree as among themselves to give effect to it on an agreed date.

(c) Any Contracting Government which has objected to a proposal may at any time withdraw that objection and the proposal shall become effective with respect to such Government, immediately if the proposal is already in effect, or at such time as it becomes effective under the terms of this Article.

8. The Depository Government shall notify each Contracting Government immediately upon receipt of each objection and of each withdrawal of objection, and of the entry into force of any proposal ”.

Article II

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

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

3. Any Government becoming a party to the Convention after this Protocol enters into force shall adhere to this Protocol, such adherence to be effective on the same date that such Government becomes a party to the Convention.

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

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.

In witness whereof the undersigned, having deposited their respective powers, have signed this Protocol.

Done at Washington this twenty-ninth day of November 1965, in the English language.

For Canada:

C.S.A. RITCHIE Dec. 13, 1965

For Denmark:

TORBEN RØNNE Dec. 1st, 1965

For the Federal Republic of Germany:

K. H. KNAPPSTEIN Dec. 8th, 1965

For France:

BRUNO de LEUSSE Dec. 13th, 1965

For Iceland:

PETUR THORSTEINSSON Dec. 7, 1965

For Italy:

SERGIO FENOALTEA Dec. 13, 1965

For Norway:

HANS ENGEN Dec. 13, 1965

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For Poland:

E. DROZNIAK Dec. 13, 1965

For Portugal:

VASCO VIEIRA GARIN Dec. 13th, 1965

For Spain:

MERRY del VAL Dec. 8th, 1965

For the Union of Soviet Socialist Republics:

A. DOBRYNIN Dec. 2, 1965

For the United Kingdom of Great Britain and Northern Ireland:

PATRICK DEAN Dec. 8, 1965

For the United States of America:

BURDICK H. BRITTIN Dec. 2, 1965

PROTOCOL TO THE INTERNATIONAL CONVENTION FOR THE NORTHWEST
ATLANTIC FISHERIES, RELATING TO MEASURES OF CONTROL

The Governments parties to the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of February 8, 1949, which Convention, as amended, is hereinafter referred to as the Convention, desiring to provide for national and international measures of control on the high seas for the purposes of ensuring the application of the Convention and the measures in force thereunder, agree as follows:

Article I

Paragraph 5 of Article VIII of the Convention is amended by adding the following:

“ and may also, on its own initiative, make proposals for national and international measures of control on the high seas for the purposes of ensuring the application of the Convention and the measures in force thereunder ”.

Article II

Paragraph 8 of Article VIII of the Convention is amended by adding the following:

“ or, in the case of proposals made under paragraph 5 above, from all Contracting Governments ”.

Article III

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 notifications of adherence have been received by, the Government of the United States of America, on behalf of all the Governments parties to the Convention; provided, however, that Article II of this Protocol shall enter into force only if the Protocol Relating to Entry into Force of Proposals adopted by the Commission, done at Washington on November 29, 1965, has not entered into force and shall, in such case, continue in force only until that Protocol enters into force.

3. Any Government becoming a party to the Convention after this Protocol enters into force shall adhere to this Protocol, such adherence to be effective on the same date that such Government becomes a party to the Convention.

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.

Article IV

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.

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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.

In witness whereof the undersigned, having deposited their respective powers, have signed this Protocol.

Done at Washington this twenty-ninth day of November 1965, in the English language.

For Canada:

C.S.A. RITCHIE Dec. 13, 1965

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TORBEN RØNNE Dec. 1st, 1965

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PETUR THORSTEINSSON Dec. 7, 1965

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