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FEBRUARY 14, 1979  
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# STATEMENT DISCOURS

SECRETARY  
OF STATE  
FOR EXTERNAL  
AFFAIRS.

SECRÉTAIRE  
D'ÉTAT AUX  
AFFAIRES  
EXTÉRIEURES.

NOTES FOR REMARKS BY THE  
SECRETARY OF STATE FOR  
EXTERNAL AFFAIRS,  
THE HONOURABLE DON JAMIESON,  
ON ANNOUNCING THE AGREEMENT  
ON ATLANTIC COAST FISHERIES  
AND BOUNDARIES,  
OTTAWA, FEBRUARY 14, 1979

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On this occasion, I wish to release a joint statement by myself and my colleague Cyrus Vance, and to comment on an auspicious and promising development in Canada/USA relations. Before doing so, it may be useful to give some background by way of introduction. In doing so, I will make no secret of the fact that the two agreements I will be discussing are of a highly technical nature, but I will try to convey to you, and through you to the public, my own understanding, as a non-expert, as to the outcome of a long and complex negotiation.

Urgent problems between Canada and the USA on maritime boundaries and fisheries arose with the extension by both countries of fisheries jurisdiction from 12 to 200 miles, early in 1977. The extension of jurisdiction created two distinct problems. The first was how to draw boundaries between the fishing zones of the two countries and how to deal with fishing in the disputed areas pending agreement on boundaries. It was agreed by both sides that these boundaries would apply for all purposes, including delimitation of the

continental shelf. The second problem resulted from the fact that large areas which had previously been high seas and in which both countries had fished, now fell under the exclusive jurisdiction of either Canada or the USA. This raised the question of whether fishing by one country off the coast of the other should continue and, if so, under what kind of arrangements.

Secretary Vance and myself agreed that, in order to maintain and promote good relations between our two countries, it was important that these issues be resolved as quickly as possible. We therefore appointed two Special Negotiators, Marcel Cadieux on our side, and Lloyd Cutler on the U.S. side, who were mandated to look into these questions on an urgent basis and to make recommendations to the two governments as to how they could be resolved. We had first hoped that these negotiations could be completed within a matter of months. As you know, it soon became clear that this would not be possible because the economic interests involved were substantial, the legal and resource issues were very complex, and careful consultation was required with interested groups in both countries, including the provinces and states.

In October, 1977 the Negotiators made an initial Report to Governments in which they recommended the machinery and general principles for the management of fish stocks of common concern off our coasts, in particular, the establishment of a Joint Fisheries Commission.

Although it was then hoped by both governments that we could work out a global agreement encompassing fishing arrangements off the East and West Coasts and the settlement of the contested maritime boundaries, it gradually emerged that, because of the large size of the disputed area and the very substantial economic and social implications, the problems on the East Coast were more likely to be amenable to agreed solutions. Accordingly, in the last few months, the Negotiators have concentrated their efforts on the East Coast problems.

The result is two recommendations which have now been accepted by both governments. One is that the maritime boundary in the Gulf of Maine/Georges Bank area be referred to binding third party settlement procedures. Details of the third party process such as the forum, its composition, and the particular procedures relating to the case to be submitted to the Court or tribunal, will have to be worked out in further negotiations which are now being undertaken on an urgent basis, and indeed have already achieved a good measure of success. The Negotiators have also recommended, and the Governments have approved, a permanent Atlantic Coast Fisheries Agreement. Full substantive agreement has been reached on the three basic issues relating to fish stocks of common interest:

- (1) the management regime;
- (2) the entitlement or share which each country will take; and
- (3) the area of access.

It still remains, however, for officials to put this agreement in final, treaty language, and this task is also now being undertaken as a matter of urgency.

It is hoped that the two treaties, the one on the third party settlement of the boundary and the other on fisheries arrangements, will be completed and ready for signature, if possible by the beginning of March.

On the West Coast and the Beaufort Sea, it does not appear likely that early agreements can be reached on the settlement of the boundaries. However these questions will continue to be addressed. In the course of their numerous meetings, the two Negotiators have also been concerned with Pacific coast fisheries issues, and the field has been fully and carefully explored. It even looked, a few months ago, as if an agreement could be reached, but after careful consultation with the interested groups it turned out that this was not possible.

For the past several weeks, we have been discussing with the U.S. side the resumption of Pacific coast fisheries negotiations. The need for a Pacific coast agreement has been stressed repeatedly by Mr. Cadieux, as well as in other high-level contacts with the U.S. Administration. As a result, meetings have been arranged for later this week, to take place in Juneau, Alaska, in order to define and articulate the maximum areas of agreement which may be possible. It should be clear, then, that by reaching agreement on the Atlantic coast, we are not in any way abandoning our efforts to reach a fair and balanced agreement on the Pacific coast that will also serve our respective national and joint interests.

If we can now reach agreement on the two Atlantic Coast treaties within the desirable timetable - and this will be no easy task - I will be satisfied that our decision to negotiate solutions to our disputes was a sensible one and that the results are equally advantageous to both countries. My hope now is that our respective countries will confirm the judgment of the two Governments as to the satisfactory and acceptable nature of the outcome.

In reaching these agreements, I would like to acknowledge the support and active personal involvement of my colleague, Cyrus Vance, without whose commitment to a successful conclusion of these negotiations we would not be in a position to make this announcement today.

SUMMARY OF FISHERIES AGREEMENT

<u>SPECIES</u>	<u>AREA</u>	<u>MANAGEMENT CATEGORY</u>	<u>PERCENTAGE SHARES CANADA / USA</u>	<u>ACCESS PROVISIONS</u>
COD	5Z	B-USA	17.0% / 83.0%	Throughout area
COD	5Y	C-USA	1.6% / 98.4%	" "
COD	4X(offshore)	C-Canada	92.5% / 7.5%	" "
COD	4VW	C-Canada	98.6% / 1.4%	" "
HADDOCK	5	B-USA	21.0% / 79.0%	" "
HADDOCK	4X	C-Canada	90.0% / 10.0%	" "
HADDOCK	4VW	C-Canada	90.0% / 10.0%	" "
REDFISH	5	C-USA	1.0% / 99.0%	" "
REDFISH	4VWX <sup>(1)</sup>	C-Canada	65.0% / 35.0%	" "
REDFISH	4RST <sup>(1)</sup>	C-Canada	90.0% / 10.0% of quota allocated to Canadian non-Gulf-based vessels	" "
REDFISH	30 <sup>(1)</sup>	C-Canada	600 metric ton U.S. quota	" "
POLLOCK	4VWX plus 5	A	74.4% / 25.6%	Reciprocal fishing in 4X and 5Ze only
SILVER HAKE	5Ze	B-USA	10.0% / 90.0%	Throughout area
RED HAKE	5Ze	B-USA	10.0% / 90.0%	" "
ARGENTINE	4VWX plus 5Ze	B-Canada	75.0% / 25.0%	" "
CUSK	5Ze	A	66.0% / 34.0%	" "

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WHITE HAKE	4VWX	B-Canada	94.0% / 6.0%	U.S. access limited to 4X
WHITE HAKE	5	B-USA	6.0% / 94.0%	Canadian access limited to 5Ze
OTHER GROUNDFISH	3 and 4	C-Canada	99.0% / 1.0%	To cover by catches in areas of specific entitlements
OTHER GROUNDFISH	5	C-Canada	1.0% / 99.0%	To cover by catches in areas of specific entitlement
SCALLOPS	5Ze	B-Canada in area east of 68°30'W. longitude  B-USA in area west of 68°30'W. longitude	73.35% / 26.65% of the full area	Throughout area
LOBSTER	5Ze	A-in the disputed area pending de- termination of the boundary. Follow- ing boundary settlement Category B by each country on their respective side of the boundary	During Category A management, no in- crease in either country's fishery. Following boundary settlement each country to establish the level of its harvest in its waters.	Limited to disputed area until boundary determined and to res- pective side of boundary after boundary settlement unless other- wise agreed. Any access to the other country's waters would be established on a reciprocal basis



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SQUID (ILEX)	3 and 4	B-Canada	100% / 0%	No fishing in disputed area by either country pending boundary settlement except by mutual agreement. Following determination of boundary each country's fishery limited to its own waters.
SQUID (ILEX)	5 and 6	B-USA	0% / 100%	
SQUID (LOLIGO)	5Z and 6 <sup>(1)</sup>	C-USA	9.0% / 91.0%	Not yet determined
HERRING	5Z and 6 <sup>(2)</sup>	B-USA	Canada to receive 2000 M.T. quota for first three years of agreement. During next three years 2000 M.T. if Total Allowable Catch (TAC) less than 21,000 M.T. If TAC between 21,000 and 45,000 M.T. Canada to receive 50% of increase in TAC until it receives 33.3% of TAC. After six years Canada to receive 33.3% of TAC regardless of the level of TAC.	Reciprocal access between 68°30'W. longitude and 66°00'W. longitude
HERRING	5Y <sup>(2)</sup>	B-USA	0% / 100%	No Canadian access except that portion of 5Y in the area of Grand Manan Banks
HERRING	4WX <sup>(2)</sup>	B-Canada	100% / 0%	No U.S. access

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<u>SPECIES</u>	<u>AREA</u>	<u>MANAGEMENT CATEGORY</u>	<u>PERCENTAGE SHARES CANADA / USA</u>	<u>ACCESS PROVISIONS</u>
MACKEREL	3,4,5, and 6	A-for setting of TAC B-for regulation of domestic fisheries two sides will con- sult in advance of establishment of regulations and allocations to third parties	40.0% / 60.0%	Limited to each country's own waters.

FOOTNOTES:

- (1) The arrangements for Canadian access to loligo squid and U.S. access to redfish off Nova Scotia is only for a ten-year duration at which time it will be renegotiated.
- (2) The management categorization of three herring stocks to be reviewed at the end of three years and may be altered if the two sides agree adequate data is available to support such a change. In any case, at the end of six years the management categories will be reviewed and if necessary their determination submitted to dispute settlement.