

*Territorial Sea and Fishing Zones Act*

witness before the committee, as a consequence of that proclamation by President Truman some of the Latin American countries took the declaration of the United States at its face value and declared fishing zones off their own coasts. Some of those countries, if I understand correctly, attempted to assert an additional jurisdiction which was specifically exempted in the United States declaration. They enacted laws making some areas of the seas which extended as much as 200 miles offshore territorial seas.

The bill before us makes no such assertion on the part of Canada. It merely provides that seas up to 12 miles offshore shall come under our jurisdiction, something which is well established in international practice as a result of the action of nations. It accepts and endorses the principle inherent in the proclamation which was made by the United States as long ago as 1945. Although there has been some dispute as to the jurisdiction of some South American nations which have made various assertions of jurisdiction, by and large many nations of the world recognize their claims that their fishing zones, in some cases, extend beyond the outer limits of the continental shelf. The whole area of the development of international law as a result of initiative of states in fields that they consider their legitimate interest is one that we considered exhaustively in the committee which dealt with this bill.

I feel confident that if my amendment were accepted, and if it were at the same time made clear that we are prepared to accept the right that other nations have obtained under treaties, this applying to the United States and France in particular and, for example, rights relating to the conservation convention of resources of the North Atlantic, we should not experience too much difficulty in achieving recognition of the principle enshrined in my amendment. It is true that the fishing fleets of the USSR have been exploiting the resources in these areas off the Pacific coast of Canada, as have the fishing fleets of Japan. But if one considers the position the USSR has adopted with relation to the areas adjacent to its coastline, it seems clear that that country could not seriously quarrel with the position Canada might take in asserting jurisdiction with respect to seas adjacent to our coastlines.

On the Pacific coast we have a reciprocal fishing arrangement with the United States, and the United States would not be directly affected if the amendment I propose were

[Mr. Barnett.]

adopted. I am sorry that I do not see in the House at the moment the hon. member for Esquimalt-Saanich (Mr. Anderson). I point out to the House that since he is the sponsor of Bill C-91, which specifically suggests that the Territorial Sea and Fishing Zones Act should be amended by extending our fishing zones to the edge of the continental shelf, he supports in principle the kind of amendment I have proposed.

• (8:50 p.m.)

**Mr. Douglas (Nanaimo-Cowichan-The Islands):** He will vote for your amendment; there is no doubt about that.

**Mr. Barnett:** I would not be surprised, if he were here. To indicate some of the growing weight of opinion behind the kind of proposal I am putting before the House by my amendment I point out that resolution No. 2 entitled "Management of fisheries resource" was approved at the recent annual meeting of the Fisheries Council of Canada held in St. John's, Newfoundland. This resolution is well drafted and I wish to place it on the record for the consideration of members of this House. It reads:

WHEREAS the International Convention of the Continental Shelf form the principle of exclusive exploitation by a state of the seabed and subsoil resources of its adjoining continental shelf; and

WHEREAS the Convention of fishing and Conservation of the Living Resources of the Sea establishes the principle that each state or nation has a special interest in the fisheries for a considerable distance off its shore; and

WHEREAS the continued decline in Canadian catches of most groundfish species and herring on Canada's Atlantic coast and several species on Canada's Pacific coast bears out previously expressed apprehension by the industry that the resource is being over-exploited by the large fleets of European and Asian fishing nations; and

WHEREAS It took several years of international negotiations and an attendant severe depletion of stocks of haddock on George's and Brown's Banks before agreement was reached to institute conservation measures as of January 1, 1970; and

WHEREAS It is in the best interests of the very important Canadian commercial fishing industry for the government of Canada to exercise some control over the exploitation of the fisheries off our Coasts; and

WHEREAS the only way for Canada to provide for this proper conservation and management is to have control of the fishing areas off the east and west coasts to its adjoining continental shelf and slope; and

WHEREAS continuation of the present rate of over-fishing cannot be permitted without risk of serious damage to the resource for the years that will be required to negotiate international agreement in this connection;