

ARTICLE I

The Government of Canada and the Government of the Republic of Cuba undertake to ensure close cooperation 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 cooperation and shall continue to consult and cooperate in international negotiations and organizations with a view to achieving common fisheries objectives.

ARTICLE II

1. The Government of Canada undertakes to permit Cuban vessels to fish within the area under Canadian fisheries jurisdiction beyond the limits of the Canadian territorial sea and fishing zones off the Atlantic coast as established prior to January 1, 1977, 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 annually, subject to adjustment when necessary to meet unforeseen circumstances:

- (a) the total allowable catch for individual stocks or complexes of stocks, taking into account the interdependence of stocks, internationally accepted criteria, and all other relevant factors;
- (b) the Canadian harvesting capacity in respect of such stocks; and
- (c) after appropriate consultations, allotments, as appropriate, for Cuban vessels of parts of surpluses of stocks or complexes of stocks.

3. To fish for allotments pursuant to the provisions of paragraphs 1 and 2, Cuban vessels shall obtain licenses from the competent authorities of the Government of Canada. They shall comply with the conservation measures and other terms and conditions established by the Government of Canada and shall be subject to the laws and regulations of Canada in respect of fisheries.

4. The Government of the Republic of Cuba undertakes to cooperate with the Government of Canada, as appropriate in light of the development of fisheries relations between the two countries pursuant to the provisions of this Article, in scientific research required for purposes of management, conservation and utilization of the living resources of the area described in paragraph 1. For these purposes, scientists of the two countries shall consult regarding the conduct of such research and the analysis and interpretation of the results obtained.

ARTICLE III

1. The Government of Canada and the Government of the Republic of Cuba affirm the need to ensure the conservation of the living resources of the high seas beyond the limits of national fisheries jurisdiction, and the special interest of Canada, including the needs of Canadian coastal communities, in such resources in the area beyond and immediately adjacent to the area referred to in Article II. They accordingly undertake to cooperate in the light of these principles, both directly and through international organizations as appropriate, in order to ensure the proper management and conservation of these living resources.

2. Where the same stock or stocks of associated species occur both within the area referred to in Article II and in an area beyond and adjacent to that area, and the nationals and vessels of Cuba participate or wish to participate in fisheries for such stocks within the adjacent area, the two Governments shall seek either directly or through appropriate international organizations to agree upon measures for the conservation and management of these stocks in the adjacent area, taking into account the need for consistency between the measures applying within the area referred to in Article II and within the adjacent area, as well as the principles set out in paragraph 1.