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THE COUNCIL

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PECHE 236

OUTCOME OF PROCEEDINGS

of: Working Party on External Fisheries Policy

dated: 13 June 1996

Prev. doc. n°: 7274/96 PECHE 180

Subject: Canada: Report from the Commission on exploratory contacts

1. The Commission representative reported on the outcome of the meeting with Canada held on 3-4 June 1996. Contrary to earlier expectations, there were some signs that Canada was willing to consider ratification of the 1992 Agreement.
2. Prior to the meeting Canada had announced its willingness to open its ports to Community fleets and would legislate to that effect in July. From the Community point of view any such intentions should be incorporated formally into the text of the Agreement.
3. At the meeting the discussion centred on the text of the 1992 Agreement. Canada raised the question of procedures for dealing with conflict and indicated that it would respect the NAFO Convention. The Community had some doubts about the efficacy of such procedures, particularly as the situation of a potential conflict between NAFO States and those who were not signatories to the Convention was not covered. Canada agreed to prepare a text for the September Meeting of NAFO. The Commission would also prepare a working paper on conflict resolution.
4. As far as the administration of cod was concerned, Canada had submitted a draft resolution which would give it exclusive rights in its fishing zone of division 2J-3KL. NAFO would have 5% in non-Canadian waters.

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5. Canada had also indicated a willingness to allow access to any surplus stocks, although no significant surpluses were currently available. There was no discussion of the precautionary principle.
 6. The Commission representative indicated that the priorities for the European Community were access to Canadian ports and access to any surplus stocks.
 7. The Spanish delegation shared the Commission's cautious approach to the Canadian proposals. For Spain it was important to ratify the 1992 Agreement and for Canada to take part in discussions on extraterritorial fisheries.
 8. For the Portuguese delegation the priority was access to Canadian ports and to any surpluses. In this context ratification of the 1992 Agreement was of secondary importance.
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