

*Territorial Sea and Fishing Zones*

discuss and to negotiate with the countries that are affected. Existing in a world of sovereign states, we must do the best we can to achieve our ends through negotiation.

This is what the government of Canada is now in the process of doing. We have already had three rounds of negotiations with the United States. In the last two months we have had a round of discussions with Norway, Denmark, Britain, Portugal, Spain, Italy and Japan. All these countries sent officials to Ottawa to have talks with us, and in our negotiations with the United States one of the meetings took place in Washington. I am hopeful that in all cases our discussions will work out satisfactorily, but I do not want in any way to minimize the difficulties of the negotiations themselves.

Hon. members may ask what is the basis of our talks with these countries? What do we expect to achieve? What base lines are we asking these countries to accept or to acquiesce in? These are fair questions and I will try to give a clear and frank response.

When straight base lines are proclaimed in whole or in part for the Canadian coast line, and when Canadian laws are enforced in the fishing zones, the situation will be as follows:

First of all, those countries which have not fished in the three to 12 mile zone or have just begun to fish, will not be able to come in under Canadian law. They must cease their operations at once, both in the fishing zone and in the internal waters enclosed by the base lines. I would urge the house not to underestimate the importance of this fact.

Since the last war we have seen the birth of enormous fishing fleets of certain countries, ranging thousands of miles away from their home ports. These ships are equipped with the most modern equipment and use the latest techniques. So far the vessels of certain important fishing countries have not come within 12 miles of our coasts. It is possible that they might do so soon. By establishing fishing zones now, before they can lay claim to any so-called historic fishing rights, we are excluding them under Canadian law from coming into our 12 mile zone in future, and we are thus protecting the living resources of our adjacent areas.

Second, as I have said, we are now discussing arrangements with those countries which do not possess treaty rights but have fished off our shores for many years. I refer to Portugal, Spain, Norway, Denmark, Britain and Italy. There is no question in our minds of allowing the indefinite continuation of historic fishing rights for these countries. The

basis of our proposals to them is the possibility of allowing a period of time for adjusting their fishing operations so that their fishermen do not suffer any undue economic loss.

Under such arrangements, fishing by these countries would continue for a period of time, subject to non-discriminatory Canadian regulations. But it would then cease and, like those states which do not claim traditional fishing rights, fishermen of these countries would not be allowed to come into the 12 mile zone under Canadian law.

Third, we have had discussions with those countries which do possess treaty rights off parts of our shores—the United States and France. The French have had treaty rights for over two centuries to fish off parts of our coastline. Under the convention of 1904 they have the right to fish off the west, and parts of the northeast coast of Newfoundland. With the United States there is the treaty of 1818 providing specific fishing rights off the coast of Labrador and parts of the coast of Newfoundland. These rights allow United States fishermen to fish within the three mile limit. In addition, there is the treaty of Washington of 1912 between Canada and the United States which ended a long and complicated series of negotiations and implemented, in part, an award by an international tribunal based on the treaty of 1818. The treaty of Washington specified terms for the closing of a number of bays on the east coast of Canada, both inside and outside the gulf of St. Lawrence.

We have made clear that the United States and France will be allowed to continue to fish in those areas where they have fished before, subject to agreed arrangements and regulations for the protection of the fisheries concerned.

I have said that the bill makes applicable the straight base line system to Canada. When the specific base lines are delineated, all the waters inside these lines will become internal. The territorial sea and fishing zones will be drawn seaward from the new base lines. Thus, the delineation of the new lines may affect the fishing operations of other countries. In some cases, their traditional fishing practices may be disturbed. For this reason, it is necessary to determine the general effects of our action on the countries concerned before publishing the base lines. Pending this determination and an opportunity to carry forward our discussions with the countries concerned, we have decided to allow a short period of time to elapse before starting to enforce Canadian laws in the fishing zones of Canada.