



Fishermen's Information

Bulletin 76-1E

Department of Fisheries
& Oceans
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JUN 18 1996

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Canada's 200-Mile Fishing Limit

On June 4th, 1976, the Honourable Allan J. MacEachen, Secretary of State for External Affairs, and the Honourable Roméo LeBlanc, Minister of State (Fisheries), announced that Canada would extend its fisheries jurisdiction to 200 miles by January 1, 1977. The Fisheries and Marine Service of Environment Canada, in conjunction with other departments, is currently developing detailed plans to implement this extension of fisheries jurisdiction. As these plans are developed, they will be announced and given wide circulation to Canadian fishermen, the Canadian fishing industry and the general public.

Q. What is meant by "extension of fisheries jurisdiction"?

A. This means that Canada will be "owner and manager" of all fisheries within 200 miles of its coasts.

Q. Why is Canada extending its fisheries jurisdiction to 200 miles?

A. Because action is needed to save both offshore and inshore fisheries which have been severely depleted in recent years owing to lack of effective management under international arrangements. This has seriously effected the welfare of Canada's coastal communities and its fishermen and fishing industry. Canada has come to the conclusion that the only way to ensure effective management and conservation is for the coastal state itself to assume management authority.

Why 200 miles?

.. Nations of the world which have been considering fisheries and other matters at recent sessions of the United Nations Law of the Sea

Conference have generally agreed on 200 miles as an acceptable limit for coastal state jurisdiction. On Canada's Atlantic coast, 90 per cent of all significant fish stocks are concentrated over prolific fishing "banks" within the 200 mile zone. On the Pacific coast, practically all important fish stocks are contained within this zone, except salmon which range well beyond its boundaries.

Q. What was Canada's fishing zone in past years?

A. Canadian jurisdiction over sea fisheries used to be confined to waters within the traditional three-mile territorial limit. In 1964, Canada extended fisheries control nine miles beyond the territorial sea; in 1971, the three-mile territorial sea and nine-mile fishing zone were replaced by a twelve-mile territorial sea measured from straight baselines drawn from "headland to headland". Also in 1971, special fishing zones were established by Canada in the Gulf of St. Lawrence and Bay of Fundy on the Atlantic Coast, and in Queen Charlotte Sound, Hecate Strait and Dixon Entrance on the Pacific coast. Canada now is preparing to extend fisheries management jurisdiction by an additional 188 miles to establish a 200-mile fishing zone on both coasts.

Q. Will the new fishing zone extend 200 nautical miles?

A. Yes. This is roughly equivalent to 230 statute miles. (One nautical mile = 6,080 feet).

Q. How will Canada's 200-mile fishing limit come into effect?

A. The Territorial Sea and Fishing Zones Act, first enacted by Canada's Parliament in 1964 and amended in 1970, empowers the Government to establish fishing zones off Canada's coasts. The fishing zones in the Gulf of St. Lawrence, Bay of Fundy, Queen Charlotte Sound, Hecate Strait and Dixon Entrance were established in 1971 under authority of this Act. The same authority will be used to create new fishing zones on both Atlantic and Pacific coasts beyond the present twelve-mile territorial sea and current fishing zones to 200 miles from these coasts. Using this procedure, the Government will publish in the *Canada Gazette* the proposed Order-in-Council extending Canada's fishing zones. The new zones may come into effect any time after sixty days following the publication of the proposed Order.

Q. When will the 200-mile limit come into effect?

A. No later than January 1, 1977.

Q. Why does Canada expect foreign countries to accept its declaration of a 200-mile limit?

A. Because
(a) the concept of a 200-mile fishing zone is receiving increasing acceptance by the international community, as reflected in developments within the United Nations Law of the Sea Conference. The concept is already reflected in state practice, with an increasing number of countries, including the U.S.A., Mexico, India and Norway, taking steps

to extend their fisheries zones to 200 miles.

- (b) Canada has already gained acceptance of all that a 200-mile limit implies in bilateral fisheries agreements negotiated in recent months with some of the major fishing nations operating off Canadian coasts: Norway, U.S.S.R., Poland, Spain and Portugal. Fleets of these countries account for 88 per cent of all fish catches by foreign fishermen in Canada's Atlantic zone and most of the foreign catch in Canada's Pacific zone.

Q. How will Canada's 200-mile limit affect the International Commission for the Northwest Atlantic Fisheries (ICNAF)?

- A. Canada hopes that a revised ICNAF or some successor body will regulate fisheries in the northwest Atlantic outside Canada's 200-mile fishing zone and provide for scientific and technical consultations on fisheries management.

Q. What will be the situation in the Northwest Atlantic in 1977, taking into account the fact that ICNAF has already adopted regulations for that year, when Canadian fisheries jurisdiction will be coming into effect?

- A. Canada has undertaken, as a transitional measure for 1977 only, to give effect to those regulations agreed within ICNAF with Canadian concurrence. Any foreign fishing in Canada's zone in 1977 will be subject to Canadian licensing and enforcement procedures. Fish quotas set by ICNAF for 1977 (at its recent Montreal meeting) generally correspond to those Canada would have set if the 200-mile fishing zone were already in place. At Canada's insistence, total allowable catches of northwest Atlantic fish stocks have been set at levels low enough to assure rebuilding of the stocks. Canada as a coastal state estimated its catch requirements on the basis of harvesting capacity, subject to conservation limits, and largely succeeded in having these amounts set aside for Canadian fishermen. For many stocks inside Canada's future 200-mile zone, including

most of those off Nova Scotia, only Canadian fishermen will be able to fish in 1977. For other stocks, foreign fishermen will be able to take that portion of the total allowable catch of a given stock which is surplus to Canadian harvesting capacity.

At its annual meeting in Montreal in June, 1976, ICNAF set total allowable catches and national fish quotas for more than 50 fish stocks. For groundfish (cod, flounders, haddock, and similar "whitefish" species) traditionally fished by Canadian fishermen, allowable catches for all nations combined will drop to 668,500 metric tons in 1977 from 956,600 metric tons in 1976, a reduction of thirty per cent. Foreign fleets will absorb nearly all the quota reductions on these stocks; their total share will drop by 47 per cent, the reduction for some countries running as high as 68 per cent. For the same groundfish stocks, Canadian quotas will rise very slightly to 339,600 metric tons in 1977, from 336,000 metric tons originally allocated for 1976. The Canadian percentage of the total thus rises from 35 per cent in 1976 to 51 per cent in 1977. Most of the surplus allocated to foreign nations lies in areas relatively distant from the major Canadian fishing grounds. Even in these distant grounds,

Canadian quotas will generally increase.

Q. Will Canada now withdraw from ICNAF?

- A. In order to preserve the option of withdrawing from ICNAF, if necessary, by the end of 1976, Canada has served formal notice of its intention to withdraw from the Commission. This notice could be revoked later, depending on the Government's assessment of the situation later this year, both in relation to the final outcome of ICNAF deliberations and to developments concerning the future of ICNAF.

Q. How will foreign fishing be regulated, and what foreign fishing activity will be allowed when Canada extends its fishing zones to 200 miles?

- A. Foreign fishing activity will be regulated by the application of new regulations being developed under the Coastal Fisheries Protection Act and the Fisheries Act. The basic Government position regarding foreign fishing in the Canadian zone is that Canada will determine what the total allowable catch of the various stocks may be, will determine the needs of her own fishermen, and will allocate the surplus to certain foreign fleets which will then be allowed to fish subject to Canadian laws. It is precisely this approach which



The "Chebucto" is the largest of Canada's patrol vessels. Fisheries patrols are being doubled in 1976 to ensure Canada's capability to control fishing activity throughout its new 200-mile fishing zone.

Norway, U.S.S.R., Poland, Spain and Portugal have agreed to in recently negotiated bilateral treaties.

1. Will these foreign vessels be licensed?

A. Yes, a licensing system is being developed for all foreign fishing vessels fishing in the Canadian zone. The licensing system is one of the key elements facilitating effective Canadian supervision and control of foreign fishing activity.

Q. How will boundaries between the fishing zones of Canada and the United States, and between Canada and France (St. Pierre and Miquelon), be determined?

A. Boundaries between Canada and her neighbors are, or will be, the subject of discussion with the governments concerned.

Q. What about fish stocks beyond 200 miles?

A. Canada takes the position that the coastal state has a special interest in the management and allocation of fish stocks in areas immediately adjacent to the zone, and Canada will be seeking recognition of this position in both bilateral and multi-lateral dealings on this subject.

Q. What are the Government's plan's regarding surveillance and enforcement in the extended area of jurisdiction?

A. The government has adopted a new plan to meet the immediate increased enforcement and surveillance needs under extended fisheries jurisdiction: Beginning in 1976, the number of sea days on patrol by vessels on both coasts will roughly double to about 2,000. Offshore patrols will double on the Atlantic coast to about 1,500 sea days, and will increase on the Pacific coast to about 500 sea days. The number of boardings of fishing vessels at sea by Canadian inspectors will increase to between 1,200 and 1,400 per year, permitting at-sea inspection of at least one-third of the foreign fleet and one-sixth of the Canadian fleet every month. The number of aircraft hours spent locating and identifying fishing vessels will more than double to over 4,000 per year. Fisheries and Marine



In 1975, 57 Canadian vessels and 423 foreign vessels were inspected under the ICNAF joint enforcement scheme.



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Service vessels will carry out about 56 per cent of sea patrols, DND vessels about 31 per cent and MOT vessels about 13 per cent. A 205-foot patrol vessel launched in June will begin operating in Newfoundland early in 1977; two high-speed, aluminum, 126-foot patrol vessels are also under construction for service on the Atlantic coast before the end of 1976.

Q. What about increased research?

A. In taking over fisheries jurisdiction in an area within 200 miles of Canada's coast, Canada also assumes the obligation to manage the resources in the best interests of conservation. To do this job effectively, Canada must increase its own research and stock assessment efforts to a significant degree, but foreign involvement in research

will continue as a requirement laid down by Canada for other countries permitted to fish in the Canadian zone. In addition, mandatory catch reporting systems are being developed to provide accurate and timely data on domestic and foreign catches to provide fisheries managers with the information required to make sound management and conservation decisions.

Q. Will Canada continue its efforts to gain all its objectives at the U.N. Law of the Sea Conference?

A. The Canadian Government is committed to international agreement concerning all uses of the oceans, including fisheries. Achieving such agreement has become a lengthy process, however, and with the drastic decline in fish stocks particularly on the Atlantic coast, the Government could not wait any longer to take action to rehabilitate these stocks. Canada's action is, however, consistent with the consensus emerging at the Law of the Sea Conference. Canada will continue to press for agreement at the Conference on other fisheries issues requiring resolution, including restrictions on the taking of salmon beyond 200 miles, the management of wide-ranging species, such as tunas, and the special interest of the coastal state in stocks beyond the 200-mile limit.

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