

**No. 14167**

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**CANADA  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement on Provisional Rules of Navigation and Fisheries  
Safety in the Northeastern Pacific Ocean off the Coast  
of Canada (with the said provisional rules). Signed at  
Moscow on 22 January 1971**

**Exchange of notes constituting an agreement extending the  
above-mentioned Agreement. Moscow, 24 January 1975**

*Authentic texts: English, French and Russian.*

*Registered by Canada on 18 August 1975.*

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF CANADA AND  
THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST  
REPUBLICS ON PROVISIONAL RULES OF NAVIGATION AND  
FISHERIES SAFETY IN THE NORTHEASTERN PACIFIC OCEAN  
OFF THE COAST OF CANADA

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The Government of Canada and the Government of the Union of Soviet Socialist Republics,

Considering it necessary to ensure the safety of life of fishermen, and

Desiring to establish good order in carrying out fishing operations in the north-eastern Pacific Ocean off the coast of Canada, have agreed as follows:

*Article I.* Fishing operations by citizens and vessels of the two Parties shall be carried out in compliance with the Provisional Rules of Navigation and Fisheries Safety in the Northeastern Pacific Ocean off the Coast of Canada, hereinafter referred to as the "Rules", the text of which is attached hereto and forms an integral part of the Agreement.

*Article II.* In the "Rules", "fishing vessel" or "vessel" means any vessel engaged in the business of catching fish or of fish processing or in any operation connected with supplying or servicing such vessels.

*Article III.* The "Rules" shall apply eastward of 135 degrees 00 minutes west longitude and between 48 degrees 20 minutes north latitude and 54 degrees 10 minutes north latitude.

*Article IV.* Nothing in the Agreement shall be deemed to affect the rights, claims or views of either Party in regard to the limits of territorial waters or national fisheries limits, jurisdiction over fisheries, or the conduct of fishing on the high seas.

*Article V.* This Agreement shall enter into force on April 15, 1971.

The Agreement shall continue in force for a period of two years. If no Contracting Party gives notice six months before the expiration of the Agreement of its intention to terminate or amend the Agreement, then it shall be extended automatically for a further period of two years.

DONE at Moscow, on January 22, 1971, in two copies, each in the English, French and Russian languages, each text being equally authentic.

For the Government of Canada:

A. W. H. NEEDLER

For the Government of the Union of Soviet Socialist Republics:

V. M. KAMENTSEV

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<sup>1</sup> Came into force on 15 April 1971, in accordance with article V.

## PROVISIONAL RULES OF NAVIGATION AND FISHERIES SAFETY IN THE NORTHEASTERN PACIFIC OCEAN OFF THE COAST OF CANADA

The "Rules" shall apply eastward of 135 degrees 00 minutes west longitude and between 48 degrees 20 minutes north latitude and 54 degrees 10 minutes north latitude.

### 1. IDENTIFICATION AND MARKING OF FISHING VESSELS

1.1 Each fishing vessel shall carry a national flag in good condition to be shown at the request of the competent authorities, including captains of fishing vessels.

1.2 The nationality of fishing vessels shall not be concealed in any manner whatsoever.

1.3 Fishing vessels of the two countries shall be registered and carry identification marks to ensure their prompt identification at sea.

1.4 Each fishing vessel shall carry on board an official document, issued by the competent authority of its country, showing the name, if any, and description of the vessel, its nationality, its registration letter or letters and number, name of the port of registration, as well as the name of the owner of the vessel.

1.5 The Parties shall officially inform each other of their practices of marking vessels with registration letters and numbers, and name of the port of registration. Each Party shall immediately inform the other of any changes.

### 2. MARKING OF NETS, LONGLINES AND OTHER FISHING GEAR

2.1 Nets, longlines and other gear anchored in the sea, as well as nets and longlines drifting in the sea shall have identification marks to indicate their position and extent.

#### *Anchored fishing gear*

2.2 The ends of nets, longlines and other fishing gear anchored in the sea shall be fitted with flag or radar reflector buoys by day and light buoys by night sufficient to indicate their position and extent. Such lights shall be visible at a distance of at least two miles in good visibility.

2.3 By day the westernmost (meaning the half compass circle from south through west to and including north) end buoy of such fishing gear extending horizontally in the sea shall be fitted with two flags one above the other or one flag and a radar reflector, and the easternmost (meaning the half compass circle from north through east to and including south) end buoy shall be fitted with one flag or a radar reflector. By night the westernmost end buoy shall be fitted with two white lights and the easternmost end buoy with one white light. In addition, a buoy fitted with one flag or a radar reflector by day and one white light by night may be set 70 to 100 meters from each end buoy to indicate the direction of the fishing gear.

2.4 On such fishing gear extending more than one mile, additional buoys shall be placed at distances of not more than one mile so that no part of the fishing gear extending one mile or more shall be left unmarked. By day, every buoy shall be fitted with a flag or a radar reflector and by night, as many buoys as possible with one white light. In no case shall the distance between two lights on the same fishing gear exceed two miles.

2.5 On such fishing gear which is attached to a fishing vessel, a buoy shall not be required at the end attached to the fishing vessel.

2.6 The flagpole of each buoy shall have a height of at least two meters above the buoy.

### *Drift gear*

2.7. Nets or longlines which drift in the sea shall be marked at each end and, at distances of not more than two miles, by a buoy with a pole not less than two meters above the buoy. The pole shall carry a flag or radar reflector by day and a white light by night visible at a distance of at least two miles in good visibility.

2.8. On fishing gear which is attached to a fishing vessel a buoy shall not be required at the end attached to the fishing vessel.

### 3. ADDITIONAL VISUAL AND SOUND SIGNALS TO BE USED BY FISHING VESSELS

3.1. In addition to complying with the International Regulations for Preventing Collisions at Sea (1960), fishing vessels shall comply with the rules herein intended to prevent damage to fishing gear or accidents in the course of fishing operations.

3.2. The rules concerning lights shall apply in all weather from sunset to sunrise when fishing vessels are engaged in fishing as a fleet and during such times no other lights shall be exhibited, except the lights prescribed in the International Regulations for Preventing Collisions at Sea (1960) and such lights as cannot be mistaken for the prescribed lights or do not impair their visibility or distinctive character, or interfere with the keeping of a proper lookout. These lights may also be exhibited from sunrise to sunset in restricted visibility and in all other circumstances when it is deemed necessary.

3.3. The lights provided for by the present "Rules" shall be placed where they can best be seen. They should be at least three feet (0.92 m) apart but at a lower level than the lights prescribed in Rule 9(c)(i) and (d) of the International Regulations for Preventing Collisions at Sea (1960). They shall be visible at a distance of at least one mile, all around the horizon as nearly as possible and their visibility shall be less than the visibility of lights exhibited in accordance with Rule 9(b) of the above Regulations.

### *Signals for trawling and drift netting*

3.4. Fishing vessels, when engaged in trawling whether using demersal or pelagic fishing gear shall exhibit:

3.4.1. When shooting their nets, two white lights in a vertical line one over the other;

3.4.2. When hauling their nets, one white light;

3.4.3. When the net has come fast upon an obstruction, two red lights in a vertical line one over the other.

3.5. Fishing vessels engaged in drift netting may exhibit the lights prescribed in 3.4 above.

3.6. Each fishing vessel engaged in pair trawling shall exhibit:

3.6.1. By day, the "T" flag (Keep clear of me, I am engaged in pair trawling) hoisted at the foremast;

3.6.2. By night, a searchlight shone forward and in the direction of the other fishing vessel of the pair;

3.6.3. When shooting or hauling the net or when the net has come fast upon an obstruction, the lights prescribed in 3.4. above.

### *Light signals for purse seining*

3.7. Fishing vessels engaged in fishing with purse seines shall show two amber coloured lights, in a vertical line one over the other. These lights shall be flashing

alternately about once a second in such a way that when the lower is out the upper is on and vice versa. These lights shall only be shown while the fishing vessel's free movement is hampered by its fishing gear, warning other vessels to keep clear of it.

3.8. In fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, vessels engaged in fishing shall send at intervals of not more than one minute three successive blasts, that is one prolonged blast followed by two short blasts. In addition to the above signal the fishing vessels shall send at an interval of four to six seconds one of the three signals prescribed by the International Code of Signals (1969) that indicates the character of the operation of the vessel, that is two prolonged blasts and one short blast (Golf) when hauling fishing gear, two prolonged blasts and two short blasts (Zulu) when shooting fishing gear and one short blast, two prolonged blasts and one short blast (Papa) when the fishing gear has become fast upon an obstruction.

#### 4. CONDUCT OF FISHING OPERATIONS

4.1. In addition to complying with the International Regulations for Preventing Collisions at Sea (1960), all vessels shall conduct their operations so as not to interfere with the operations of other fishing vessels or fishing gear.

4.2. Vessels arriving on fishing grounds where fishing vessels are already fishing or have set their gear for that purpose shall ascertain, through the authorized officers of their country or by any other convenient means, the position and extent of fishing gear already placed in the sea and shall not place themselves or their fishing gear so as to interfere with or obstruct fishing operations already in progress.

4.3. No vessel shall anchor or remain on a fishing ground where fishing is in progress if it would interfere with such fishing unless required for the purpose of its own fishing operations or in consequence of accident or other circumstances beyond its control.

4.4. When vessels are anchored or drifting on a fishing ground by night, on the bridge of each vessel, including small vessels, a watch shall be kept by a responsible person who will maintain a lookout of the surroundings and who has appropriate qualifications to carry out actions and manœuvres made necessary by the developing circumstances.

4.5. The vessels engaged in trawling, as well as all the other vessels with fishing gear in motion, shall take all possible steps to avoid collisions, entanglement of fishing gear and anchor devices of other vessels on the fishing grounds.

4.6. In order to prevent damage of fishing gear all fishing vessels engaged in trawling as well as all other fishing vessels with fishing gear in motion shall be directed by the following:

4.6.1. Not to come up to a vessel which is drifting with fishing gear, shooting or hauling fishing gear, closer than two cables;

4.6.2. When choosing the direction and place for shooting the wires, paying out a purse seine or Danish seine, the navigators shall not interfere with the operations of the other vessels with trawling gear in motion, or drifting, shooting or hauling their fishing gear;

4.6.3. It is prohibited to shoot wires, or to purse seine or Danish seine in front of the bow of a vessel following with trawling gear;

4.6.4. Movement of vessels engaged in trawling beside each other is regulated as follows:

4.6.4.1. Each of the vessels moving straight toward or nearly toward each other shall turn to the right so that the traverse distance between them is not less

than two cables, and then move so as to exclude the possibility of their fishing gear getting foul of each other;

4.6.4.2. When moving by crossing courses the vessel giving way to the other vessel shall not run across the stern of this vessel at a distance closer than four cables;

4.6.4.3. The overtaking vessel shall not come to the overtaken vessel closer than two cables in traverse;

4.6.5. When fishing with purse seine or Danish seine the vessels shall plan their movement so that after shooting, the distance between their fishing gear and between the vessels is not less than two cables;

4.6.6. Drifting fishing gear shall be payed out so that the distance between the shot fishing gear and the nearest vessels, as well as the fishing gear shot by the nearest vessels, is not less than five cables;

4.6.7. If pair trawlers operate jointly with single trawlers, pair trawling is prohibited in limited visibility of less than five cables.

4.7. When nets belonging to different fishing vessels get foul of each other the captains of the vessels shall take all possible measures to disengage the gear without damage. If it appears impossible to disengage the gear by other means, it may be severed but only upon the consent of the captains.

4.8. When vessels fishing with longlines entangle their lines the fishing vessel which hauls up the lines can only sever them if they cannot be disengaged in any other way, in which case the severed lines shall, where possible, be immediately joined together again.

4.9. Except in cases of salvage and the cases to which the two preceding paragraphs relate, nets, longlines or other fishing gear, shall not under any pretext whatever, be cut, hooked, held onto or lifted up except by the fishing vessel to which they belong.

4.10. In all cases when fouling of fishing gear takes place, the vessel which brought about the fouling shall take all necessary measures to reduce to a minimum the damage which may result to the fishing gear of the other vessel. At the same time the vessel whose fishing gear was fouled shall not take any action tending to aggravate such damage.

4.11. When a fishing vessel engaged in trawling or fishing with gear in motion fouls a vessel which is of necessity at anchor or drifting on the fishing grounds, the vessels must be considered to be in difficulty. Both vessels shall immediately take steps to disengage in a manner which will reduce to a minimum the possibility of damage. When the vessels have become disengaged the captain of the vessel engaged in fishing shall assure himself of the well-being of the other vessel and her crew before leaving the scene of the incident:

4.11.1. When one vessel is fouled by another, the vessel in difficulty shall immediately show a white rocket. It must then make to the other vessel the International Code signal L (. - .) (You must stop your vessel immediately) and the vessel shall immediately act as instructed in 4.11. If the fouled vessel is in distress Rule 31 of the International Regulations for Preventing Collisions at Sea (1960) shall apply.

4.12. Except in cases of *force majeure* no vessel shall dump in the sea any articles or substances or remains of synthetic materials and fishing gear which may interfere with fishing or obstruct or cause damage to fish, fishing gear or fishing vessels.

4.13. No vessel shall use or have on board explosives intended for the catching of fish.

5. OFFICERS AUTHORIZED TO OBSERVE AND IMPLEMENT THE  
“RULES”

5.1. To observe whether the present “Rules” are being complied with by the fishing vessels of the two countries, the Parties shall appoint authorized officers. The Parties shall inform each other of the names of these authorized officers, their office addresses (including telecommunications address) or the names and radio call signs of the vessels which carry such officers and the means and schedule of their contact, including the means of emergency contact.

5.2. The authorized officer shall carry a document of identity written in English and Russian which shows his full name and service rank. This document shall be signed in Canada by the Director of Fisheries, Pacific Region, and in the Union of Soviet Socialist Republics by the Chief, Far Eastern Board for Fisheries “DALRYBA”, respectively.

5.3. Ships carrying authorized officers shall fly a flag signal consisting of a combination of a figure pennant and a flag of the International Code of Signals “8X”.

5.4. The authorized officers may contact vessels and each other from surface ships only.

5.5. If an authorized officer has reason to believe that a vessel of the other Party is not complying with the provisions of the present “Rules” he shall immediately inform an authorized officer of the other Party, in as much detail as possible as to the place of the incident, the main facts and peculiarities of the incident, and his proposals for measures to eliminate infringements of the “Rules” and to reach a mutual solution to the problem.

5.6. When an authorized officer of one Party informs an authorized officer of the other Party of an incident in fisheries or an infringement of these “Rules” such information shall be arranged in the following form:

1. Name, surname, citizenship of the authorized officer,
2. Name, radio call signal and position of the vessel carrying the authorized officer,
3. Date, local time, and position of the incident,
4. Name, hull (registration) number, port of registration, name of the owner of the damaged vessel, name and surname of its captain,
5. Name, hull (registration) number, port of registration, of the vessel which is regarded by the authorized officer as having infringed,
6. A description of the incident,
7. Conditions at the time of the incident, visibility, force and direction of wind, state of the sea, presence and direction of currents, as well as other important relevant circumstances,
8. Estimated damage resulting from the incident,
9. The opinion of the authorized officer regarding the incident and the reasons leading up to it,
10. The proposals of the authorized officer as to how to settle the incident.

5.7. The authorized officers shall maintain continual contact and notify each other of the places of concentrations of their fishing fleets, and of immovable fishing gear; in every case they shall supplement their information by the data necessary to provide for safety in fisheries.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS EXTENDING THE AGREEMENT OF 22 JANUARY 1971<sup>2</sup> ON PROVISIONAL RULES OF NAVIGATION AND FISHERIES SAFETY IN THE NORTHEASTERN PACIFIC OCEAN OFF THE COAST OF CANADA

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD<sup>1</sup> ENTRE LE GOUVERNEMENT DU CANADA ET LE GOUVERNEMENT DE L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES PROROGÉANT L'ACCORD DU 22 JANVIER 1971<sup>2</sup> RELATIF AUX RÈGLES PROVISOIRES DE SÉCURITÉ DE NAVIGATION ET DES PÊCHES DANS LE NORD-EST DU PACIFIQUE AU LARGE DE LA CÔTE DU CANADA

## I

Moscow, January 24, 1975

Moscou, le 24 janvier 1975

Excellency,

I have the honour to refer to the Agreement between the Government of Canada and the Government of the Union of Soviet Socialist Republics on Provisional Rules of Navigation and Fisheries Safety in the Northeastern Pacific Ocean off the Coast of Canada, done at Moscow on January 22, 1971.<sup>2</sup> In accordance with the arrangements recorded in the Summary Records of the meetings of representatives of our two Governments held in Ottawa, November 21-25, 1974 and in Moscow, January 23 and 24, 1975, I have the honour to propose, on behalf of the Government of Canada, that the Agreement be extended for a period of one year from April 15, 1975.

If this proposal is acceptable to the Government of the Union of Soviet Socialist Republics, I have the honour to propose that this note, in English and in

Excellence,

J'ai l'honneur de me référer à l'Accord entre le Gouvernement du Canada et le Gouvernement de l'Union des Républiques socialistes soviétiques sur les règles provisoires de navigation et de sécurité des pêcheries dans le nord-est de l'océan Pacifique au large de la côte du Canada, qui a été fait à Moscou le 22 janvier 1971<sup>1</sup>. Selon les dispositions prises et reflétées dans les comptes rendus des réunions de représentants de nos deux gouvernements qui ont eu lieu à Ottawa du 21 au 25 novembre 1974, et à Moscou les 23 et 24 janvier 1975, j'ai l'honneur de proposer, au nom du Gouvernement de Canada, que l'Accord soit prorogé pour une période d'un an à compter du 15 avril 1975.

Si cette proposition est acceptable au Gouvernement de l'Union des Républiques socialistes soviétiques, j'ai l'honneur de proposer que la présente note,

<sup>1</sup> Came into force on 15 April 1975, in accordance with the provisions of the said notes.

<sup>2</sup> See p. 62 of this volume.

<sup>1</sup> Entré en vigueur le 15 avril 1975, conformément aux dispositions desdites notes.

<sup>2</sup> Voir p. 68 du présent volume.



French, and Your Excellency's reply in Russian to that effect, shall constitute an agreement between our two Governments, to extend the Agreement of January 22, 1971 on Provisional Rules of Navigation and Fisheries Safety on the Northeastern Pacific Ocean off the Coast of Canada, for a period of one year, and to propose that such agreement enter into force on April 15, 1975.

Accept, Excellency, the assurances of my highest consideration.

[Signed]

ROBERT A. D. FORD  
Ambassador

His Excellency  
Mr. V. M. Kamentsev  
First Deputy-Minister of Fisheries  
of the Union of Soviet  
Socialist Republics  
Moscow

en anglais et en français, ainsi que votre réponse en russe constituent entre nos deux gouvernements un Accord qui aura pour effet de renouveler l'Accord entre le Gouvernement du Canada et le Gouvernement de l'Union des Républiques socialistes soviétiques sur les règles provisoires de navigation et de sécurité des pêcheries dans le nord-est de l'océan Pacifique au large de la côte du Canada, fait à Moscou le 22 janvier 1971, pour une période d'une année et de proposer que cet accord entre en vigueur le 15 avril 1975.

Veillez agréer, Excellence, les assurances de ma très haute considération.

L'Ambassadeur,

[Signé]

ROBERT A. D. FORD

Son Excellence  
Monsieur V. M. Kamentsev  
Premier Sous-Ministre des Pêcheries  
de l'Union des républiques  
socialistes soviétiques  
Moscou

## II

[RUSSIAN TEXT — TEXTE RUSSE]

Москва, 24 января 1975 года

Ваше Превосходительство,

Имею честь сослаться на Вашу ноту от 24 января 1975 года относительно Соглашения между Правительством Союза Советских Социалистических Республик и Правительством Канады о временных правилах безопасности плавания и ведения промысла рыбы в северо-восточной части Тихого океана и побережья Канады, подписанного в г. Москве 22 января 1971 года и на договоренность, зафиксированную в протоколах совещаний представителей обоих Правительств, состоявшихся в Оттаве 21-25 ноября 1974 года и в Москве 23-24 января 1975 года, и от имени Правительства Союза Советских Социалистических Республик выражаю согласие на продление срока действия Соглашения, начиная с 15 апреля 1975 года, сроком на один год.

Имею честь сообщить Вам, что Правительство Союза Советских Социалистических Республик согласно рассматривать Вашу ноту от 24 января 1975 года и настоящий ответ как соглашение между нашими Правительствами о продлении еще на один год Соглашения о временных правилах безопасности

плавания и ведения промысла рыбы в северо-восточной части Тихого океана у побережья Канады, подписанного в г. Москве 22 января 1971 года. Соглашение вступит в силу 15 апреля 1975 года.

Примите, Ваше Превосходительство, уверения в моем высочайшем к Вам уважении.

Первый заместитель Министра рыбного хозяйства СССР

[Signed — Signé]

В. М. КАМЕНЦЕВ

Его Превосходительству Г-ну Р. А. Д. Форду  
Послу Канады в СССР  
г. Москва

[TRANSLATION<sup>1</sup>]

Moscow, January 24, 1975

[TRADUCTION<sup>1</sup>]

Moscou, le 24 janvier 1975

Excellency,

I have the honour to refer to your Note dated January 24, 1975 concerning the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of Canada on Provisional Rules of Navigation and Fisheries Safety in the Northeastern Pacific Ocean off the Coast of Canada, done at Moscow on January 22, 1971 and to the arrangements recorded in the Summary Records of the meetings of representatives of our two Governments held in Ottawa, November 21 to 25, 1974 and in Moscow January 23 and 24, 1975. On behalf of the Government of the Union of Soviet Socialist Republics, I agree that this Agreement be extended for a period of one year from April 15, 1975.

I have the honour to inform you that the Government of the Union of Soviet Socialist Republics agrees to regard your Note dated January 24, 1975 and this reply as an Agreement between our two Governments to extend for one more year the Agreement on Provisional Rules of Navigation and Fisheries Safety on the Northeastern Pacific Ocean off the Coast of Canada done at Moscow on

Votre Excellence,

J'ai l'honneur de me référer à votre note du 24 janvier 1975 au sujet de l'Accord entre le Gouvernement de l'Union des Républiques socialistes soviétiques et le Gouvernement du Canada sur les règles provisoires de navigation et de sécurité des pêcheries dans le nord-est de l'océan Pacifique au large de la côte du Canada, fait à Moscou le 22 janvier 1971, et de me référer également aux dispositions prises et reflétées dans les comptes rendus des réunions de représentants de nos deux gouvernements qui ont eu lieu à Ottawa du 21 au 25 novembre 1974 et à Moscou les 23 et 24 janvier 1975. Au nom du Gouvernement de l'Union des Républiques socialistes soviétiques, j'accepte la prorogation de cet Accord pour une période d'un an à compter du 15 avril 1975.

J'ai l'honneur de vous informer que le Gouvernement de l'Union des Républiques socialistes soviétiques accepte de considérer votre note du 24 janvier 1975 et la présente réponse comme constituant entre nos deux gouvernements un accord qui aura pour effet de renouveler pour un an l'Accord sur les règles provisoires de navigation et de sécurité des pêcheries dans le nord-est de l'océan

<sup>1</sup> Translation supplied by the Government of Canada.

<sup>1</sup> Traduction fournie par le Gouvernement canadien.

January 22, 1971. The Agreement shall enter into force on April 15, 1975.

Please accept, Excellency, the assurances of my highest consideration.

The First Deputy-Minister  
of Fisheries of the USSR

*[Signed]*

V. M. KAMENTSEV

His Excellency R. A. D. Ford  
Ambassador of Canada  
to the USSR

Pacifique de la côte du Canada, fait à Moscou le 22 janvier 1971. L'Accord entrera en vigueur le 15 avril 1975.

Veillez agréer, Votre Excellence, l'expression de ma plus haute considération.

Le Premier Sous-Ministre des pêches  
de l'Union des Républiques socialistes  
soviétiques,

*[Signé]*

V. M. KAMENTSEV

Son Excellence R. A. D. Ford  
Ambassadeur du Canada en Union  
des Républiques socialistes soviétiques