

No. 52664*

**Canada
and
Poland**

Exchange of Notes between the Government of Canada and the Government of the People's Republic of Poland constituting an Agreement on interim measures concerning Polish fishing activities off the Canadian Pacific coast (with map). Ottawa, 24 March 1976

Entry into force: *24 March 1976 by the exchange of the said notes, in accordance with their provisions*

Authentic texts: *English, French and Polish*

Registration with the Secretariat of the United Nations: *Canada, 13 April 2015*

Note: *See also annex A, No. 52664.*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Canada
et
Pologne**

Échange de notes entre le Gouvernement du Canada et le Gouvernement de la République populaire de Pologne constituant un Accord sur les mesures provisoires relatives aux opérations de pêche polonaise au large de la côte canadienne du Pacifique (avec carte). Ottawa, 24 mars 1976

Entrée en vigueur : *24 mars 1976 par l'échange desdites notes, conformément à leurs dispositions*

Textes authentiques : *anglais, français et polonais*

Enregistrement auprès du Secrétariat des Nations Unies : *Canada, 13 avril 2015*

Note : *Voir aussi annexe A, No. 52664.*

**Le numéro de volume RTNU n'a pas encore été établi pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT - TEXTE ANGLAIS]

MIN(2)	File	
PDM	Diary	FLA/J.O.Parry: 6-7194/rc
PARL SEC	Div.diary	
FAI	Circ.diary	
FPR	FLA(Mrs Bruce)✓	
PAG		

Ottawa, March 27, 1976

No. FLA-203

Excellency,

I have the honour to refer to the discussions which have taken place in Ottawa and Warsaw on fisheries matters of mutual concern pursuant to the Joint Communiqués issued following earlier discussions between Canadian and Polish officials on September 19 and November 27, 1975.

I note with satisfaction that our two Governments have before them for approval a proposed bilateral agreement on fisheries cooperation that would establish the terms and conditions governing continued fishing by the Polish fleet in waters off Canada's coasts, taking into account anticipated legal and jurisdictional changes in the regime of fisheries management in such waters and traditional Polish fishing. Meanwhile, both Governments recognize that it would be desirable to establish short-term arrangements to ensure the orderly conduct of present Polish fishing in waters off Canada's Pacific coast. Accordingly I have the honour to propose the following interim arrangements.

1. The Government of the Polish People's Republic shall take the necessary steps to ensure that its vessels abstain from fishing in the following area beyond the limits of Canadian fisheries jurisdiction:

An area lying to the south and west of the territorial sea of Canada, bounded on the west by straight lines joining the following coordinates of points:

His Excellency M. Josef Czesak,
Ambassador of the Polish People's Republic,
OTTAWA

<u>North Latitude</u>	<u>West Longitude</u>
48 degrees 53.3 minutes	126 degrees 00 minutes
48 degrees 41 "	126 degrees 00 "
48 degrees 30 "	125 degrees 44.2 "
48 " 30 "	126 " 15 "
48 " 00 "	126 " 15 "

and thence by a line following the parallel of 48 degrees 00 minutes north latitude, as illustrated in the Annex to this Agreement.

2. The Government of the Polish People's Republic shall take the necessary measures to ensure that its vessels conduct directed fisheries only for i) Pacific Hake (Merluccius productus) and ii) rockfish (Sebastes spp) other than Pacific Ocean Perch (Sebastes alutus) in waters where Polish vessels may fish off the Pacific coast of Canada. The Government of the Polish People's Republic shall take the necessary measures to ensure that incidental catches of other species shall be minimized.
3. The catch of Pacific Hake taken pursuant to these provisions shall not exceed 7,500 metric tons live weight in 1976; and that of rockfish other than Pacific Ocean Perch shall not exceed 8,000 metric tons live weight in 1976, of which no more than 4,000 metric tons shall be taken south of 50° 30' north latitude.
4. The Government of the Polish People's Republic shall limit the number of vessels operating pursuant to these provisions to no more than 15 at any one time, of which no more than 11 will engage in fishing at any one time.
5. In connection with its fishing operations off the Pacific coast of Canada, the Government of the Polish People's Republic undertakes to provide to Canadian fisheries

authorities, upon request, catch, effort and biostatistical data, including data on incidental catches, in sufficient detail to ensure effective implementation of the present arrangements.

6. Fisheries officers of the Government of Canada may board Polish fishing vessels in order to examine catches, vessel logbooks and gear, and to carry out such further inspections as may be necessary for the purposes of these arrangements.
7. The Polish authorities shall designate an appropriate officer of the fleet operating off the Canadian Pacific coast to maintain liaison with a designated Canadian fisheries official, for the purpose of ensuring the effective implementation of these arrangements.
8. The Government of Canada will permit fishing vessels and service vessels of the Polish People's Republic to conduct loading and unloading operations in Tasu Sound and in the territorial sea of Canada off the west coast of Moresby Island between 52 degrees 23 minutes north latitude and 52 degrees 56 minutes north latitude. Such vessels will be permitted to enter Tasu Sound through an entrance corridor of Canadian internal waters extending 2 miles to the south and 2 miles to the north of the centre line of the entrance to Tasu Sound.
9. These arrangements shall remain in effect until December 31, 1976, unless terminated earlier by mutual agreement.

If the foregoing proposals are acceptable to your Government, I have the honour to propose that this Note, which is authentic in English and in French, and Your Excellency's reply in Polish to that effect, shall constitute an Agreement between the Government of Canada and the Government of the Polish People's Republic. This agreement shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

ALLAN J. ROCKWELL

Secretary of State
for External Affairs

[FRENCH TEXT - TEXTE FRANÇAIS]

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J.O. Parry
 Journal cir.
 Journal dir.
 FLA (Mrs Bruce)

FLA/J.O. Parry: 6-7194/rc

Ottawa, le 24 mars 1976

No FLA-203

Excellence,

J'ai l'honneur de me référer aux entretiens sur des questions d'intérêt mutuel concernant la pêche qui ont eu lieu à Ottawa et à Varsovie conformément aux communiqués conjoints publiés à la suite des entretiens canado-polonais du 19 septembre 1975 et du 27 novembre 1975.

Je note avec satisfaction qu'il est soumis à l'approbation de nos deux Gouvernements un accord bilatéral sur la coopération en matière de pêche, qui déterminera les modalités régissant la continuation des opérations de pêche de la flotte polonaise dans les eaux situées au large des côtes canadiennes, en tenant compte des modifications juridiques et juridictionnelles prévisibles au régime de gestion des pêches dans ces eaux, et de la pêche habituellement pratiquée par la Pologne. Entre temps, les deux Gouvernements reconnaissent qu'il serait souhaitable de prendre des arrangements à court terme afin de régir de façon ordonnée les présentes opérations de pêche polonaise au large de la côte canadienne du Pacifique. Par conséquent, j'ai l'honneur de proposer les arrangements provisoires suivants:

1. Le Gouvernement de la République populaire de Pologne prendra les mesures nécessaires pour faire en sorte que ses navires s'abstiennent de pêcher dans la zone suivante, située au-delà des limites de la juridiction canadienne en matière de pêcheries:

Une zone s'étendant au sud et à l'ouest de la mer territoriale du Canada, circonscrite à l'ouest par des lignes droites reliant les coordonnées géographiques suivantes:

Son Excellence M. Josef Casak
 Ambassadeur de la République populaire de Pologne
 OTTAWA