



CANADA

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CANADA-U.S. SEA LAW PROPOSAL

On Wednesday April 13, the Second United Nations Conference on the Law of the Sea, meeting in Geneva, voted in committee of the whole on proposals for the breadth of the territorial sea and the extent of the fishing zone. The only proposal to gain a majority in committee (43 for, 33 against, 12 abstaining) was the joint Canada - United States proposal that had been submitted to the Conference on April 8. The following is a partial text of the statement made by Mr. George Drew, High Commissioner for Canada in the United Kingdom, in submitting this proposal to the Conference:

"We have withdrawn our proposal tabled on March 25 so that we may join the U.S.A. in presenting a single proposal which we hope will provide an opportunity for agreement at this Conference.

"As I said on March 25, the original proposals presented by Canada and the U.S.A. sought to achieve the same fundamental objective. Each of them declared that a state is entitled to fix the breadth of its territorial sea up to a maximum of six nautical miles measured from the applicable baseline and to establish a fishing zone contiguous to its territorial sea extending to a maximum limit of 12 nautical miles from the same baseline.

"The difference, and we recognize the importance of that difference, was in our approach to the problem raised by the distant fishing which had been done by a number of states over many years in the coastal waters of other states. At no time did we suggest

that there should be an abrupt end to long-established fishing practices. On the contrary, at the last Conference (also in the arguments we presented prior to this Conference and at this Conference itself), we have expressed our belief that the best way to deal with this problem which presents so many variable factors is to enter into bilateral or multilateral agreements consistent with the mutual interests of the coastal and distant fishing states.

"On the other hand, it was proposed that those rights be continued in perpetuity where they had been carried on for a period of at least five years prior to January 1, 1958.

"During the course of the debates at this Conference, the distinguished delegates from several countries have indicated their hope that the two points of view could be reconciled so that those who wished to support the principles of the six-mile territorial sea and an additional six-mile fishing zone could all find common ground.

"The new proposal achieves that purpose in the following words:

1. A state is entitled to fix the breadth of its territorial sea up to a maximum of six nautical miles measured from the applicable baseline.

2. A state is entitled to establish a fishing zone contiguous to its territorial sea extending to a maximum limit of twelve nautical miles from the baseline from which the breadth of its territorial sea is measured, in

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