

any right of innocent passage if that right is defined as precluding the right of the coastal state to control pollution in such waters. The law may be undeveloped on this question, but if that is the case we propose to develop it. I hope I have said enough about the implications of this bill for the Arctic to allay any fears, real or imagined, about its effect upon our sovereignty....

The fisheries provisions of this bill will provide the Government with greater flexibility for completing the delimitation of Canada's exclusive fishing-zones in those coastal areas where straight baselines have not so far been drawn from headland to headland. These provisions are enabling only; the creation of the proposed new Canadian fishing-zones will require executive action by way of Order in Council.

Under the existing legislation, Canada could not exercise exclusive fishing rights within such bodies of water as the Gulf of St. Lawrence, Bay of Fundy, Dixon Entrance, Hecate Strait and Queen Charlotte Sound. With the proposed amendment, Canada could now, where appropriate, draw what might be called "fisheries-closing lines" across the entrances to these bodies of water and thereby establish them as exclusive Canadian fishing-zones. In this way, Canada would have the required domestic legal basis for managing the fisheries resources of these areas.

The new fishing-zones will be established only where Canada's primary interests relate to fisheries, and in areas where Canada has historic claims. In such areas, the bill would, in keeping with the Government's approach to the question, enable us to separate fisheries jurisdiction from the complete sovereignty which states exercise in their territorial sea and internal waters. This separation of fisheries jurisdiction from sovereignty already underlies the concept of the contiguous fishing-zone which has become an established principle of customary international law, owing in good measure to the pioneering activities of Canada.

In our view, the application of the conception of the exclusive fishing-zone to some or all of the special bodies of water in question is justified on geographic, economic and historic grounds, as well as by the urgent need to provide for the rational management and conservation of fisheries resources. Although the fishing-zone conception is best established with respect to the contiguous fishing-zone extending 12 miles from the baselines of the territorial sea, it is our view that the conception is equally applicable to Canada's special bodies of water.

I must emphasize that the fisheries provisions of this bill reflect our belief that there is an urgent need for bold and imaginative approaches to the problems of fisheries management and conservation and harvesting. So long as there was an abundance of fish for everyone, so long as the living resources of the sea seemed inexhaustible, it was necessary for states to exercise only a relatively limited control over the fisheries adjacent to their shores. With growing populations and technical developments of fishing vessels and gear, which have virtually transformed fishing activities from a harvesting to a mining process, it has become dramatically evident that the resource itself could disappear. The coastal states which depend on this resource have a responsibility to ensure its conservation and to manage it on a rational basis.