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DELIMITATIONS REGARDING FISHING IN THE ADRIATIC SEA BETWEEN KINGDOM OF SERBS, CROATS AND SLOVENES AND KINGDOM OF ITALY AFTER THE FIRST WORLD WAR. THE BRIJUNI CONVENTION FROM 1921

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ABSTRACT

This paper deals with delimitations in the Adriatic sea after the signing of the Brijuni Convention in 1921 between Kingdom of Italy and Kingdom of Serbs, Croats and Slovenes. The author analyses the Italian version of the agreement in accordance with the attached map. Analysis of the Brijuni Convention provides an insight into Adriatic fishing policy during the first decades of the 20th century as well as into complex relations between the Kingdom of Serbs, Croats and Slovenes and the Kingdom of Italy.

Keywords: Adriatic Sea, Brijuni Convention, fishing, Kingdom of Italy, Kingdom of Serbs, Croats and Slovenes, 1921

DELIMITAZIONI RELATIVE ALLA PESCA NEL MARE ADRIATICO TRA IL REGNO DEI SERBI, CROATI E SLOVENI E REGNO D' ITALIA DOPO LA PRIMA GUERRA MONDIALE. L'ACCORDO DI BRIONI DAL 1921

SINTESI

L'articolo tratta delimitazioni nel Mare Adriatico dopo la firma dell' Accordo di Brioni nel 1921 tra Regno d' Italia e Regno dei Serbi, Croati e Sloveni. Viene analizzata la versione italiana dell' accordo in conformità con la mappa allegata. Analisi dell' Accordo di Brioni offre una panoramica su questioni di pesca nel Mare Adriatico, nonché delle relazioni complesse tra il Regno dei Serbi, Croati e Sloveni e il Regno d' Italia nei primi decenni del XX secolo.

Parole chiave: Accordo di Brioni, Mare Adriatico, pesca, Regno d' Italia, Regno dei Serbi, Croati e Sloveni, 1921

INTRODUCTION¹

Management of the Adriatic Sea has been the subject of interest of its eastern and western lords since the Antique. With the development of technology and the shipping industry the need for legal regulations for managing its resources was growing. First legal frameworks for managing the resources of the Adriatic were found in the Early Modern Age when the coastal municipalities were granted the right of exclusive fishing within one mile of their coastline, as well as the ability to lease the same right to certain subjects (Sambrailo, 1985). However, the legal framework was not always respected. Disputes over fishing usually arose because of undefined limits of the territorial waters of the Adriatic communes and municipalities². Although the need to protect the local fishermen, and thus to protect a country's economy, has become an important element of the internal and foreign policy during the first Austrian rule in the Adriatic (1797 – 1805), the first significant decree was issued by the French administration in 1808. Today it is known as Dandolo's decree³. The content of the Decree was implemented upon the departure of the French and for a long period after that. The fact that most of the provisions adopted during the 19th and the beginning of the 20th century referred to it testifies to its importance (Reiter, 2015). After the defeat of the French and their departure from Dalmatia, the Austrian Empire regained the authority over the territory and its territorial gains were confirmed at the Congress of Vienna in 1815. During the twenties of the 19th century, the government in Dalmatia issued a proclamation which banned fishing to foreign fishermen within a mile from the coast. The provision was expanded in 1833 with the declaration of the decree prohibiting trawling within two miles of the coast and in channels narrower than three miles (Basioli, 1973). The next provision that was important for Dalmatia was adopted in 1835 when the government issued *Regolamento per la pesca disciplinare di mare sulle Costa del Golfo Adriatico* (SAZ, 386, 42, 24.) A free fishing zone was declared within the distance of one mile from the coast, where the right was given to the inhabitants of the coastal zone. The provision was expanded so that the local population was restricted to fishing along the coast of the municipality to which they belonged.

The second half of the 19th century witnessed the significant change of the geopolitical situation in the Adriatic when it became an important factor in the foreign policy of the states that controlled it. Austro-Hungarian Monarchy, started to invest more and more time and re-

sources into Adriatic ports just when young and united Italy appeared on the other coast, regarding the Adriatic Sea as *Mare Nostrum* (Reiter, 2015). The turning point of the agreement between the two rulers in the Adriatic occurred in 1884 when two sides met in Gorizia. The Gorizia conference was convened because of unresolved issues after the Italian protest against the Austrian provisions on fishing by which the trawling of the Italian fishermen was to be limited to three miles from the coast⁴. At the end each side made provisions within their own legal frameworks (Lorini, 1995). The decisions of the conference should be considered within the circumstances of the 19th century when international maritime law was significantly different than today. Due to the non-existence of international arrangements in the matters of territorial sea issues, agreements were only negotiated at the bilateral level. After several months, Austro-Hungarian Monarchy passed the provision that abolished most of the existing ones. Fishing right of the population within the municipal area remained the same. In theory, the fishing right was not permitted to be consigned to another entity (Lorini, 1995). The coastal population on both sides of the Adriatic retained the right of fishing beyond one mile from the coast. The conference in Gorizia set a regulatory framework for the Adriatic that was in power until World War I (Reiter, 2015).

FISHING IN THE ADRIATIC SEA AT THE BEGINNING OF THE 20TH CENTURY

During the next years fishing was freely allowed, except within one mile from the coast and it was based on past regulations. Conflicts at the local level and the battle for proper fishing regulations continued, and the Dalmatian representatives in the battle became increasingly louder in expressing their discontent⁵. In June 1907 in Trieste a meeting was held by the Monarchy's *Commissione centrale per la pesca marittima*, after which the right of fishing within a mile from the coast was extended for the residents of coastal municipalities. It was the last conference before World War I which significantly changed the map of the Adriatic coast (Reiter, 2015).

Growing dissatisfaction with the state in the nation, the loss of the ruler Franz Joseph I as a symbol of state and defeats in the war caused the Austro-Hungarian Monarchy to crumble. In early October, the National Council of Slovenes, Croats and Serbs was formed as the representative body of all South Slavs in the Monarchy and at the end of October 1918 the State of Slovenes,

1 The author wishes to thank professor Josip Faričić from University of Zadar for his suggestions and advices.

2 The Adriatic legal framework mostly adhered to European trends. Most of the European treaties before the 19th century referred to the fish stock and the right of sea passage. See: Daggett, 1934; Reiter, 2015.

3 See: SAZ, 386, 17, 10.

4 The three mile distance was a standard measure for territorial waters in agreements during the 19th century. See: Daggett, 1934.

5 For example, see: SAZ, 370, 1, 52.



Fig. 1: Arbe (Croatia), Fishing boats, 1883

Sl. 1: Rab (Hrvaška), Ribiški čolni, 1883

Source/vir: Faber, G. L. (1883): *Fisheries of the Adriatic and the Fish Thereof: A Report of the Austro-Hungarian Sea-Fisheries, with a Detailed Description of the Marine Fauna of the Adriatic Gulf.* London, Bernard Quaritch.
File:FMIB 32729 Arbe.jpeg. From Wikimedia Commons

Croats and Serbs was proclaimed. A part of the politicians believed that the unification with the Kingdom of Serbia and Montenegro would contribute to securing the order in the country and to strengthening the defense against Italy (Reiter, 2015). The State of Slovenes, Croats and Serbs was united with the Kingdom of Serbia by the Act on 1 December. A new state called the Kingdom of Serbs, Croats and Slovenes was created. The new state faced problems with its recognition as certain parts of it were promised to Italy by the Treaty of London⁶. Italy had, according to the provisions of the truce⁷ and the Treaty of London, occupied some of the towns and islands and declared the Government for Dalmatia, dalmatian islands and the islands of Korčula archipelago. The officers of the port authorities and commanders of the control offices for maritime and port services in the occupied territory were given the right to issue orders related to maritime and port security, anchorages, sea shores and coastal areas (SAZ, 386, 58, 110). On the other hand, the Kingdom of Serbs, Croats and Slovenes declared fishing bans for foreigners in territorial waters in the area of six miles from the coast to be in force (Županović, 1995).

The undetermined legal status of coastal regions and lackness of an international legal ground for limitations in the territorial sea made fishing matters complicated (Reiter, 2015). The negotiations on the post-war conference in Paris and direct negotiations between Yugoslavia and Italy during 1919 were not successful so the highest state representatives agreed to meet aging soon in Italy. The result of those negotiations was the Treaty of Rapallo concluded on 12 November 1920. According to the Treaty the following territories were given to Italy: Istria without the municipality of Kastav, Zadar and the surrounding area, the islands of Cres, Lošinj, Lastovo and Palagruža with the surrounding rocks and islets (Diklić, 2010).

The treaty was met with criticism on both sides and it became clear that the new borders in the eastern Adriatic created a necessity for implementation of the new Adriatic policy⁸. According to the provisions from Rapallo, the question of fishing was to be resolved in mutual agreement. Italy started to establish fishing companies whose members stood up in defense of Italian fishing interests while seeking grounds for the Italian fishing zone. The Italian papers warned the government that an agreement should be made according to which the



Fig. 2: Signing of the Treaty of Rapallo

Sl. 2: Podpis Rapalske pogodbe

Source/vir: <http://www.enciklopedija.hr/Natuknica.aspx?ID=51831>

rights of the two countries would not be equal. The Italian fishermen were supposed to have the right of fishing in the territorial waters, in addition to the exclusive right of fishing for the inhabitants of the coastal municipalities within one mile from the coast⁹. On the other side of the Adriatic Sea in January 1921 a conference on fishing was held in Split. During the conference, the Yugoslav fishermen voiced their dissatisfaction with the reached agreements and expressed the need to protect the Yugoslav interests in the future (Basioli, 1973). A protection of the Adriatic Sea was requested, emphasizing that the concessions for the Italians, should they need to occur, should be applied only in certain areas without compromising domestic interests¹⁰.

In the Northern Adriatic the Italians possessed the Gulf of Trieste, almost entire coast of Istria, Cres and Lošinj. In the territory of Rijeka a free independent state was founded where the Italians were in charge (Patafta, 2006). In northern Dalmatia, they possessed the Zadar enclave, and in the south they had the islands of Lastovo and Palagruža with nearby islands. Zadar presented a huge political gain for the Kingdom of Italy, but it was also a great economic burden since the city was cut off from its hinterland and its economic prospects did not look promising (Reiter, 2015). Island of Lastovo, along with nearby islands, was proclaimed to be a municipal-

6 The Treaty of London was concluded on 26 April 1915 between the Triple Entente and the Kingdom of Italy. Italy was supposed to get Trentino, Cisalpine Tyrol with its geographical and natural frontier, Trieste, Gorizia, county of Gradiška and Istria and Kvarner as a compensation for joining the war on the side of the Entente. According to Article 5, Italy was supposed to get the province of Dalmatia in its then-administrative borders; between Lisarica and Tribanj to Cape Planka, Kvarner islands Cres, Lošinj and nearby outlying islands as well as all the Dalmatian islands, except for Hvar, Brač, Šolta, Drvenik Veli and Drvenik Mali. See: Šišić, 1920.

7 For the conditions of the truce between Austria and Italy, see: Narodni list, 7. 11. 1918: Sklopljeno primirje Austrije s Italijom, 1.

8 For more see: Reiter, 2015; SAZ, 370, 1, 85.

9 Corriere di Zara, 30. 6. 1921: Basi di un protocollo, 1-2. The Italians demanded negotiating in accordance with the provisions of the Conference in Gorizia from their representatives.

10 For more see: Reiter, 2015; SAZ, 370, 1, 85.

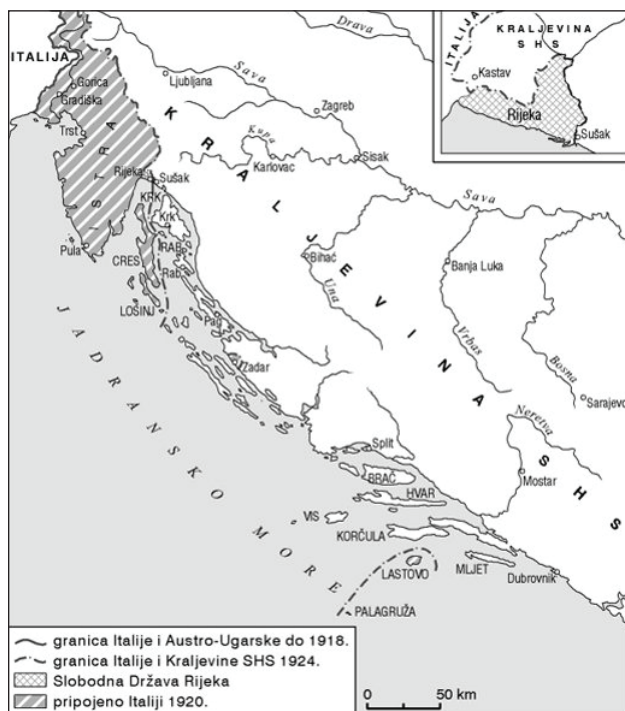


Fig. 3: Map of the eastern Adriatic coast after the Treaty of Rapallo

Sl. 3: Zemljevid vzhodne jadranske obale po Rapalski pogodbi

Source/vir: <http://www.enciklopedija.hr/Natuknica.aspx?ID=51831>

ity within the province of Zadar¹¹. Although this province was far away and thus neglected from all aspects, both countries showed interest for fishing in the Lastovo channel. Due to the geological conditions and the dynamic changes of the current, the sea around Lastovo and the archipelago of Lastovo was characterized by rapid changes in the fish stock that were favourable for fishing¹².

THE BRIJUNI CONVENTION

In order to reach the final agreement, the Italian and Yugoslav government called for a conference that was

held in Belgrade during the spring and summer of 1921¹³. The negotiators from the Kingdom of Serbs, Croats and Slovenes were prominent experts in the field with years of experience in fishing issues in the institutions of the former Austro-Hungarian state (Reiter, 2015). Among them was Petar Lorini, former fishing inspector at the Ministry of Maritime Affairs of the former monarchy who was known for his innovative solutions for improvement of fishing. Together with the representative Fran Ivanišević in the initial stage of negotiations that were held during spring in Belgrade, Lorini requested a relocation of the limits of the territorial sea to five miles from the coast¹⁴, as well as a ban on hunting for Italian fishermen along the coast (Basioli, 1973). This dispute caused temporary cessation of the negotiations which were renewed in June when a certain progress was achieved. Commercial disputes were resolved by the Commercial Agreement concluded on 12 July 1921. It served as a basis for further negotiations regarding the task to define the legal foundations for the common fishing zone in accordance with the protection of the fish stocks of the Adriatic (Reiter, 2015). In such an atmosphere, the two parties parted ways without a final agreement on fishing.

During the summer, the negotiators gathered again on the island of Brijuni. There were changes in the Yugoslav delegation¹⁵ so the Kingdom of Serbs, Croats and Slovenes was represented by the following representatives: Ivo Krstelj, Milan Lazarević, Budislav Stipanović, Ivan Paštrović and Maksim Sardelić¹⁶. Italy was represented by count Fulco Tosti di Valmuta, Gustavo Brunelli, Giustianiano Bullo and Andrea Davanzo. The eastern Adriatic coast is known for its fishing wealth and the Italians relied on the rights they enjoyed during the last centuries as well as their advanced fleet which was no match to the Yugoslavian fleet. The need for fish in Italy was growing and a lot of pressure was put on negotiators. From Brijuni the delegates headed towards South and to agree on final fishing boundaries. They travelled stopping in different ports where they met with fishermen and prominent experts. In the middle of August, they visited Split, Trogir and Korčula, where they were ceremonially greeted.¹⁷ While sailing along the coast back towards Brijuni, the cruiser stopped in Zadar in the night of 22 August, where the representatives of both

11 SAZ, 118, 52, 240; Bollettino ufficiale, 20. 1. 1921: Parte ufficiale, 4.

12 For information on the abundance of the fish stock of the area, see: Basioli, 1978; 1981; 1985. *Corriere di Zara* states that the triangle Lastovo-Palagruža-Sušac is a significant fishing area for the fishing of sardines, mackerels, mullets and lobsters. *Corriere di Zara*, 9. 8. 1921: La pesca nell' Adriatico, 1.

13 *Corriere di Zara*, 30. 6. 1921: Basi di un protocollo, 1-2.

14 Given that during the negotiations there was no international agreement regarding the limits of the territorial sea, negotiators had no basis for reference. In the period between the two world wars, a serious discussion began on the issue of territorial waters, and an important step forward was made in 1930 when a conference was held in Hague. For more information on the conference, see: Miller, 1930.

15 Ivan Skormeža was removed during the negotiations in Belgrade, and Lorini passed away on 17 June. See: Basioli, 1973, 140; SAZ, 370, 1, 88.

16 *Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia*, 1923, vol. II, N. 281: Accordo fra i delegati del Regno d'Italia e del Regno dei Serbi, Croati e Sloveni per un progetto di convenzione per regolare la pesca nell' Adriatico, 1070-1087.

17 *Corriere di Zara*, 26. 8. 1921: La crociera dello "Zara", 2.

countries were met by the town representatives¹⁸. On 24 August the participants of the negotiations set off from Zadar towards Brijuni, where the negotiations were finished in early September¹⁹. Although the newspapers speculated on the outcome of the negotiations towards their end, they were held in secret, which deteriorated the already strained relations between the two countries (Reiter, 2015). The speculations about the outcome of the negotiations came to halt in mid-September when the text of the Brijuni Convention²⁰ was officially published.

DIVISION OF THE EASTERN ADRIATIC SEA ACCORDING TO THE BRIJUNI CONVENTION

The demarcation line of the fishing zones was mostly positioned one nautical mile from the shores of the mainland and the islands or very small islands and reefs that were inhabited or used for economic activities²¹. The larger portion of the territory that was covered by the agreement included zones²² where the fishermen from the both sides had rights to fish. The zones were divided into two categories: zone under the sovereignty of only one country and zones under the sovereignty of more countries. The latter ones included the Gulf of Rijeka²³, Srednja vrata²⁴, Krušija²⁵, channel the channel between islands of Plavnik and Krk, Gulf of Kvarnerić, a part of Zadar channel²⁶ and Lastovo channel. In this area, the sovereignty was divided among Kingdom of Serbs, Croats and Slovenes, Kingdom of Italy and Free State of Fiume. In general this meant that the fishermen from all three states were allowed to fish without restrictions, besides the one nautical mile rule (Reiter, 2015). The zone which included the channels of Silba, Olib, Pohlip and Maun, as well as a part of the Zadar channel was controlled by the Kingdom of Serbs, Croats and Slovenes. Its northern boundary was located at a distance of one mile north of the line which connected the

islet Grujica and cape Samotvorac on the island of Silba, reef Moravnik near the island of Olib, northwestern end of the island of Škrda and cape Mišnjak on the island of Pag. The southern border of the zone was a line that connected the northern border of Zadar with Lukoran on the island of Ugljan. Having a zone that was under a single Yugoslavian sovereignty did not have an effect on fishing. Fishing was still free for fishermen from both states and, due to lackness of a strong fleet, Yugoslavian side was challenged to take real control over this zone.

At the north Yugoslav side retained jurisdiction over the Vinodol and Velebit Channel. Northern Dalmatia, except for the Vir sea and a part of the Zadar Channel, as well as central Dalmatia, continued to belong to Yugoslav fishermen. The same was applied for southern Dalmatia, with the exception of the Lastovo channel. The delimitation between the first mile of the coastal zone and the zones where fishing was free for everyone was established by a line that was modified in certain zones. There were two demarcation lines, eastern and western one, which divided the above mentioned zones. The eastern line was based on the boundaries of the Free State of Fiume²⁷ following the coast to Urinj, then descended south towards the island of Sveti Marko, Krk capes Tenka Punta²⁸ and Čuf, and then towards capes Pelova, Glavotok and Crnika²⁹. With the exception of the gulf of Krk, the line was extended towards capes Negrin and Bracol, crossing over the northern edge of the island of Prvić and St. Grgur, next to capes Sorinj and Kalifront on the island of Rab. It further extended towards the island of Pag, following the coast from Lun to the cape Zaglav near Košljun³⁰, and from there it stretched along the western coast of the island of Vir³¹ towards Privlaka and further on towards Petrčane³². The line that connected cape Artić near Privlaka and cape Skala next to Petrčane did not follow the coastline, instead it bypassed the bay of Zaton, as it is known today. From there the line continued to stretch along the coast re-

18 Corriere di Zara, 24. 8. 1921: La commissione mista per la pesca nell'Adriatico, 2-3.

19 Corriere di Zara, 10. 9. 1921: L'accordo sulla pesca, 2.

20 The text of the Convention can be found in: Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, 1923: Accordo fra i delegati del Regno d'Italia e del Regno dei Serbi, Croati e Sloveni per un progetto di convenzione per regolare la pesca nell'Adriatico, 1070-1087. In case of dispute, the Italian version of the agreement was recognized as the original, therefore it is the version used in this paper.

21 For deviations from that rule, see further below.

22 For information on the cartographic representation of the division of the Adriatic after the Brijuni Convention, see: SAZ, 383, call number 191.

23 The area of Rijeka's territorial waters was located outside the zone of joint control.

24 It. *Canale di Veglia*. The channel is located between the islands of Cres and Krk. Comp. Peljar I. 1999.

25 It. *Corsia*. The channel is located between islands Plavnik and Cres and today it is regarded as a part of the Srednja vrata.

26 The sea between Zadar and Ugljan was divided at its north with a line that connected the northern point of Zadar with Lukoran, and at the south the demarcation line connected the southern border of Zadar and the island of Ošljak.

27 According to the Rapallo Treaty the Free State of Fiume was established within the limits of the former Hungarian *corpus separatum*, ie. within the limits of town and district of Rijeka, with the addition of a part of western Istria. See: Novak, 1985, p. 98.

28 It. *Punta Sottile*.

29 It. *Punta Desiderio*.

30 It. *Porto Cassion*.

31 It. *Puntadura*.

32 A suggestion similar to this one was made by the paper Corriere di Zara during the negotiations. They demanded an exemption of certain coasts and islands of Kvarner and Kvarnerić from one mile zone. See: Corriere di Zara, 30. 6. 1921: Basi di un protocollo, 1-2.



Fig. 4: Map of the Adriatic Sea after the Brijuni Convention (SAZ, 383, 191)

Sl. 4: Karta Jadranskega morja po Brionskem sporazumu (SAZ, 383, 191)

maintaining one mile away from the coastal limits of Zadar. The western line started in the Zadar channel on the island of Ošljak and connected it with the islet Idula, cape Križ on the island of Sestrunj, cape Kok on the island of Ist and cape Lopata on the island of Premuda. The line continued to follow the northeastern coast of Premuda linking the island Lutrošnjak, cape Radovan on the island of Ilovik³³, islet of Palacol and capes of Cres, St. Damjan and St. Duh³⁴ without following the southeastern coastline of Cres. In that way, the sea between the capes of St. Damjan and St. Duh was preserved for the inhabitants of Cres. From the cape St. Duh, the line followed the coastline of Cres up to the cape Tarej, where it was interrupted in the area of channel Krušija. After

that, it followed the northeastern coast connecting cape Kosminj and cape Jablanac. The line was interrupted there at Moščeniča, after which it followed the coast to the border of the Free State of Fiume at a distance of one mile. Fishing boundaries around the islands within the zones of free fishing were set at a distance of one mile³⁵ and thus the inhabitants of the islands retained the exclusive right of fishing within that zone (Reiter, 2015).

Taken into consideration the political division of the borders and the length of the coastline achieving an agreement that would be satisfying for both parties seemed impossible so certain deviations were made. The demarcation line spreaded around the island of Plavnik in Kvarner one mile from the cape Veli Pin³⁶ on Plavnik to the cape Madona following the northeastern and the southern coast of the island surrounding the islands of Kornati. Trawling was forbidden in the entire area of the Krušija channel and in the Zadar channel within the agreed limits. The one mile zone was limited to the distance of 300 meters in the northern part of the Srednja vrata³⁷, in the Maun channel, at the eastern shores of Planik and around the islets Grebeni³⁸ in the Silba channel. The rights to fish within one mile around was limited to certain islands³⁹ in the Kvarnerić area and it was given to inhabitants of Cres and Lošinj (Italian territories) as well as Novalja and Rab (Yugoslavian territories). It is considered that this was a compensation for the Italian fishermen with centuries long tradition in fishing coming from the northern towns of today Italy.

Having in mind Adriatic fishing agreements from past centuries we see that the Brijuni Convention relied on some of them. In the area of the Lastovo channel, an exception was made from the one mile rule. Fishing was allowed to the inhabitants of the island within a two mile zone. For the residents of Lastovo, the border was a line that connected the islet of Glavat, northern capes of Lastovnjaci, Lastovo, Sušac and the islets between them⁴⁰. The inhabitants of Korčula had the right to fish within the area south of the island: from the line which connected cape Velo Dance, the most prominent islands south of Korčula and cape Veli Zaglav. After that, the line followed the coast to the cape Ražnjić. Due to previous regulations and yugoslavian demands certain deviations were agreed (Reiter, 2015). Forty boats from Komiža received a permission to fish around Palagruža during the summer and ten fishing boats from Vis had

33 It. *Asinello*.

34 In the Convention *Coromacna* is mentioned as the name of the cape. Today, the name Koromačna belongs to a bay on the island of Cres, and the nearby cape is called St. Duh. Comp.: SAZ, 383, call number 191; Peljar, 1999, p. 105.

35 For more exceptions, see below.

36 It. *Punta Cruz*.

37 The furthest points of the border were capes Pelova and Negrit on the island of Krk, capes Grota and Kosminj on the island of Cres, capes Veli Pin and Madona on the island of Plavnik. Channels Krušija and bay of Krk were exempt from the zone.

38 It. *Pettini*.

39 The regulation refers to three islands east from Cres (Veli Ćutin, Mali Ćutin i Trstenik) and Grujica in the Kvarner channel.

40 The line followed northern capes Vrhovnjak and Donji škoji, thus connecting them with prominent capes of the northern coast of Lastovo. Further on, it followed the northern coasts of the islets that were located western of Lastovo connecting them with the western coast of Sušac. For more information on the division of the archipelago of Lastovo, see: Peljar, 1999, pp. 278-282.

the right of fishing around Sušac. The inhabitants of Lumbarda on the island of Korčula received a permission to fish around Vrhovnjak in the eastern part of the archipelago of Lastovo. The western parts of the islands Lastovnjaci were left to the Italian fishermen. For fishing in the waters of Rijeka, Zadar, Lastovo channel and around Sušac and Palagruža, the fishermen had to possess a special permit issued by the port where they were registered, in addition to the permission of the authorities. During fishing in the common fishing areas fishermen were freed from the obligation to obtain consular permit for crossing the sea border.

Control over the joint fishing zones was supposed to be implemented so that the each party controlled its own territorial waters in accordance with the provisions of the Convention and the laws of the state. The provisions on fishing of the Brijuni Convention could legally go into effect only by the ratification by both countries. Dissatisfaction with the outcome of the agreement caused discussions that have prolonged the process of ratification, thus the fishing remained in crisis. The Conventions in Santa Margherita Ligure, signed on 23 October 1922, resolved the remaining issues between the two countries. After its signing the Brijuni Convention was extended for five years without ratification. The provisions of the Brijuni Convention officially came into power in the Italian Parliament in February 1923 through the ratification of the above mentioned Conventions⁴¹. The Kingdom of Serbs, Croats and Slovenes officially declared the Convention at the end of 1923.⁴² In the coming decades the cooperation in the fishing zones was not taking place in accordance with Brijuni Convention and several cases of violation were recorded so fishermen filed appeals⁴³. The Italian side felt they were deprived from their historical right to fish on the eastern Adriatic coast which led to serious damage in Italian fishing industry. The Yugoslavian side was reporting violations from the Italian side in terms of using vessels which were bigger and stronger that permitted and illegal permissions. The government in Belgrade showed little interest for fishing in general so it isn't surprising that these appeals were not accepted (Reiter, 2015). Small Yugoslavian fleet proved to be no match for the illegal fishing, causing disputes during

the following years. Due the following issues and political reasons the Convention was not renewed during bilateral meeting in 1936⁴⁴ therefor fishing provisions remained vague during the coming years.

CONCLUSION

After the end of the World War I, the relations between the Kingdom of Italy and the Kingdom of Serbs, Croats and Slovenes were tense. The two countries had a number of unresolved territorial and demographic issues after the Paris Peace Conference. In such circumstances, the question of fishing could be resolved only after the agreement on the demarcation which was signed in late 1920 in Rapallo. The final framework for the fishing policy in the Adriatic was provided by the signing of the Brijuni Convention on fishing in 1921. The agreement signified a great improvement in addressing the burning issue of fishing in the Adriatic. The eastern Adriatic, which was administratively and politically fragmented, was thus given the legal framework upon which the local authorities and fishermen could refer to.

The Italians possessed a significantly more advanced technology for fishing at the time of the signing of the agreement, therefore they were granted entry into inter-insular areas in the east Adriatic, which carried much significance for them. Having in main the percentage of territory that Italy gained after the Rapallo Treaty, Italian negotiators proved to be successful. Italy had maintained its dominance in the Kvarner region and gained the right of monitoring and fishing within Kvarnerić and Lastovo channel, which represented an important fishing area. The Yugoslav side retained jurisdiction over the Vinodol and Velebit Channel. Northern Dalmatia, except for the Vir sea and a part of the Zadar Channel, as well as central Dalmatia. The same was applied for southern Dalmatia, with the exception of the Lastovo channel. During the next decades both sides showed discontent with the agreement and several cases of violation were recorded. The lack of political interest from both sides showed that at the time of concluding the Brijuni Convention did not exist nor the will nor the capacity for its implementation.

41 See: Raccolta ufficiale, 1923, N. 281, vol. II., 1070-1087; SAZ, 386, 59, 93.

42 Novo doba, 30. 12. 1925: Pitanje ribolova na Jadranu, 1.; Jadranska straža, 9. 9. 1931: Kršenje konvencija o ribolovu u Jadranskom moru, 237-238.

43 As an example, see: Corriere di Zara, 27. 12. 1921: Le vessazioni jugoslave, 1; Jadranska straža, 9. 9. 1931: Kršenje konvencija o ribolovu u Jadranskom moru, 238; Reiter, 2015.

44 Jadranski dnevnik, 13. 1. 1936: Problem ribolova na Jadranu i talijanska prava na dalmatinsku obalu, 2.

RAZMEJITEV V ZVEZI Z RIBOLOVOM V JADRANSKEM MORJU MED KRALJEVINO SRBOV, HRVATOV IN SLOVENCEV IN KRALJEVINO ITALIJO PO PRVI SVETOVNI VOJNI. BRIONSKI SPORAZUM IZ LETA 1921

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POVZETEK

Članek raziskuje ribolov v Jadranskem morju v prvih desetletjih 20. stoletja. Ribolov je analiziran v luči Brionskega sporazuma, ki je bil podpisan 14. septembra 1921. V skladu s sporazumom je bila vzhodna jadranska obala razdeljena na ribolovne cone. Z analizo italijanskega izvoda Brionskega sporazuma in kartografskega gradiva je bilo ugotovljeno, da je bila le ena cona v okviru enotne suverenosti Kraljevine Srbov, Hrvatov in Slovencev. Obsegala je Silpski, Olibski, Pohlipski in Maunski kanal ter del Zadarskega kanala. V okviru skupne suverenosti pa so bili Reški zaliv, Srednja vrata, kanal Krušija, kanal med otoki Plavnik in Krk, zaliv Kvarnerič, del Zadarskega kanala in Lastovski kanal. Ob upoštevanju, da so imeli italijanski ribiči boljšo opremo, lahko zaključimo, da je glede na odstotek ozemlja s podpisom Brionskega sporazuma Kraljevina Italija dosegla diplomatski in ekonomski uspeh. Z aktom o ratifikaciji so postavljeni temelji za ribiško politiko v Jadranskem morju med obema svetovnim vojnama.

Ključne besede: Brionski sporazum, Jadransko morje, Kraljevina Italija, Kraljevina Srbov, Hrvatov in Slovencev, ribolov, 1921

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