

AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF NORWAY ON THEIR MUTUAL FISHERY RELATIONS

The Government of Canada and the Government of Norway,

Having regard to their common concern for the welfare of their coastal communities and the rational management, conservation and utilization of the living resources of the adjacent waters upon which these communities depend;

Recognizing that both Governments propose to extend their areas of jurisdiction over such living resources pursuant to and in accordance with relevant principles of international law, and to exercise within these areas sovereign rights for the purpose of exploring and exploiting, conserving and managing these resources;

Desirous of establishing the terms and conditions under which their mutual fishery relations shall be conducted and of promoting the orderly development of the Law of the Sea;

Taking into account developing state practice and the consensus emerging from the Third United Nations Conference on the Law of the Sea;

Recalling their Agreement of July 15, 1971,⁽¹⁾ with respect to Norwegian Fishing Practices off the Atlantic Coast of Canada and their Agreement of July 15, 1971,⁽²⁾ on Sealing and the Conservation of Seal Stocks in the North-west Atlantic as amended;

Have agreed as follows:

ARTICLE I

The Government of Canada and the Government of Norway undertake to ensure close co-operation between the two countries in matters pertaining to the conservation and utilization of the living resources of the sea. They shall take appropriate measures to facilitate such co-operation and shall continue to consult and co-operate in international negotiations and organizations with a view to achieving common fisheries objectives.

ARTICLE II

1. The Government of Canada undertakes, upon the extension of the area under Canadian fisheries jurisdiction, to permit Norwegian vessels to fish within this area, beyond the present limits of the Canadian territorial sea and fishing zones off the Atlantic coast, for allotments, as appropriate, of parts of total allowable catches surplus to Canadian harvesting capacity, in accordance with the provisions of paragraphs 2 and 3 of this Article.

2. In the exercise of its sovereign rights in respect of living resources in the area referred to in paragraph 1, the Government of Canada shall determine

⁽¹⁾ Treaty Series 1971 No. 27

⁽²⁾ Treaty Series 1971 No. 49