

SAINT-PIERRE-ET-MIQUELON (SPM)

The Saint-Pierre-et-Miquelon (SPM) archipelago is located less than 9.5 nautical miles west and southwest of Newfoundland's Burin Peninsula. Negotiations between Canada and France on the delimitation of the continental shelf off Newfoundland and SPM began in 1967. In 1978, after extensions of jurisdiction by both countries, the negotiations were expanded to include fisheries jurisdiction as well.

The French position since 1977 has been that SPM is entitled, in principle, to a full 200-mile exclusive economic zone (EEZ), and that the maritime boundary with Canada is to be determined on the basis of equidistance measured from the nearest coasts of SPM and of Newfoundland and Nova Scotia. This would result in a total maritime zone for SPM of approximately 13,500 square nautical miles (s.n.m.).

Canada's position has been that France is entitled in law to no more than a 12-mile territorial sea.

After a number of unsuccessful rounds of negotiations from 1978, it became clear by 1986 that efforts to reach a settlement had been exhausted.

On January 24, 1987 Canada and France signed an agreement setting out a program to lead to the settlement of the maritime boundary and to provide for fish quotas for France in Canadian waters for the period 1988-1991. The two governments have agreed that the boundary dispute be submitted for binding settlement by an international judicial tribunal, subject to the negotiation of a Compromis on the type and composition of the tribunal and its terms of reference and subject to agreement on fish quotas for the period of the boundary reference. A decision on the boundary will settle the question of ownership of the fish in the disputed zone, a large part of NAFO Division 3Ps where Canadian and French boundary claims currently overlap. Canada considers the quotas allocated to France in this zone meet Canadian obligations under Article 2 of the 1972 Fisheries Agreement. France, on the other hand, argues that these quotas relate to its economic zone off Saint Pierre-and-Miquelon and therefore have no validity.

The negotiation of temporary fisheries quotas for French vessels for 1988-1991 is to allow time for the