

*Territorial Sea and Fishing Zones Act*

Indeed, it was argued that in some respects my amendment was not necessary. But in view of the fact that it was not the stated intention of the government to take any action to bring under its control and management the resources of the sea on the continental shelf outside the Gulf of St. Lawrence, and outside the waters on the west coast lying between Vancouver Island and Queen Charlotte Islands and the mainland, I felt that I should put forward this proposal for the consideration of the House as a whole.

• (8:40 p.m.)

While it might be argued that there is no precedent in international law established under an international convention for this sort of action, I should like to point out that some of the ideas implicit in this amendment came very close to receiving international acceptance at the last convention on the Law of the Sea. The idea is not completely new or original. Indeed, Mr. Speaker, I think there is quite a bit of evidence already that indicates that this proposal is fair and reasonable and that it is not something we should hesitate to take action on at this time, not only in the Canadian interest but in the interest of ensuring that these resources of our continental shelf are not raped and destroyed.

There is evidence that they are being destroyed at present. I have witnessed this happening in increasing measure on the Pacific Coast where there are incursions upon our continental shelf by the fishing fleets of the Soviet Union and Japan. There is an increasing possibility that other nations will be moving into these areas which have traditionally been regarded as Canadian fishing zones. There is an indication that Korea is seriously interested in establishing a high seas fishing fleet which will operate off the shore of the west coast. In the Fisheries Committee I listened to the hon. member for South Shore (Mr. Crouse) and other hon. members representing Atlantic provinces areas talking about the depletion of haddock as well as other species of fish which are to be found in the continental shelf areas off the coasts of Nova Scotia and Newfoundland. So, Mr. Speaker, I submit that the urgency for action is apparent; and, as I say, if Canada were to take this sort of action it would not be entirely unprecedented.

One of the documents presented to the committee by one of the witnesses appearing before it was a copy of a presidential proclamation of September 28, 1945, with respect to

coastal fisheries in certain areas of the high seas. I think I ought to put the text of this document before the House for its consideration in relation to my amendment. It reads:

WHEREAS for some years the government of the United States of America has viewed with concern the inadequacy of present arrangements for the protection and perpetuation of the fishery resources contiguous to its coasts, and in view of the potentially disturbing effect of this situation, has carefully studied the possibility of improving the jurisdictional basis for conservation measures and international cooperation in this field; and

WHEREAS the progressive development of new methods and techniques contributes to intensified fishing over wide sea areas and in certain cases seriously threatens fisheries with depletion; and

WHEREAS there is an urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the coastal state and of any other state which may have established a legitimate interest therein;

NOW THEREFORE, I, Harry S. Truman, President of the United States of America, do hereby proclaim the following policy of the United States of America with respect to coastal fisheries in certain areas of the high seas;

In view of the pressing need for conservation and protection of fishery resources, the government of the United States regards it as proper to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale. Where such activities have been or shall hereafter be developed and maintained by its nationals alone, the United States regards it as proper to establish explicitly bounded conservation zones in which fishing activities shall be subject to the regulation and control of the United States. Where such activities have been or shall hereafter be legitimately developed and maintained jointly by nationals of the United States and nationals of other states, explicitly bounded conservation zones may be established under agreements between the United States and such other states; and all fishing activities in such zones shall be subject to regulation and control as provided in such agreements. The right of any state to establish conservation zones off its shores in accordance with the above principles is conceded, provided that corresponding recognition is given to any fishing interests of nationals of the United States which may exist in such areas. The character as high seas of the areas in which such conservation zones are established and the right to their free and unimpeded navigation are in no way thus affected.

That proclamation, as I understand it, sets out exactly what my amendment proposes. I ought to point out that this proclamation by the United States was made at approximately the same time as the United States made its declaration of jurisdiction over the resources of the seabed to the outer limits of the continental shelf. As was pointed out by an expert