

"LA BRETAGNE"

Canada and France have agreed to submit to binding arbitration their dispute over the condition attached to the fishing licence issued to "La Bretagne", a French factory - freezer trawler registered in Saint-Pierre and Miquelon.

Under the terms of this licence issued by the Canadian authorities, "La Bretagne" may fish in the Gulf of St. Lawrence but may not use its filleting equipment there. This condition is in accordance with the prohibition imposed upon Canadian fishing vessels, with which vessels registered in Saint-Pierre and Miquelon are entitled to fish on an "equal footing" under Article 4 of the 1972 Canada-France Fisheries Agreement. The French authorities have objected to the restriction imposed on "La Bretagne", which they feel is incompatible with the 1972 Agreement.

Under Article 10 of this agreement, any dispute over its application may be submitted by either party to a Commission consisting of a national expert nominated by each of the parties and of a third expert designated by mutual agreement.

Canada has nominated Professor Donat Pharand of the Faculty of Law, University of Ottawa, as its expert. France has nominated Professor Jean-Pierre Quéneudec of the Faculty of Law, University of Paris, as its expert.

Canada and France are in the process of negotiating the text of an arbitration agreement which will settle various issues such as the identity of the third expert, the site of the hearings and the stages in the arbitration procedure.