



CANADA

# STATEMENTS AND SPEECHES

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INFORMATION DIVISION  
DEPARTMENT OF EXTERNAL AFFAIRS

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## CANADA EXTENDS ITS TERRITORIAL SEA

Statement to the House of Commons on April 17, 1970,  
by the Secretary of State for External Affairs,  
the Honourable Mitchell Sharp.

The proposed amendments to the Territorial Sea and Fishing Zones Act contain two major provisions: the first would establish the territorial sea of Canada at 12 miles in substitution for the present limit of three miles, and as a result would eliminate the present nine-mile fishing-zone, which would become incorporated within the 12-mile territorial sea; the second would authorize the Government, by Order in Council, to create exclusive Canadian fishing-zones comprising areas of the sea adjacent to the coasts of Canada.

There are a number of reasons why the Government is proposing to extend its territorial sovereignty from three to 12 miles. Basically, the reason is that the limited fisheries jurisdiction which Canada at present exercises over the outer nine-mile zone is no longer sufficient to protect the full range of Canada's vital coastal interests. The 12-mile territorial sea would have the following advantages: (a) It would provide the comprehensive jurisdictional basis which Canada requires to enforce anti-pollution controls outside Arctic waters off Canada's east and west coasts up to 12 miles from the baselines of Canada's territorial sea, rather than merely three miles as at present. (b) It will permit Canada to expedite the conclusion of negotiations with the European countries which have been permitted to continue their fishing activities in Canada's nine-mile fishing-zone. (c) It will further protect Canada's security interests by permitting Canada to exercise greater control over the movement of foreign ships.

The legal *régime* of the territorial seas permits the coastal state to determine whether a particular passage is innocent. This bill extends that right for Canada up to a distance of 12 miles from the territorial sea baseline. All the reasons why a state requires a three-mile territorial sea apply with equal vigour to the 12-mile territorial sea. From the point of view of security, the danger is removed farther offshore and the coastal state can take all measures open to it on its own territory within a wider belt of 12 rather than three miles. Then (d), since the inner limit of the continental shelf is measured from the outer limit of the territorial sea,