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SCHEDULE

CONVENTION RESPECTING THE LIQUOR TRAFFIC IN THE NORTH SEA

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the German Emperor, King of Prussia, in the name of the German Empire, His Majesty the King of the Belgians, His Majesty the King of Denmark, the President of the French Republic, and His Majesty the King of the Netherlands, having recognized the necessity of remedying the abuses arising from the traffic in spirituous liquors amongst the fishermen in the North Sea outside territorial waters, have resolved to conclude a Convention for this purpose, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Sir William Stuart, Knight Commander of Her Most Distinguished Order of St. Michael and St. George, and Companion of Her Most Honourable Order of the Bath, her Envoy Extraordinary and Minister Plenipotentiary at the Hague;

His Majesty the German Emperor, King of Prussia, Baron Jean Antoine de Saurma-Feltsch, Chevalier of the second class of his Orders of the Red Eagle and of the Crown, &c., Privy Councillor of Legation, and Envoy Extraordinary and Minister Plenipotentiary at the Hague;

His Majesty the King of the Belgians, Baron Auguste d'Anethan, Grand Officer of his Order of Leopold, Chevalier of the Order of the Netherlands Lion, Grand Cross of the Order of the Oaken Crown of Luxembourg, &c., his Envoy Extraordinary and Minister Plenipotentiary at the Hague, and M. Leopold Orban, Commander of his Order of Leopold, Commander of the Order of the Netherlands Lion, &c., his Envoy Extraordinary and Minister Plenipotentiary, Director-General of Political Affairs at the Ministry for Foreign Affairs at Brussels;

His Majesty the King of Denmark, M. Corneille Marius Viruly, Chevalier of his Order of Danebrog, Consul for Denmark;

The President of the French Republic, M. Louis Desire Legrand, Officer of the National Order of the Legion of Honour, Grand Cross of the Order of the Netherlands Lion, &c., Envoy Extraordinary and Minister Plenipotentiary of the French Republic at the Hague;

His Majesty the King of the Netherlands, the Jonkheer Abraham Pierre Corneille van Karnebeek, Chevalier of his Order of the Netherlands Lion, &c., his Minister for Foreign Affairs, and M. Edouard Nicolas Rahusen, Chevalier of his Order of the Netherlands Lion, &c., President of the College of Marine Fisheries:

Who, after having communicated their full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I

The provisions of the present Convention shall apply to the North Sea, outside territorial waters, and within the limits fixed by Article IV. of the Convention of the Hague of the 6th May 1882, respecting the police of the fisheries to every person on board a ship or boat of any one of the High Contracting Parties.

ARTICLE II

The sale of spirituous liquors to persons on board or belonging to fishing-boats is forbidden.

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The purchase of those liquors by such persons is forbidden.

The exchange of spirituous liquors for any article, and especially for products of the fisheries, gear or equipments of fishing boats, or fishing implements is forbidden.

Every liquid obtained by distillation, and containing more than five litres of alcohol per hectolitre, shall be considered a spirituous liquor.

ARTICLE III

The liberty to deal with fishermen in provisions and other articles for their use (spirituous liquors excepted) shall be subject to a licence to be granted by the Government of the country to which the vessel belongs.

This licence must specify the following amongst other conditions:—

- 1 The vessel may not have on board a quantity of spirits greater than what is deemed requisite for the consumption of her crew.
- 2 All exchange of the articles above indicated for products of the fisheries, gear, or equipments of fishing-boats, or fishing implements, is forbidden.

Vessels provided with this licence must carry a special and uniform mark to be agreed upon by the High Contracting Powers.

ARTICLE IV

The High Contracting Parties engaged to take, or to propose to their respective Legislatures, the necessary measures for insuring the execution of the present Convention, and especially for punishing, by either fine or imprisonment, or by both, those who may contravene Articles II. and III.

ARTICLE V

The Tribunals competent to take cognizance of infractions of Articles II. and III. are those of the country to which the accused vessel belongs. If vessels of different nationalities should be implicated in the same infraction, the Powers to which such vessels belong will mutually communicate to each other the Judgments given by the Tribunals.

ARTICLE VI

Prosecutions for infractions shall be instituted by the State, or in its name.

Infractions may be verified by all means of proof allowed by the legislation of the country of the Court concerned.

ARTICLE VII

The superintendence shall be exercised by the cruizers of the High Contracting Parties which are charged with the police of the fisheries.

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When the officers commanding these cruisers have reason to believe that an infraction of the measures provided for in the present Convention has been committed, they may require the captain or master to exhibit the official documents establishing the nationality of his vessel, and where the case occurs, the licence. The fact of such documents having been exhibited shall then be indorsed upon them immediately.

Further, formal statements of the facts may be drawn up by the said officers whatever may be the nationality of the accused vessel. These formal statements shall be drawn up according to the forms and in the language used in the country to which the officer belongs; they may be used as means of proof in the country where they are adduced, and conformably with the laws of that country. The accused and the witnesses shall be entitled to add or to have added thereto, in their own language, any explanations which they may think useful. These declarations must be duly signed.

Resistance to the directions of Commanders of cruisers, or of those who act under their orders, shall, without taking into account the nationality of the cruisers, be considered as resistance to national authority.

The Commander of the cruiser may, if the case appears to him sufficiently serious to justify the step, take the offending vessel into a port of the nation to which she belongs.

ARTICLE VIII

The proceedings in respect of infractions of the provisions of the present Convention shall always take place as summarily as the Laws and Regulations will permit.

ARTICLE IX

The High Contracting Parties will communicate to each other, at the time of the exchange of ratifications, the Laws which shall have been made in their respective countries in relation to the object of the present Convention.

ARTICLE X

States which have not signed the present Convention may adhere to it on making a request to that effect. This adhesion shall be notified through the diplomatic channel to the Government of the Netherlands, and by the latter to the other Signatory Powers.

ARTICLE XI

The present Convention shall be brought into operation from and after a day to be agreed upon by the High Contracting Parties.

It shall remain in force for five years from that day, and, unless any of the High Contracting Parties shall, twelve months before the expiration of the said period of five years, have given notice of its intention to terminate its operation, it shall remain in force for one year longer, and so on from year to year.

If the Convention of the Hague of the 6th May 1882, respecting the police of the fisheries, should cease to be in force, Article XXVI. of the same Convention shall continue to operate as regards the object of the present arrangement.

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ARTICLE XII

The present Convention shall be ratified; the ratifications shall be exchanged at the Hague as soon as possible, and, if practicable, within a year.

In witness whereof, the respective Plenipotentiaries have signed the present Convention, and have thereto affixed their seals.

Done at the Hague, in six copies, the 16th November, 1887.

(L.S.)	W.STUART.
(L.S.)	BARON SAURMA.
(L.S.)	BARONA. D'ANETHAN.
(L.S.)	LEOPOLD ORBAN.
(L.S.)	C. M.VIRULY.
(L.S.)	LOUIS LEGRAND.
(L.S.)	V.KARNEBEEK.
(L.S.)	E. N.RAHUSEN.

PROTOCOL

Whereas it appears from the communications which have been received by the Government of the Netherlands that the Government of the French Republic is not at present in a position to proceed to the ratification of the Convention which was signed at the Hague on the 16th November 1887, for remedying the abuses arising from the traffic in spirituous liquors amongst the fishermen in the North Sea outside territorial waters, the undersigned Plenipotentiaries of Great Britain, of Germany, of Belgium, of Denmark, and Minister for Foreign Affairs of the Kingdom of the Netherlands, having met in conference at the Ministry of Foreign Affairs at the Hague this 14th day of February 1893, and being duly authorised to that effect have agreed as follows:—

- 1 The above-mentioned Convention shall be brought into force by the other signatory Governments, namely, Great Britain, Germany, Belgium, Denmark, and the Netherlands, six weeks after they shall have exchanged the ratifications thereof.
- 2 The power of adhesion accorded by Article X. of the said Convention for non-signatory States is extended to France.
- 3 In modification of Article XI. of the Convention the periods of five years and twelve months are respectively reduced to one year and to three months.
- 4 The present protocol, which shall be ratified at the same time as the Convention to which it refers, has been drawn up in five copies.

(Signed)	HORACE RUMBOLD.
(Signed)	K.DE RANTZAU.
(Signed)	BAROND'ANETHAN.
(Signed)	C.M.VIRULY.
(Signed)	W.TIENHOVEN.

Status:

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