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MARE 3

DECLASSIFICATION

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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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RESTREINT

PECHE 69
MARE 3

OUTCOME OF PROCEEDINGS

of: Working Party on External Fisheries Policy

dated: 6 March 1997

N° prev. doc.: 12277/96 MARE 6 PECHE 499 + COR 1

Subject: Canadian legislation

INTRODUCTION

- 1) The Law of the Sea Experts Group held a discussion in early March on the Canadian fisheries legislation - Canadian Bill C-62 - in order to decide what action should be taken by the Union towards Canada.
- 2) An analysis of the legislation was carried out by the Legal Service of the Commission.
- 3) The Experts Group concluded that :
 - the Canadian legislation infringed international law and the United Nations Convention on the Law of the Sea (UNCLOS);
 - the Union should make a diplomatic démarche before the end of March;
 - the démarche should be a Note Verbale sent jointly by the Presidency and the Commission;

- the addressee should be the Canadian Minister for Foreign Affairs, copy to be sent to the Minister for Fisheries and Oceans and to the Canadian Parliament;
- the text of the Note Verbale would be drafted by the Presidency but would incorporate suggestions by Member States; it would be circulated through COREU and to all interested parties.

PROCEEDINGS OF THE WORKING PARTY

- 4) The Spanish delegation expressed disappointment that the Commission legal analysis of the legislation was not more detailed, particularly given the fact that the draft Bill had been available for examination since the last quarter of 1996.
- 5) The Portuguese delegation noted that the conclusions of the Law of the Sea Experts Group were in line with those of the Working Party on External Fisheries Policy and stressed the importance of swift action on the part of the Union. This delegation and the Spanish delegation were anxious to offer their comments to be incorporated in the final version of the Note Verbale to be sent to Canada.
- 6) The Commission representative informed the Working Party that a Joint Committee Meeting between the European Union and Canada would take place in the forthcoming week in the context of the 1996 Framework Agreement. While fisheries issues were not normally addressed in this forum, on this occasion there was a point on fisheries on the agenda. The Union would take that opportunity to express its regret at the emergence of this Canadian legislation.

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