AUGLÝSING

um samning við Spán um gæslumenn á hvalveiðistöðvum.

Hinn 7. maí 1981 var gerður í Reykjavík samningur milli Íslands og Spánar um gæslumenn á hvalveiðistöðvum. Samningurinn öðlaðist gildi við undirritun.

Samningurinn er birtur sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

Utanríkisráðuneytið, Reykjavík, 26. júní 1981.

Ólafur Jóhannesson.

Hörður Helgason.

Fylgiskjal.

AGREEMENT
between the Governments of the Republic of Iceland and of the Kingdom of Spain concerning an international observer scheme for land-based whaling stations in the North Atlantic area.

The Governments of the Republic of Iceland and of the Kingdom of Spain, being parties to the International Convention for the Regulation of Whaling signed in Washington on 2 December 1946 (hereinafter referred to as "the Convention"),

Proceeding from their mutual concern for the conservation of whale stocks in the North Atlantic Ocean, for the maintenance of the proper productivity of whaling from land stations and to ensure that the provisions of the Convention are being followed,

Have agreed on the following scheme for International Observers (hereinafter referred to as "Observers") at land stations or groups of land stations in the North Atlantic area pursuant to paragraph 22 (c) of the Schedule to the Convention dated March 1981:

ARTICLE I
Purpose of the Agreement

The purpose of this Agreement is to establish a scheme to provide for an exchange of Observers to maintain surveillance over whaling operations at the land-based whaling stations in Iceland and Spain.

ARTICLE II
Nomination and Appointment of Observers

1. Each Party shall nominate to the International Whaling Commission (hereinafter referred to as "the Commission") one of its nationals to act as an Observer in accordance with the terms of this Agreement.

2. The Observers so nominated will be appointed by the Commission, or the Chairman acting on behalf of the Commission, for duty at each land station or group of land stations in the North Atlantic area, so that one Observer shall be on duty at each land station or group of land stations in each of the Party's territory throughout the whaling season.

ARTICLE III
Duties, Rights and Functions of Observers

1. It shall be the duty of Observers to carry out surveillance at the land stations or groups of land stations in order to verify the observance of the provisions of the Convention. Observers shall at all times

be responsible to the Commission and shall neither seek nor receive instructions from any authority other than the Commission.

2. The Party receiving an Observer shall take appropriate measures to ensure the security, welfare, freedom and dignity of the Observer. In particular, the Party shall ensure suitable accommodation and medical care.

3. The Observers shall not be vested with any administrative power in regard to the activities of the land station or group of land stations to which they are appointed, and shall have no authority to interfere in any way with those activities.

4. Observers shall be enabled to observe freely the operations of the land station or group of land stations to which they are appointed, and shall be accorded the necessary facilities for carrying out their duties. In particular, Observers shall be permitted to ascertain the species, size, sex and number of whales taken.

5. All reports required to be made, and all records and data required to be kept or supplied in accordance with the Schedule to the Convention, shall be freely and immediately available to the Observers for examination, and they shall be given all necessary explanations concerning such reports, records and data.

6. The manager, senior officials or national inspectors at any of the land stations or groups of land stations where an Observer is on duty shall supply any information that is necessary for the discharge of the functions of the Observer.

7. When there is reasonable ground to believe that an infraction of the provisions of the Convention has taken place, it shall be brought in writing to the immediate notice both of the manager of the land station and of the senior national inspector by an Observer, who shall, if he deems it sufficiently serious, at once inform the Secretary of the Commission of the said infraction together with the explanation or comments of the manager of the land station and the senior national inspector.

8. An Observer shall draw up a report covering his observations including possible infractions of the provisions of the Convention and the schedule which have taken place during the season, and shall submit it both to the manager of the land station and to the senior national inspector for information and such explanation and comments as they may wish to make. All such explanations and comments shall be attached to the Observer's report, which shall be transmitted to the Secretary of the Commission as soon as possible.

ARTICLE IV

Finances

The Party which nominates an Observer who is appointed to a land station or group of land stations by the Commission shall pay his normal salary and international travel costs; all other emoluments, subsistence, lodging and medical costs shall be at the expense of the Party receiving the Observer.

ARTICLE V

Entry into Force and Duration

1. The present Agreement shall enter into force upon signature.

2. The Agreement shall continue in force for a period of one year. If neither Party gives notice three months before the expiration of the Agreement of its intention to terminate the Agreement, it shall be extended automatically for successive periods of one year unless terminated by either of the Parties three months before the expiration of the current period.

3. Representatives of the Parties shall consult yearly before the expiration date of the Agreement in order to review the effectiveness of the Agreement with a view to implementing possible further measures to improve the Observer Scheme.

DONE at Reykjavík 7 May 1981 in two copies in the English language.

Steingrímur Hermannsson
For the Government of
the Republic of Iceland

J. Prat
For the Government of
the Kingdom of Spain