

The allocation of temporary fisheries quotas for French vessels for 1988-91 would be to allow time for the determination of the maritime boundary by the judicial forum. These fisheries arrangements and signature by the Parties of the treaty referring the boundary dispute to third party settlement will be mutually contingent i.e. neither is to come into force without the other. The tribunal will be either the plenary of the International Court of Justice, a Chamber thereof or an ad hoc arbitral tribunal. No final decision has been made on the forum.

Several rounds of negotiations on the Compromis and on interim fish quotas have taken place. Both agreements were to be concluded by the end of 1987 but this timetable was aborted when the French broke off negotiations in Ottawa in October 1987 because of dissatisfaction with the fish quotas offered. Canada offered to resume negotiations at any time and any place. The meetings between French leaders and Prime Minister Mulroney in May in Paris and then at the Economic Summit in June in Toronto fueled hopes for an early resumption of negotiations. However, these expectations have not been realized, mainly because of the serious risk for the future viability of the fishery in 3Ps (where most of the disputed zone is located) forecast by the Northwestern Atlantic Fisheries Organization (NAFO) Scientific Council report in late June. That report shows that a reduction in fishing is needed to rebuild and stabilize the 3Ps cod stock.

The January 24, 1987 agreement continues the arrangement made in 1984 to maintain a favourable atmosphere for the boundary negotiations. Both countries undertook to exercise mutual restraint and forego boarding and inspection of the other's vessels in the zone claimed mutually by Canada and France. This arrangement will remain in place until the rendering of an international judicial decision on the boundary.

Since March 1987 Canadian ports (except in cases of emergency) and the fisheries in 3Ps have been closed to French fisheries vessels which were not abiding by Canada's fisheries management regime in the disputed area.

Two events in 1988 overshadowed efforts to bring the negotiators together again. In April 1988, the Canadian fishing authorities arrested the French fishing vessel the "Croix de Lorraine" within the 200 mile Canadian fishing zone off Newfoundland. In May the