

18. *The Cabinet* noted the recommendations of the Secretary of State for External Affairs, concurred in by the Ministers of Fisheries and Northern Affairs and National Resources (Cab. Doc. 418-62 Dec. 14, 1962), on a proposed course of action relating to the Law of the Sea, and agreed:

(a) that the government of Canada should consult with the government of the United States before taking action to assert jurisdiction over any special bodies of water as proposed; and

(b) that the recommendations would be considered further by the Cabinet after the meeting between Ministers and the Fisheries Council to be held on January 28th.

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748.

J.G.D./MG01/XII/F/293

*Le secrétaire d'État aux Affaires extérieures
à l'ambassadeur aux États-Unis*

*Secretary of State for External Affairs
to Ambassador in United States*

TELEGRAM L-30

Ottawa, February 26, 1963

SECRET. CANADIAN EYES ONLY. OPIMMEDIATE.

Reference: Your Tel 731 Mar 8/62.⁴

Repeat for Information: Paris, London (OpImmediate), DND (JAG and DNPO).

LAW OF THE SEA

Please speak to appropriate USA officials at highest level considered appropriate along the following lines: The USA Government is aware of Canada's strenuous efforts to bring about an international agreement on the Law of the Sea before, during and after the 1958 and 1960 Geneva Conferences on the Law of the Sea. The Canadian Government is mindful of the cooperation and assistance of the USA in these efforts. It will be recalled, however, from our discussions on this question at various times in the past three years that it has been the considered opinion of the Canadian Government that in the light of the failure of the last Geneva Conference to reach agreement on the joint Canada-USA "six-plus-six" proposal, the proposed multilateral convention offered the best possibility of removing some of the resultant uncertainty in the Law of the Sea and at the same time arresting the disturbing drift towards wider territorial seas.

It was the earnest hope of the Canadian Government that the Government of the USA would come to share these views. Indeed, with this in mind, the preliminary survey of 18 countries was carried out by Canada and Great Britain from February to April 1961 with the primary purpose of amassing sufficient evidence of support for a multilateral convention to persuade the USA Government to join in the second phase of such a survey. It was the agreed assessment of the Canadian and British governments that the results of the preliminary survey were sufficiently encouraging to warrant proceeding with the second phase, during which a second group of countries were to have been approached.

2. It will be recalled that these views were made known to USA Government in mid May/61, when Canadian and British governments requested that USA Government participate in the second phase of the survey. The response of USA Government to these representations was then awaited, and in the meantime no repeat no further steps were taken in the survey. In these circumstances the decision of USA Government, communicated to Canadian Government on

⁴ Voir/See Volume 28, document 107.