

No. 31531

**CANADA
and
UNITED STATES OF AMERICA**

**Agreement on fisheries enforcement. Signed at Ottawa on
26 September 1990**

Authentic texts: English and French.

Registered by Canada on 27 January 1995.

**CANADA
et
ÉTATS-UNIS D'AMÉRIQUE**

**Accord concernant l'application de la législation sur les
pêches. Signé à Ottawa le 26 septembre 1990**

Textes authentiques : anglais et français.

Enregistré par le Canada le 27 janvier 1995.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON FISHERIES ENFORCEMENT

The Government of Canada and the Government of the United States of America, hereinafter referred to as the Parties;

Bearing in mind that, in conformity with international law, Canada and the United States of America have sovereignty over their internal waters and territorial seas (hereinafter referred to as "waters"), and have sovereign rights for the purpose of exploration, exploitation, conservation and management of the living marine resources within zones they have established, extending 200 nautical miles from their coasts (hereinafter referred to as "zones"), and have sovereign rights for the purpose of exploring and exploiting the living resources of the continental shelf;

Recognizing that the Parties have adopted laws and regulations for the conservation and management of the living resources of their respective waters and zones;

Emphasizing the importance of effective enforcement of such laws and regulations to ensure conservation and management; and

Desiring to augment and make more effective coastal state enforcement of such laws and regulations;

Have agreed as follows:

Article I

Each Party shall take appropriate measures consistent with international law to ensure that its nationals, residents and vessels do not violate, within the waters and zones of the other Party, the national fisheries laws and regulations of the other Party. Such measures shall include prohibitions on violating the fisheries laws and regulations of the other Party respecting gear stowage, fishing without authorization, and interfering with, resisting, or obstructing in any manner, efforts to enforce such laws and regulations; and may include such other prohibitions as each Party deems appropriate.

Article II

The Parties shall consult, as necessary, concerning the implementation of this Agreement, including:

- (a) effectiveness of penalties to deter violations by nationals, residents and vessels of a Party in the other Party's waters and zones;

¹ Came into force on 16 December 1991, the date on which the Parties notified each other of the completion of their internal procedures, in accordance with article VI.

(b) the accuracy and consistency of navigational aids;
and

(c) standard fisheries law enforcement practices in
the vicinity of maritime boundaries.

Article III

Each Party shall endeavour to inform persons conducting fishing operations in the vicinity of maritime boundaries about the expected fisheries law enforcement practices of the other Party.

Article IV

Nothing in this Agreement shall be construed to limit the authority of either Party to enforce its fisheries laws within its waters and zones, or in hot pursuit therefrom, in accordance with international law.

Article V

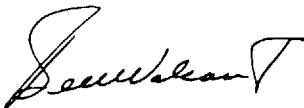
The Parties reaffirm their commitment to ensure full respect for maritime boundaries between them delimited by mutual agreement or third-party dispute settlement, including by the International Court of Justice. Nothing in this Agreement, and no acts or activities taking place pursuant thereto, shall prejudice the position of either Party with respect to the location of any disputed maritime boundary or the legal status of waters or zones claimed by either Party.

Article VI

This Agreement shall enter into force upon notification by the Parties, through diplomatic channels, that they have completed their internal procedures. Either Party may terminate this Agreement upon 30 days' written notice to the other Party.

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

DONE in duplicate, at *Ottawa*, this *26th* day of *September*, 1990, in the English and French languages, each version being equally authentic.



BERNARD VALCOURT

For the Government
of Canada



EDWARD N. NEY

For the Government
of the United States of America