

**AGREEMENT
BETWEEN THE GOVERNMENT OF CANADA
AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA
ON THE ESTABLISHMENT OF A MEDIATION PROCEDURE
REGARDING THE PACIFIC SALMON TREATY**

THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA (hereinafter, "the Parties"), being parties to the Treaty Between the Government of Canada and the Government of the United States of America Concerning Pacific Salmon, done at Ottawa on January 28, 1985 (hereinafter, "the Treaty") and to the Memorandum of Understanding of the same date (hereinafter, the "MOU");

AWARE that their disagreement over the interpretation of paragraph 1(b) of Article III of the Treaty has hampered the implementation of the Treaty as a whole;

AWARE also that their disagreement over the relationship of paragraph 1(b) of Article III of the Treaty to the other paragraphs of Article III and to the other provisions of the Treaty, and over the application of paragraph A of the MOU, has hampered the negotiation, adoption and implementation of fishery regimes in accordance with the Treaty;

WISHING to find a solution to their dispute without delay;

HAVE AGREED TO THE FOLLOWING, which shall enter into force upon the signing of this agreement:

ARTICLE I

Appointment of Mediator

1. The Parties shall jointly appoint a Mediator before August 22, 1995.
2. Should the Parties be unable to appoint a Mediator before the aforesaid date, they shall approach the Secretary General of the United Nations and call upon his good offices to assist them, if possible before September 20, 1995, in their search for a Mediator acceptable to them.
3. The Mediator shall assume his or her duties within 21 days of his or her appointment, unless otherwise agreed by the Parties.

ARTICLE II

Mission of the Mediator

1. The mission of the Mediator shall be to assist the Parties to find a solution to the problem of the implementation of the Treaty as a whole, having regard in particular to paragraph 1(b) of Article III of the Treaty, the relationship of that paragraph to the other paragraphs of Article III and to the other provisions of the Treaty, and the application of paragraph A of the MOU, in the negotiation, adoption and implementation of fishery regimes in accordance with the Treaty.