

C 62899

28

APPENDIX III.

Committee on the Position of the Dominions and India in relation to the Signature of Treaties and the Question of Territorial Waters.

CONCLUSIONS OF A MEETING OF THE ABOVE COMMITTEE, HELD IN THE ROOM OF THE SECRETARY OF STATE, FOREIGN OFFICE, S.W., ON TUESDAY, OCTOBER 16, 1923, AT 5 P.M.

Present:

The Most Hon. the MARQUESS CURZON OF KEDLESTON, K.G., G.C.S.I., G.C.I.E., Secretary of State for Foreign Affairs (*in the Chair*).

His Grace the DUKE OF DEVONSHIRE, K.G., G.C.M.G., G.C.V.O., Secretary of State for the Colonies.

VISCOUNT WOLMER, M.P., Parliamentary Secretary, Board of Trade.

Vice-Admiral Sir ROGER J. B. KEYES, Bart., K.C.B., K.C.V.O., C.M.G., D.S.O., Deputy Chief of the Naval Staff, Admiralty.

Rear-Admiral F. C. LEARMONTH, C.B., Hydrographer to the Navy, Admiralty.

Sir JOHN S. RISLEY, K.C.M.G., C.B., K.C., Legal Adviser, Colonial Office.

Mr. H. G. MAURICE, C.B., Fisheries Secretary, Ministry of Agriculture and Fisheries.

Mr. P. J. ROSE, Assistant Under-Secretary, Scottish Office.

Mr. M. SHEARMAN, O.B.E., Assistant Legal Adviser, Foreign Office.

Mr. G. E. BAKER, Assistant Secretary, Mercantile Marine Department, Board of Trade.

Mr. E. J. HARDING, C.M.G., Deputy-Secretary of the Imperial Conference.

Mr. C. W. DIXON }
Mr. F. E. F. ADAM } *Joint Secretaries.*
Dr. O. D. SKELTON }

CONCLUSIONS.

THE Committee endorsed the following Resolutions of the Inter-Departmental Committee on the Limits of Territorial Waters, as interpreted in the Report and Memorandum of that Committee (E/64 Revised), and recommends them for acceptance by the Governments of the British Empire so that in negotiations with foreign Governments or at any International Conference where the question of territorial waters is discussed they may be put forward as embodying the policy of the Empire:—

"Resolution 1.

"It is essential that the general limit of territorial waters should be fixed at a distance of 3 miles from low-water mark.

C 62900

29

"Resolution 2.

"The limit of territorial waters should be the same for the purposes of belligerency, neutrality, customs, fisheries, control of vessels, and all other purposes.

"Resolution 3.

"The limit of territorial waters should, in the case of bays, whose width at the entrance does not exceed 6 miles, be 3 miles to seaward of a straight line drawn across the entrance.

"Similar territorial rights may, in addition, be admitted in respect of a certain number of larger bays or inlets, to be known as territorial inlets, which should be specifically enumerated and geographically defined.

"Resolution 4.

"The coast-line from the low-water mark of which the 3-miles limit of territorial waters should be measured is that of the mainland and also that of all islands. The word "island" covers all portions of territory permanently above high water in normal circumstances and capable of use or habitation."

It was understood that the application of Resolution 3 would be subject to the provisions of any existing International Agreements and to the considerations in regard to fisheries set out in paragraphs 19 and 20 of the Inter-Departmental Committee's Memorandum.

It was further understood that the Governments represented at the Conference would be asked to draw up schedules of territorial inlets referred to in paragraph 17 of the Inter-Departmental Committee's Memorandum; these could be considered at the next Imperial Conference, or, in the event of an International Conference on Territorial Waters being held before the next Imperial Conference meets, by the representatives of the various parts of the Empire at that Conference.

Colonial Office, October 23, 1923.

W.L. Mackenzie King Papers
Memoranda & Notes

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA