
**PROTOCOL TO AMEND PARAGRAPH 2 OF ARTICLE X OF THE INTERNATIONAL
CONVENTION FOR THE CONSERVATION OF ATLANTIC TUNAS**

**FINAL ACT OF THE CONFERENCE OF PLENIPOTENTIARIES OF THE CONTRACTING
PARTIES TO THE INTERNATIONAL CONVENTION FOR THE CONSERVATION OF
ATLANTIC TUNAS**

Madrid, Spain, 4-5 June, 1992

1. At its Twelfth Regular Meeting, held in Madrid on November 11-15, 1991, the International Commission for the Conservation of Atlantic Tunas (ICCAT) decided to hold a Conference of Plenipotentiaries of the Contracting Parties to the International Convention for the Conservation of Atlantic Tunas to amend paragraph 2 of Article X of said Convention.
2. The Conference of Plenipotentiaries was held in Madrid on June 4-5, 1992.
3. The Conference elected Dr. A. Ribeiro Lima (Portugal) as Chairman and Mr. L.G. Pambo (Gabon) as Vice-Chairman.
4. The Conference designated Dr. L. Koffi (Côte d'Ivoire) as rapporteur.
5. The Conference established a Credentials Committee, consisting of Canada, Gabon and Spain.
6. Of the twenty-two Contracting Parties to the International Convention for the Conservation of Atlantic Tunas, the following were present at the Conference: Angola, Brazil, Canada, Côte d'Ivoire, France, Gabon, Ghana, Republic of Guinea, Japan, Republic of Korea, Morocco, Portugal, Sao Tomé and Príncipe, South Africa, Spain, and United States.
7. The Food and Agriculture Organization of the United Nations (FAO), of which the Director-General is the depositary of the International Convention for the Conservation of Atlantic Tunas, was represented at the Conference.
8. The Conference used as a basis for its discussion the Proceedings of the Twelfth Regular Meeting of the Commission, held in Madrid, November 11-15, 1991, and the report of the Working Group to Study Alternative Schemes to Calculate the Member Country Contributions to the Commission Budget.
9. The Conference adopted the attached Protocol amending paragraph 2 of Article X of the International Convention for the Conservation of Atlantic Tunas. The Protocol was opened for signature on June 5, 1992.
10. The application of the provisions of paragraph 1 of Article XIII referring to the entry into force of amendments being technically impossible, the Conference decided to adopt a special procedure for the entry into force of the Protocol. This procedure takes into account the fact that the contributions of the developed market economy countries would increase while those of the developing countries would decrease.
11. Taking into account the financial difficulties the Commission is currently facing, and being conscious of the necessity to adopt a new and realistic formula for calculating the contributions of the Contracting Parties, the Conference resolved that the Governments of the Contracting Parties to the International Convention for the Conservation of Atlantic Tunas should proceed as soon as possible to implement the internal procedures necessary for the approval, ratification or acceptance of the Protocol, so as to ensure its entry into force.
12. The Conference resolved that the Commission should, at its first meeting following the entry into effect of the amendment of paragraph 2 of Article X of the Convention, introduce in its Financial Regulations the method of calculation resulting from the application of the "Basic Principles of New Calculation Scheme", which was adopted at the Twelfth Regular Meeting of the Commission.

IN WITNESS WHEREOF, the undersigned, duly authorized representatives of the States listed below, have signed this Final Act:

For Angola: M. Eduardo Tomaz

For Brazil: Lindolfo Collor

For Canada: Eduardo del Buey

For Côte d'Ivoire: Luc Koffi

For France: E. Rousseau

For Gabon: Louis Gabriel Pambo

For Ghana: T. Striggner Scott

For the Republic of Guinea: Dembo Sylla

For Japan: Koichiro Seki

For the Republic of Korea: Sang-Il Kim

For Morocco: Azeddine Guessous

For Portugal: A. Ribeiro Lima

For Sao Tome and Principe: C.A. Agostinho das Neves

For Spain: A. Fernández Aguirre

For South Africa: J.N. Rhoodie

For United States of America: Brian Hallman

Done in Madrid on this Fifth of June, Nineteen Hundred and Ninety-two, in a single copy, in the English, French and Spanish languages, each text being equally authentic, the original text shall be deposited in the archives of the Food and Agriculture Organization of the United Nations.

ANNEX TO THE FINAL ACT

PROTOCOL TO AMEND PARAGRAPH 2 OF ARTICLE X OF THE INTERNATIONAL CONVENTION FOR THE CONSERVATION OF ATLANTIC TUNAS

The Contracting Parties to the International Convention for the Conservation of Atlantic Tunas, adopted in Rio de Janeiro on May 14, 1966,

Have agreed as follows:

ARTICLE 1

Paragraph 2 of Article X of the Convention shall be modified as follows:

"2. Each Contracting party shall contribute annually to the budget of the Commission an amount calculated in accordance with a scheme provided for in the Financial Regulations, as adopted by the Commission. The Commission, in adopting this scheme, should consider *inter alia* each Contracting Party's fixed basic fees for Commission and Panel membership, the total round weight of catch and net weight of canned products of Atlantic tuna and tuna-like fishes and the degree of economic development of the Contracting Parties."

"The scheme of annual contributions in the Financial Regulations shall be established or modified only through the agreement of all the Contracting Parties present and voting. The Contracting Parties shall be informed of this ninety days in advance."

ARTICLE 2

The original of this Protocol, the English, French and Spanish texts of which are equally authentic, shall be deposited with the Director-General of the Food and Agriculture Organization of the United Nations. It shall be open for signature in Madrid on June 5, 1992 and thereafter in Rome. The Contracting parties to the Convention that have not signed the Protocol may nevertheless deposit their instruments of acceptance at any time. The Director-General of the Food and Agriculture Organization of the United Nations shall send a certified copy of this Protocol to each of the Contracting Parties to the Convention.

ARTICLE 3

This Protocol shall enter into force for all the Contracting Parties the ninetieth day following the deposit with the Director-General of the Food and Agriculture Organization of the United Nations of the last instrument of approval, ratification or acceptance by three-quarters of the Contracting Parties, and these three-quarters shall include all of the Parties classified by the United Nations Conference on Trade and Development as of June 5, 1992, as developed market economy countries. Any Contracting Party not included in this category of countries can, within six months following the notification of the adoption of the Protocol by the Director-General of the Food and Agriculture Organization of the United Nations, request the suspension of the entry into force of said Protocol. The provisions set out in the last sentence of paragraph 1 of Article XIII of the International Convention for the Conservation of Atlantic Tunas shall apply *mutatis mutandis*.

ARTICLE 4

The scheme of calculating the amount of the contribution of each Contracting Party provided by the Financial Regulations, shall be applied from the financial period following that in which this Protocol enters into force.

IN WITNESS WHEREOF, the undersigned, duly authorized representatives of the States listed below, have signed this Protocol:

For Angola

For Benin

For Brazil: Lindolfo L. Collor

For Canada: Robert F. Andrigo

For Cape Verde

For Côte d'Ivoire: Luc Koffi

For Equatorial Guinea

For France: E. Rousseau

For Gabon

For Ghana: T. Striggner Scott

For the Republic of Guinea

For Japan

For the Republic of Korea

For Morocco: Azeddine Guessous

For Portugal: A. Ribeiro Lima

For Russia

For Sao Tome and Principe

For South Africa

For Spain: A. Fernández Aguirre

For United States of America: William H. Marsh

For Uruguay

For Venezuela
