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JOINT STATEMENT ON ATLANTIC COAST FISHERIES AND BOUNDARY AGREEMENTS

The Secretary of State for External Affairs, the Honourable Don Jamieson, and the Secretary of State, the Honourable Cyrus Vance, announced today the approval by the Governments of Canada and the United States of the recommendations of Special Negotiators Marcel Cadieux and Lloyd N. Cutler for an Atlantic coast fisheries agreement and an agreement to resolve the boundary delimitation issue in the Gulf of Maine area by binding third party procedures.

The agreements reached will be set out in two separate but related treaties, one on fisheries and the other on third party resolution of the boundary delimitation issue, which would enter into force simultaneously. Treaty texts should be ready for signature by the first of March. They will then be subject to ratification in accordance with the domestic legal requirements of each country. Mr. Jamieson and Mr. Vance expressed their desire to have both treaties ratified as early as possible.

The fisheries agreement builds on the Joint Report of the Special Negotiators that was approved by the two governments in October 1977. A joint fisheries commission will be established to implement the agreement and to provide for cooperative management of fish stocks of mutual interest. Dispute settlement mechanisms will be included as part of the institutional framework created by the agreement in order to resolve any differences that might arise in its interpretation or implementation.

The fisheries agreement also contains detailed sharing, access and management provisions for fish stocks of mutual interest

on the Atlantic coast including the disputed area as well as areas in which each country exercises undisputed fisheries jurisdiction. These provisions include agreement on entitlement shares for the following major fish stocks in the Georges Bank area: 73.35% (Cda) 26.65% (USA) for scallops; 17% (Cda) 83% (USA) for cod; 21% (Cda) 79% (USA) for haddock; and, after six years, 33.33% (Cda) 66.66% (USA) for herring. There are also provisions for allocating to Canadian and U.S. fishermen shares of cod, haddock, pollock and certain other stocks off Canada and the USA. In addition, for the first ten years of the agreement U.S. fishermen will be permitted to fish for agreed entitlement shares of the total allowable catch of redfish off Nova Scotia, and Canadian fishermen will be granted reciprocal privileges to catch loligo squid off the United States.

The fisheries agreement will be permanent, but the shares will be subject to review every ten years, at which time either side may request changes in the shares set out in the agreement in light of the boundary delimitation and other relevant factors. Should the two parties not be able to agree on changes, the binding dispute settlement machinery can be invoked, but the agreement protects the interests of both parties by limiting the extent of the changes which can be made under this procedure.

With regard to the resolution of the boundary delimitation in the Gulf of Maine area, the two governments have agreed to submit this issue to binding third party settlement. While basic principles concerning this submission have been agreed upon, some questions, such as the forum and procedures to be used, remain to be settled in detail. The two governments expect to resolve these issues promptly so that the two treaties can be concluded at an early date.

If, for any reason, the boundary issue is not submitted within two years after the entry into force of the fisheries treaty, to a binding third party dispute settlement procedure constituted in accordance with the terms of the boundary delimitation treaty, either party may terminate the fisheries treaty upon six months' notice to the other party.

Mr. Jamieson and Mr. Vance welcomed these agreements on Atlantic coast issues as a positive development which would strengthen the close and harmonious relationship between the two countries. They expressed the hope that these agreements would provide momentum for the continuation of negotiations directed toward the resolution of the Pacific and Arctic coast issues in an equally amicable fashion.