

*North Pacific Fishery*

Title agreed to.

Bill reported, read the third time and passed.

**NORTH PACIFIC FISHERY****INTERNATIONAL CONVENTION FOR HIGH SEAS FISHERIES**

**Hon. Alphonse Fournier (for the Minister of Fisheries)** moved the second reading of Bill No. 293, to implement the international convention for the high seas fisheries of the north Pacific ocean.

**Mr. Pearkes:** Are we going to get a statement from the appropriate minister?

**Mr. Fournier (Hull):** Perhaps the house could be patient for a few minutes; I have sent for the parliamentary assistant. I think he has a statement ready.

**Hon. Robert H. Winters (Acting Minister of Fisheries):** Mr. Speaker, as Acting Minister of Fisheries, perhaps I should say a few words on the second reading of this measure. The purpose and objects of the convention have already been outlined when the resolution came before the house last Friday, March 27. There are, therefore, only one or two points about the convention that I should like to go into to make its meaning clearer.

The first relates to the area of the convention. It embraces the whole of the north Pacific ocean and adjacent waters but it excludes expressly the territorial waters. The species Canada has been conserving, alone and with the United States—salmon, halibut and herring—spend much of their lives on the high seas. On the high seas they could be fished by other countries, the most likely of which was Japan. In this convention Japan has agreed, not to any change in the principle of the freedom of the seas, but to waive its right to fish these particular species coming to American and Canadian waters. Japan is willing to make this waiver because these species have been under conservation, under scientific management and regulation, and are already fully utilized by Canadian and American fishermen. In no other way except by a convention of this kind could such protection be found for these species. No conceivable extension of territorial waters could achieve this oceanic protection.

A second point might be made. The convention not only excludes the territorial waters of each of the parties, but it provides in explicit terms that nothing in the convention shall be deemed to prejudice the claims of any contracting party in regard to the limits of territorial waters or to the jurisdiction of a coastal state over fisheries.

The definition of territorial waters is a complex question on which it has been difficult so far to get full international agreement. The question of territorial waters, as hon. members will realize, could not have been even raised at a fisheries conference between the three nations. It involves many interests besides fisheries, both at home and abroad, including national defence, customs, transport, mineral resources of the sub-soil of the sea, not to mention our trade and other external relations with other countries.

Because of the complexity of the problems involved, the government has established an interdepartmental committee to deal with this matter. When the committee makes its report, the government will be in a position to act if it decides to make any adjustments in the delineation of territorial waters in so far as Canada is concerned. In this meantime, to protect the position of the three parties to the convention, the clause which I mentioned above was inserted in the body of the convention.

**Mr. Graydon:** May I ask the minister if he can inform the house how the paper from which he has just read got into his hands?

**Mr. Winters:** I prefaced my remarks by reminding the house that I am Acting Minister of Fisheries.

**Mr. G. R. Pearkes (Nanaimo):** I am sure we are very much indebted to the Acting Minister of Fisheries for his comprehensive statement. As hon. members will recall, the convention upon which this bill is based was considered in the standing committee on marine and fisheries. I do not know whether or not it is the intention of the acting minister to refer this bill to that committee. During the discussion in the committee stage, as well as in the discussion at the resolution stage, I pointed out a number of objections which were being taken to the ratification of this convention. These objections were based on the limited nature of the security provided. The acting minister referred to the fact that there was a measure of security, but it is only a measure of security, which is being provided for the fishing industry on the west coast. The limitations of that security fall under three main headings. First of all, the protection of our fish is limited to the three powers which have signed this convention, namely Canada, the United States and Japan. Other powers have not signed the convention, and therefore are not bound in any way by its provisions. Therefore, so far as the fish on the west coast are concerned, they are protected only to the extent that this convention applies to Japan, the United States and Canada.