

No. 15803

**SRI LANKA
and
INDIA**

**Exchange of letters constituting an agreement on the Wadge
Bank Fisheries (with annex and map). New Delhi,
23 March 1976**

Authentic text: English.

Registered by Sri Lanka on 19 July 1977.

**SRI LANKA
et
INDE**

**Échange de lettres constituant un accord relatif à la pêche
dans le banc de Wadge (avec annexe et carte). New
Delhi, 23 mars 1976**

Texte authentique : anglais.

Enregistré par Sri Lanka le 19 juillet 1977.

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN SRI LANKA AND INDIA ON THE WADGE BANK FISHERIES

I

MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

23 March, 1976

Excellency,

An Agreement has been concluded between India and Sri Lanka on Maritime Boundary between the two countries in the Gulf of Mannar and the Bay of Bengal and Related Matters which was signed on 23 March 1976.² Our two Governments have also exchanged views on the substance of our proposed maritime legislation. With the establishment of the exclusive economic zones by the two countries, India and Sri Lanka will exercise sovereign rights over the living and non-living resources of their respective zone. The fishing vessels and fishermen of India shall not engage in fishing in the historic waters, the territorial sea and the exclusive zone of Sri Lanka nor shall the fishing vessels and fishermen of Sri Lanka engage in fishing in the historic waters, the territorial sea and the exclusive economic zone of India, without the express permission of Sri Lanka or India, as the case may be. In this connection, the following understanding has been reached between our two Governments in respect of fishing in the Wadge Bank:

(1) The Wadge Bank which is located near Cape Comorin, the general description and outline of which is given in the enclosed note and chart, lies within the exclusive economic zone of India, and India shall have sovereign rights over the area and its resources.

(2) The fishing vessels of Sri Lanka and persons on board these vessels shall not engage in fishing in the Wadge Bank. However, at the request of the Government of Sri Lanka and as a gesture of goodwill, the Government of India agrees that Sri Lanka fishing vessels duly licensed by the Government of India may engage in fishing in the Wadge Bank for a period of three years from the date of establishment by India of its exclusive economic zone. It is agreed that the number of Sri Lanka fishing vessels shall not exceed six, and their fish catch in the Wadge Bank shall not exceed two thousand tonnes, in any one year. At the expiry of this period, Sri Lanka vessels shall cease to fish in the Wadge Bank.

(3) The fishing by Sri Lanka vessels in the Wadge Bank shall be subject to the terms and conditions, including the fees to be charged, specified by the Government of India and to inspection and control by the Indian authorities. The Sri Lanka fishing vessels shall comply with these terms and conditions.

(4) If the Government of India decides to explore the Wadge Bank for petroleum and other mineral resources during the period mentioned in sub-paragraph (2), the Government of India shall notify to the Government of Sri Lanka the zones reserved for such exploration and the date of commencement of exploration. Sri Lanka fishing vessels shall terminate fishing activity, if any, in these zones with effect from the date of commencement of exploration.

¹ Came into force on 23 March 1976, the date of the letter in reply, in accordance with the provisions of the said letters.

² See p. 43 of this volume.

(5) The facility allowed to the Sri Lanka fishing vessels and persons on board those vessels is restricted to the fishing vessels owned by the Government of Sri Lanka or by a Sri Lanka company or its nationals. This facility shall not be transferable to any other State or its vessels or nationals.

(6) At the request of the Government of Sri Lanka, the Government of India agrees to provide annually to Sri Lanka two thousand tonnes of fish of the quality and species and at the price to be mutually agreed upon between the two Governments, for a period of five years with effect from the date of cessation of fishing activity by Sri Lanka vessels in the Wadge Bank as stipulated in sub-paragraph (2).

(7) The Government of India agrees to make available to the Government of Sri Lanka, upon terms and conditions to be agreed upon between the two Governments, technical assistance for the development of Sri Lanka's fisheries arising from the diversion of Sri Lanka's fishing vessels from the Wadge Bank.

I shall be grateful if you kindly confirm that the above sets out correctly the understanding reached between our two Governments. On receipt of your letter confirming this understanding, the understanding embodied in this letter shall constitute an agreement between our two Governments.

Accept, Excellency, the assurances of my highest consideration.

[Signed]

KEWAL SINGH
Foreign Secretary
to the Government of India

His Excellency Mr. W. T. Jayasinghe
Secretary in the Ministry of Defence
and Foreign Affairs
Government of Sri Lanka

II

New Delhi, March 23, 1976

Excellency,

I have the honour to acknowledge receipt of your letter of 23rd March 1976 which reads as follows:

[See letter I]

I have the honour to confirm that the above correctly sets out the understanding reached between our two Governments. Your letter and my reply thereto shall constitute an agreement between the Government of Sri Lanka and the Government of India which shall come into force with effect from today the twenty-third day of March nineteen hundred and seventy-six.

Accept, Excellency, the assurances of my highest consideration.

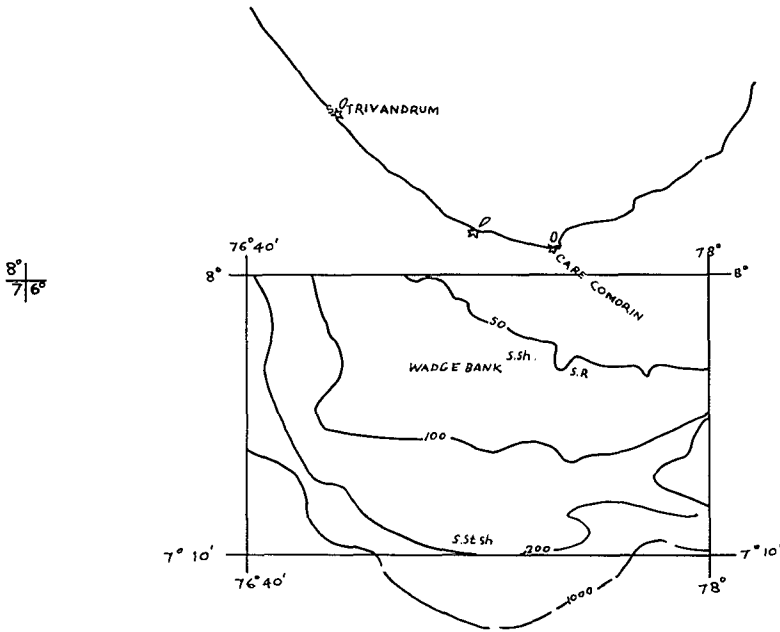
W. T. JAYASINGHE

His Excellency Mr. Kewal Singh
Foreign Secretary to the Government of India

A N N E X

GENERAL DESCRIPTION OF THE WADGE BANK

The Wadge Bank is situated to the South of Cape Comorin and lies generally between latitudes 7°10'N and 8°00'N and longitudes 76°40'E and 78°00'E, but outside the territorial waters of India. The Bank shelves gradually up to 200 metres depth with its most extensive flattening in an East-West direction between the 50 metres and 100 metres contours. The sea-bed consists of sand and shell and is rocky in places.



J. L. Fraser
 Commodore I.N.
 Chief Hydrographer to the
 Government of India
 23 March 1976

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