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TWELVE-MILE FISHING LIMIT

Canada has announced its intention of closing its waters within a 12-mile limit to the fishermen of all other nations.

Legislation passed in 1964, adding nine miles to the existing three-mile zone within which Canada claimed exclusive fishing rights will be put into effect soon.

In a recent statement to the External Affairs Committee on the Law of the Sea, Mr. Paul Martin, Secretary of State for External Affairs, said that in July 1964 the legislation had been immediately enforced, exceptions being made for certain European countries and the United States, whose fishermen had, "for a substantial number of years, and in some cases for centuries, been exercising their activities within the zone described...". Pending the conclusion of negotiations with the countries concerned, their fishermen had been allowed to continue to fish within the 12-mile limit.

Part of Mr. Martin's statement follows:

...The 1964 Act provided that the Governor-in-Council (and I quote Section 5, Paragraph 1, of the Act) "may, by Order-in-Council, issue one or more lists of geographical co-ordinates of points from which baselines may be determined and may, as he deems necessary amend such lists". The effect of that Section was that the Government was empowered to establish along the coasts of Canada a system of straight baselines which would, in those areas where they were proclaimed, replace the sinuosities rule. This process would permit an extension of the internal waters of Canada and, by consequence, an

extension of the territorial sea and fishing zones of Canada. The Canadian Government entered into a series of bilateral negotiations with those countries that would eventually be affected by any such establishment of baselines to ascertain whether or not the proposed straight baselines would be acceptable to them from the point of view of international law. Although the drawing of straight baselines is a matter that can only be undertaken by Canada, such a system cannot be implemented unless it is carried out in accordance with the applicable rules of international law. Thus, if Canada could obtain the agreement of countries most directly affected, there could be no doubt that the application of the system of straight baselines would be legitimate in the eyes of the world community. If, on the other hand, such agreement could not be obtained, implementation by Canada could give rise to protests and possibly to international litigation.

These questions were discussed with seven European countries - namely the United Kingdom, Norway, Denmark, France, Portugal, Spain and Italy - and with the United States of America....

PROPOSED ACTION

Within the next few days, the Government will issue a first list of geographical co-ordinates of points, which will permit the immediate enforcement of a straight baseline system along the coast of Labrador and along the eastern and southern shores of Newfoundland. This will be only the first such list that the Government intends to issue within the next few