

principles underlying international practice in respect of territorial waters. The government agencies of many countries with maritime interests are re-examining their policies on this subject, as a result of this decision of the International Court.

Some countries, hastily—perhaps too hastily—have attempted to apply the principles which they thought the judgment in the United Kingdom-Norway dispute announced. Iceland was one of those countries which I have just mentioned. Most governments, however, including ourselves, are proceeding more cautiously because of the complexity of the problems involved. We are however giving very serious thought to these problems. At present, an inter-departmental committee representing government interests of a number of government departments and agencies concerned, is studying the implications of the judgment of the International Court as well as the more recent international developments because of that judgment. The committee is being assisted in its labours by Professor George Curtis, Dean of the Faculty of Law of the University of British Columbia, engaged by the government as its legal advisor.

When the committee makes its report, the government will be in position to act, if it decides to make any adjustments in the delineation of territorial waters in so far as Canada is concerned.

And here is the important part which gives the relationship of this committee to the bill which is now before us.

The bill before you gives the Governor in Council the power to designate territorial waters. It does not itself alter the practice as to territorial waters. The practice we have followed is continued, but it does provide authority to change the practice if it is ever decided by the government to do so.

If, as a consequence of the steps taken by our government and other governments international action should result in a change of the present territorial boundaries, this bill would cover the new situation as well as it covers the present situation. That is the only statement I wanted to make on this bill. It was a statement, I knew, of very much concern, because every member is interested in this matter.

Mr. PEARKES: Yes, Mr. Chairman, and it is of concern to every nation which is interested in fishing.

Hon. Mr. SINCLAIR: Each nation has the same concern; it would like to extend its territorial waters for some sorts of fishing; it would like to keep the coastal waters in which their fishermen had been engaging, within its own national boundary.

Mr. KIRK: The Minister mentioned certain countries having fished since away back in 1498. Had that been done by agreement, or was it just sort of squatting?

Hon. Mr. SINCLAIR: It was the old principle of the freedom of the seas; the seas were there as well as the Indians.

Mr. ROBICHAUD: There was no Canada then.

Hon. Mr. SINCLAIR: There was no Canada as such. There were various Indian tribes down in Nova Scotia; but I do not believe there were many Indians in Newfoundland.

Mr. KIRK: But there was no agreement.

Hon. Mr. SINCLAIR: Very severe wars were fought in Newfoundland for the control of the fishing, and the shore fishing passed from one nation to another until the British established their sovereignty over it; and even that sovereignty was affected by the last treaty of 1904 with the French.

Mr. STICK: I have it here and I shall be making a statement in a moment.

Hon. Mr. SINCLAIR: The French and the Americans still have certain rights on the Newfoundland coasts; but fishing on the Grand Banks is probably a very