

*Territorial Sea and Fishing Zones Act*

Following the establishment of Canada's new fishing zones we intend to conclude negotiations for the phasing out of the fishing activities of the countries which have traditionally fished in the areas concerned, namely, Britain, Norway, Denmark, France, Spain and Italy. With respect to the fishing activities of the United States in these areas, it is intended that they should continue on the basis of the ad referendum agreement on reciprocal fishing privileges we have recently negotiated with that country. Apart from traditional fishing practices, the United States and France also have certain treaty rights off Canada's east coast, and these rights will of course be respected.

Before concluding, Mr. Speaker, perhaps I might refer to the note which was delivered to our ambassador in Washington on April 14 and the reply which he delivered yesterday on behalf of the Canada government. When the question was raised by opposition members two days ago, I made clear that we had already requested the U.S.A. consent to dispense with the usual diplomatic practice of declining to publish exchanges of notes, but that I would none the less raise the question again. Our ambassador has since stressed to the State Department the importance of publishing the exchange so as to lay at rest, once and for all, the misinformation appearing in Some American newspapers to the effect that the United States note contained threats. I have already assured the House that the note contained no such threats and that the summary of the note published by the State Department accurately summarized its substance.

We have today received the response of Secretary of State Rogers to my proposal that the text of the diplomatic note of April 14 be published. His response is as follows:

The Secretary of State regrets that he cannot agree to the proposal of the Canadian government that we depart from the usual diplomatic practice of not publishing exchanges of notes between governments in the case of our note of April 14, 1970, relating to the introduction by the Canadian government of legislation on pollution in the Arctic, fisheries and the limits of the territorial sea. Because of the public interest in the matters discussed in the note the United States did include the substance of its note in its press statement of April 15, 1970.

Therefore, Mr. Speaker, I am now tabling—with the suggestion that it be appended to *Hansard*—a summary of the Canadian note. This is not the note itself but a summary of its contents.

**Mr. Crouse:** Mr. Speaker, before the minister resumes his seat I wonder if he would answer a question. I listened very carefully to his statement with regard to the phasing out of the traditional fishing rights which are now inside our 12-mile limit, and I believe he mentioned only seven countries. It is my understanding that eight countries have traditional fishing rights within the area that exists between the three-mile territorial sea and our 12-mile limit. One of the countries he did not mention was Portugal. Would he indicate whether these eight countries' fishing rights will be phased out? Also, since this is the same statement as that made by the Secretary of State for External Affairs (Mr. Sharp) when he spoke on this type of legislation in 1964, and since these rights have not yet been phased out, would he indicate if there is a time limit on the phasing out of the traditional fishing rights of these eight fishing nations?

**Mr. Sharp:** Mr. Speaker, I hesitate to attempt an answer at this time. I will take notice of this point, and either in the course of the debate, when it is resumed, or in the committee I will see that this question is answered adequately. Since these are delicate negotiations I would not want to say anything that might prejudice them.

**Mr. Howard (Skeena):** Mr. Speaker, I wonder if the minister would permit another question? I express thanks to the House for letting us run a bit overtime, but the matter is important. Before I ask the question I would like to welcome the minister for taking a position that we have advocated for many years, and to say we are pleased—

**Mr. Speaker:** Order, please. I wonder whether the hon. member wishes to ask a question because, as he knows, we would now normally call private members' business. If he does have a question to ask, he might do it at this time.

**Mr. Howard (Skeena):** Yes, Mr. Speaker. I understood the minister to say that the reciprocal arrangement between the United States and Canada, of fishing in each other's fishing zones, would be continued. But if this bill comes into effect, what is currently the nine-mile fishing zone will become a territorial sea. Does the same provision apply then? Will there be reciprocity so far as the territorial sea is concerned?