

CHAPITRE X/CHAPTER X  
DROIT DE LA MER  
LAW OF THE SEA

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*Note du secrétaire d'État aux Affaires extérieures  
pour le Cabinet*

*Memorandum from Secretary of State for External Affairs  
to Cabinet*

CABINET DOCUMENT NO. 247-62  
SECRET. CANADIAN EYES ONLY.

[Ottawa], July 17, 1962

LAW OF THE SEA: POSSIBLE COURSES OF ACTION

It will be recalled that there are a number of memoranda under consideration by Cabinet dealing with the separate but related issues of:

- (a) implementation of the straight baseline system for the delineation of the line from which Canada's territorial sea may be measured;
- (b) ratification of the four Law of the Sea Conventions and Optional Protocol signed in Geneva in 1958; and
- (c) extension of Canada's territorial sea and/or exclusive fisheries zone.

2. The purpose of this memorandum is to summarize the various recommendations on these questions contained in the various papers under consideration by Cabinet, and to correlate them with developments which have occurred since their submission to Cabinet.

(A) IMPLEMENTATION OF THE STRAIGHT BASELINE SYSTEM

3. In a memorandum to Cabinet on Arctic Sovereignty dated February 1, 1960 from the then Minister of Northern Affairs and National Resources it was recommended:

(a) that no claim be made to the waters and ice of the Polar Basin on the basis of the sector theory, but that the sector theory be held in reserve by Canada and not repudiated in case it might prove useful at some future date should it be deemed desirable to claim sovereignty over any permanently fixed or floating ice of the high seas of the "Canadian Sector";

(b) that a decision be reached in principle to lay claim to sovereignty over the waters of the channels of the Arctic Archipelago, formal announcement to be postponed until after the second (1960) Conference on the Law of the Sea; and

(c) that appropriate government departments be cautioned against any action which might compromise a Canadian claim not only to the waters of the channels in the Arctic Archipelago but also to the waters of the Arctic ocean and the Gulf of St. Lawrence.

4. At its meeting on March 8, 1960 Cabinet gave preliminary consideration to these memoranda and requested additional information on the legal basis of Canada's claim to sovereignty over the islands of the Arctic Archipelago and on whether Canada had ever made a formal claim to these islands.

5. In a supplementary memorandum dated June 27, 1960 from the then Minister of Northern Affairs and National Resources these questions were discussed in some detail. The conclusion