CANADA/USA MARITIME BOUNDARIES AND
FISHERIES NEGOTIATIONS

Canada continued through 1979 to pursue discussions with the USA and France on unresolved maritime boundary delimitation issues.

After one and a half years of painstaking negotiations, Canada and the USA signed, on March 29, 1979 four agreements which had been worked out by the Special Negotiators, Mr. Marcel Cadieux and Mr. Lloyd Cutler. Two of the agreements related to the east coast: a permanent fishery agreement and an agreement to submit the delimitation of the maritime boundary in the Gulf of Maine area to binding dispute settlement. These two agreements were linked so that neither could enter into force without the other. The two west coast agreements provided for a two-year phaseout of halibut and groundfish fishing activities by each state off the coast of the other. No agreement was reached during the negotiations on permanent fisheries arrangements or on a settlement of maritime boundaries for the west coast and the Beaufort Sea. These agreements are now awaiting ratification by the two Governments. Pending ratification, negotiations on maritime boundaries for the west coast and the Beaufort Sea have been in suspense.

The treaty to submit the delimitation of the maritime boundary in the Gulf of Maine area to binding dispute settlement, and the annexed Special Agreement, provided for the submission of the case to a five-judge Chamber of the International Court of Justice for a final decision on the placement of the boundary. Should the International Court of Justice be unable to function under the formula mutually agreed upon by the Governments of Canada and the United States, the dispute will automatically be referred to a special five-member independent International Court of Arbitration.

The Canada/USA East Coast Fishery Agreement is the most comprehensive and detailed fisheries agreement ever negotiated by Canada. It includes five major elements:

(1) a management regime for some 28 fish stocks of mutual interest;

(2) agreed shares and terms of access for each stock;