

**No. 24936**

---

**CANADA  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement on mutual fisheries relations. Signed at Moscow  
on 1 May 1984**

*Authentic texts: English, French and Russian.*

*Registered by Canada on 16 July 1987.*

---

**CANADA  
et  
UNION DES RÉPUBLIQUES  
SOCIALISTES SOVIÉTIQUES**

**Accord sur leurs relations mutuelles en matière de pêche.  
Signé à Moscou le 1<sup>er</sup> mai 1984**

*Textes authentiques : anglais, français et russe.*

*Enregistré par le Canada le 16 juillet 1987.*

## AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS ON MUTUAL FISHERIES RELATIONS

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

Having regard to the concern of both Governments for the rational management, conservation and optimum utilization of the marine living resources, and the concern of the Government of Canada for the welfare of its coastal communities and for the living resources of the adjacent waters upon which these communities depend,

Recognizing that the Government of Canada has extended its jurisdiction over the living resources of its adjacent waters pursuant to and in accordance with relevant principles of international law, and exercises within a zone of 200 nautical miles sovereign rights for the purpose of exploring and exploiting, conserving and managing these resources,

Taking special account of the importance of scientific research in the conservation, management and utilization of marine living resources and their desire to coordinate their activities in this field,

Taking into account traditional Soviet fishing as well as the contribution to scientific research and identification of stocks in the Canadian Atlantic fishing zone and in the adjacent waters of the Northwest Atlantic Ocean,

Noting the positive nature of cooperation between the two Governments under the Agreements of December 22, 1975<sup>2</sup> and May 19, 1976<sup>3</sup> on mutual fisheries relations,

Reaffirming their desire to maintain mutually beneficial cooperation in the field of fisheries, and in particular to expand their economic cooperation in this field,

Desirous of establishing the terms and conditions under which their mutual fishery relations shall be conducted and of promoting the orderly development of the Law of the Sea,

Taking into account the Convention on the Law of the Sea developed by the Third United Nations Conference on the Law of the Sea,

Have agreed as follows:

*Article I.* The Government of Canada and the Government of the Union of Soviet Socialist Republics undertake to ensure close cooperation between the two countries in matters pertaining to the conservation and optimum utilization of the marine living resources. They shall take appropriate measures to facilitate such cooperation and shall continue to consult and cooperate in international negotiations and international organizations with a view to achieving common fisheries objectives.

<sup>1</sup> Came into force on 1 May 1984 by signature, in accordance with article XII.

<sup>2</sup> United Nations, *Treaty Series*, vol. 1132, p. 131.

<sup>3</sup> *Ibid.*, p. 139.

*Article II.* 1. The Government of Canada undertakes to permit USSR vessels to fish within the areas under Canadian fisheries jurisdiction, beyond the limits of the Canadian fishing zones off the Canadian Atlantic and Pacific coasts established prior to January 1, 1977, for allocations, as appropriate, of parts of total allowable catches surplus to Canadian harvesting capacity, in accordance with the provisions of this Article.

2. In the exercise of its sovereign rights in respect of living resources in the areas 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, including the best scientific evidence available, and all other relevant factors;
- (b) The Canadian harvesting capacity in respect of such stocks;
- (c) After appropriate consultations, allocations for USSR vessels of parts of surpluses of stocks or complexes of stocks, taking into consideration all relevant factors.

3. The Government of Canada shall notify the Government of the Union of Soviet Socialist Republics as far in advance as possible of the decisions made under paragraph 2 sub-paragraphs (a) and (c).

4. To fish for allocations pursuant to the provisions of paragraphs (1) and (2), USSR vessels shall obtain licences 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.

5. The Government of Canada shall notify the Government of the Union of Soviet Socialist Republics as far in advance as possible of the adoption of new terms and conditions in respect of fishing regulations.

6. The Government of Canada shall establish, as far as possible, favourable conditions for the taking of USSR allocations by the Soviet fishing fleet in the fishing zones of Canada.

*Article III.* The Government of the Union of Soviet Socialist Republics undertakes to cooperate with the Government of Canada in light of the development of fisheries relations between the two countries pursuant to the provisions of this Article, in scientific research required for the purposes of rational management, conservation and optimum utilization of the living resources of the areas described in paragraph (1) of Article II. For these purposes, scientists of the two sides shall consult regarding the conduct of such research and the analysis and interpretation of the results obtained.

*Article IV.* The Government of Canada undertakes to authorize USSR vessels licenced to fish or to support fishing operations pursuant to the provisions of Article II, to enter Canadian Atlantic and Pacific ports, in accordance with Canadian laws, regulations and administrative requirements, for the purpose of purchasing bait, supplies or outfits, or effecting repairs, and such other purposes as may be determined by the Government of Canada, subject to the availability of facilities for these purposes and the needs of Canadian vessels. Such authorization shall become null and void in respect of any vessel upon the cancellation or

termination of its licence to fish or to support fishing operations, except for the purpose of entering port to purchase supplies or effect repairs necessary for its outward voyage.

*Article V.* 1. The Government of Canada and the Government of the Union of Soviet Socialist Republics recognize that States in whose fresh waters anadromous stocks originate have the primary interest in and responsibility for such stocks and agree in principle that fishing for anadromous species should not be conducted in areas beyond the limits of national fisheries jurisdiction. They will continue to work together for the establishment of permanent multilateral arrangements reflecting this position, taking into account all relevant factors.

2. Pursuant to paragraph (1), the Government of Canada and the Government of the Union of Soviet Socialist Republics shall take measures to ensure that their nationals and vessels avoid the taking of anadromous stocks spawned in waters under the jurisdiction of the other Party.

*Article VI.* The Government of Canada and the Government of the Union of Soviet Socialist Republics undertake to cooperate directly or through appropriate international organizations to ensure proper management and conservation of the living resources of the high seas beyond the limits of national fisheries jurisdiction, including areas of the high seas beyond and immediately adjacent to the areas under their respective fisheries jurisdiction, taking into account their interests in such resources.

*Article VII.* The Government of the Union of Soviet Socialist Republics undertake to cooperate pursuant to the convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, in particular, Article XI, paragraph 4, thereof.

*Article VIII.* The Government of Canada and the Government of the Union of Soviet Socialist Republics undertake to maintain a scientific observer program pursuant to which scientific observers of either Party may be carried on vessels of the other Party that are engaged in fishing operations in the Regulatory Area of the Northwest Atlantic Fisheries Organization.

*Article IX.* 1. The Government of the Union of Soviet Socialist Republics shall take measures to ensure that USSR fishing vessels operate in compliance with the provisions of this Agreement.

2. The Government of Canada shall take measures to give effect to the provisions of this Agreement, including the issuance of licences pursuant to the provisions of Article II.

*Article X.* 1. The Government of Canada and the Government of the Union of Soviet Socialist Republics shall carry out periodic bilateral consultations regarding the implementation of this Agreement and the development of further fisheries cooperation. In particular, they shall, at the request of either Party, examine matters of future cooperation in the following main areas:

- (a) Organizing joint measures, including, in cases of mutual interest, the establishment, in conformity with the legislation of both countries, of joint ventures on a commercial basis for taking, processing and selling the living marine resources of the Canadian zone;

- (b) Expanding markets for Canadian fish, and Canadian processed fish products, and the reduction or elimination of tariff and non-tariff barriers for such fish and fish products;
- (c) Organizing the mutual exchange of fisheries specialists and information on fishing gear, processing technology, stock restoration and the optimum use of living resources;
- (d) Making arrangements about such matters as:
  - (i) The entry into Canadian ports of fishing vessels licensed in accordance with Article IV of this Agreement;
  - (ii) The commercial victualling, fuelling and repair of Soviet fishing vessels in Canadian ports;
  - (iii) Changing the crews of the above ships by return air travel to Canada;
  - (iv) Other areas of mutual interest that may be agreed upon.

2. The Government of Canada and the Government of the Union of Soviet Socialist Republics shall promote cooperation between interested organizations, corporations and enterprises in the areas mentioned in paragraph (1) of this Article in cases where it will be in their mutual interest to do so.

3. For the purpose of facilitating the implementation of the Agreement and the development of further cooperation including the items under paragraph (1) of this Article, the Government of Canada agrees to the appointment in Canada of a fisheries representative of the USSR, who shall have his office in Halifax, Nova Scotia. The two Governments shall develop, as necessary, guidelines related to the work of the USSR fisheries representative in Canada with Canadian fisheries officials. The Soviet side may appoint one assistant to the Soviet representative.

4. The Government of Canada and the Government of the Union of Soviet Socialist Republics further agree that in the consultations provided for under paragraph (2) (c) of Article II regarding allocations for USSR fishing vessels of parts of surpluses of stocks or complexes of stocks, pursuant to the provisions of paragraphs (1) and (2) of Article II, the Government of Canada will take into consideration all relevant factors including, *inter alia*, Canadian interests, the development of cooperation between the two Governments pursuant to the provisions of this Agreement, previous catches by the USSR fleet in respect of stocks or complexes of stocks, contributions to scientific research and the identification of stocks carried out at the request of the Canadian side, and the expansion of markets for Canadian fish and Canadian processed fish products.

5. The Government of the Union of Soviet Socialist Republics will cooperate with the Government of Canada in the development on a mutually beneficial basis, of trade in Canadian fish and Canadian processed fish products.

*Article XI.* The present Agreement shall be without prejudice to other existing Agreements between the two Governments or to existing multilateral Conventions to which the two Governments are party or to the views of either Government with regard to the Law of the Sea.

*Article XII.* This Agreement shall enter into force on the date of signature. It shall remain in force until the expiration of twelve months from the day on which either Government shall give notice of its intention to terminate this Agreement.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective Governments, have signed this Agreement.

DONE in duplicate at Moscow, this 1st day of May 1984 in the English, French and Russian languages, each version being equally authentic.

For the Government of Canada:

*[Signed]*

PIERRE DE BANÉ

For the Government of the Union of Soviet  
Socialist Republics:

*[Illegible]*

---