

No. 12497

**CANADA
and
NORWAY**

**Agreement on sealing and the conservation of the seal stocks
in the northwest Atlantic. Signed at Ottawa on 15 July
1971**

Authentic texts: English, French and Norwegian.

Registered by Canada on 3 May 1973.

**CANADA
et
NORVÈGE**

**Accord sur la chasse aux phoques et la conservation des
réserves de phoques dans l'Atlantique nord-ouest. Signé
à Ottawa le 15 juillet 1971**

Textes authentiques : anglais, français et norvégien.

Enregistré par le Canada le 3 mai 1973.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF NORWAY ON SEALING AND THE CONSERVATION OF THE SEAL STOCKS IN THE NORTH-WEST ATLANTIC

The Government of Canada and the Government of Norway,

Desirous of continuing and further developing the close co-operation in solving common problems concerning sealing and the conservation of the seal stocks in the northwest Atlantic;

Desirous of developing and maintaining the most effective conservation measures in order to secure the best possible protection of the seal stocks in this area and a rational utilization of these resources;

Desirous of extending and co-ordinating their scientific research concerning the seal stocks in this area;

Desirous of ensuring that humane catching methods are used in sealing; and,

Desirous of taking effective steps jointly and separately in attaining these aims;

Have agreed as follows:

Article I. The area to which this agreement applies shall, subject to article XII, include all waters of the northwest Atlantic north of 45° North latitude and west of 45° West longitude.

Article II. This Agreement applies to harp seal (*Phoca groenlandica*).

On a proposal by the commission established under article III the application of this Agreement may be extended to hooded seal (*Cystophora cristata*), bearded seal (*Erignatus barbatus*) and walrus (*Odobenus rosmarus*).

Article III. The Contracting Parties shall establish a commission consisting of three representatives appointed by each country.

The commission shall hold at least one regular annual meeting at such time and place as may be agreed upon. The Chairman of the meeting shall be provided alternatively by Canada and Norway.

The representatives of the Contracting Parties attending meetings of the commission may be assisted by experts or advisers.

Each Contracting Party shall have one vote in the commission. Decisions shall be taken by unanimous vote.

Article IV. The commission is entrusted with the following functions:

- (a) On the basis of scientific and practical research, to submit proposals to the Contracting Parties with regard to, *inter alia*, sealing and the conservation of the seal stocks, national quotas, opening and closing dates, humane hunting methods and the prevention of cruelty or suffering to the animals;
- (b) To submit proposals to the Contracting Parties with regard to the establishment of inspection and control procedures required to ensure the implementation and enforcement of the provisions of this Agreement;

¹ Came into force on 22 December 1971 by the exchange of the instruments of ratification, which took place at Oslo, in accordance with article XIII.

(c) To submit proposals to the Contracting Parties concerning scientific research to be undertaken jointly or separately with respect to sealing and the conservation of the seal stocks, or concerning the co-ordination of such research.

Article V. The Contracting Parties undertake as far as possible to supply the commission with such information of a statistical, practical and scientific nature as the commission deems necessary for its work.

Article VI. Each Contracting Party shall bear the costs of its participation in the commission and of its scientific research.

Expenditures incurred in joint research projects and other joint expenditures shall be shared between the parties, as may be agreed in accordance with article VII, following upon proposals of the commission.

Article VII. The proposals of the commission concerning conservation measures, other measures to regulate sealing activities, scientific research, the sharing of the expenses of joint research or other joint expenditures, and the extension of this Agreement to other species, shall be submitted to the Contracting Parties for their approval and shall be binding upon them following such approval.

Approved proposals of the commission with regard to conservation measures and other measures to regulate sealing shall be put into effect by the parties not later than two months following approval, unless the parties agree otherwise.

Article VIII. Each Contracting Party undertakes to put into effect and enforce such measures as may be necessary to implement this Agreement.

Article IX. Each Contracting Party shall be entitled, subject to this Agreement, notwithstanding national quotas agreed by the Contracting Parties, to issue permits to its nationals for the taking of the species covered by this Agreement on the high seas or in its own territorial sea, for the following purposes:

- (a) for scientific research;
- (b) for the local population;
- (c) for expeditions, provided that the catch is used for food, animal feed or similar needs.

The Contracting Parties shall inform the commission of such permits issued.

Article X. Either Contracting Party may terminate this Agreement by three years' notice in writing. No such notice shall be given by either party before December 31st, 1975.

Upon such notice the Contracting Parties shall as soon as possible enter into negotiations in good faith on future arrangements concerning conservation and sealing.

Article XI. By agreement of the Contracting Parties, other states interested in the conservation of the species referred to in this Agreement may be invited to accede to articles I to X of this Agreement.

Article XII. Subject to the provisions of this Agreement, in view of the fact that the movements of the seal herds are governed by unpredictable weather conditions and consequently that, in certain years, the ice on which the seals are concentrated drifts inside the Canadian territorial sea, Norwegian vessels engaged in sealing operations are allowed, notwithstanding the provisions of the Exchange

of Notes between the Government of Canada and the Government of Norway of July 15, 1971,¹ to take seals

- (a) within the outer nine miles of the territorial sea on the Atlantic coast of Canada between 48° 00' North latitude and 55° 20' North latitude, and
- (b) up to but not closer than three miles from the nearest land in all the waters of Notre Dame Bay and of the Strait of Belle Isle northeast of a straight line drawn from the lighthouse at Amour Point to the lighthouse on Flowers Island in Flowers Cove, Newfoundland.

Norwegian sealing is not otherwise allowed in the Gulf of St. Lawrence.

Article XIII. This Agreement is subject to ratification and shall enter into force on the date of the exchange of the instruments of ratification, which shall take place at Oslo as soon as possible.

¹ See p. 71 of this volume.

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

DONE in two copies at Ottawa this 15th day of July 1971, in the English, French and Norwegian languages, each version being equally authentic.

EN FOI DE QUOI, les soussignés, dûment autorisés à cet effet par leurs Gouvernements respectifs, ont signé le présent Accord.

FAIT en deux exemplaires à Ottawa, le 15^e jour de juillet 1971, en anglais, en français et en norvégien, chaque version faisant également foi.

TIL BEKREFTELSE av foranstående har de undertegnede, som har behørig fullmakt dette fra sine respektive regjeringer, undertegnet denne overenskomst.

UTFERDIGET i to eksemplarer i Ottawa den [] 1971 i engelsk, fransk og norsk tekst som alle har samme gyldighet.

J. ALAN BEESLEY
For the Government of Canada
Pour le Gouvernement du Canada
For Canadas regjering

TORFINN OFTEDAL
For the Government of Norway
Pour le Gouvernement de la Norvège
For Norges regjering
