

FISHING ZONES AND TERRITORIAL WATERS

Canada's view that countries should be able to reserve exclusive fishing rights for their own fishermen within a contiguous zone of 12 miles from their coastal baselines was outlined last week at the International Conference of the Law of the Sea, in Geneva, Switzerland.

The Hon. George Drew, Chairman of the Canadian Delegation, in his address in Committee, also called for freedom of the seas up to 3 miles from the accepted baselines of countries. Mr. Drew said, in part:

"I think I should emphasize that it is of the utmost importance to Canada that there be clearly defined laws of the sea universally applied throughout the world. Merely to indicate the measure of our concern about this subject, may I take the time to place some facts before the committee which may not be generally known. We are the only country bounded by three oceans, the Atlantic on the east, the Pacific on the west, and the Arctic on the north. Including the very large islands on the east, west and north, we have a coastline of more than 30,000 miles or 55,000 kilometres, approximately the same as that of the U.S.S.R. They are, in fact, much the longest coastlines in the world and in both cases they are rich fishing grounds for most of their length.

"Off our coasts lie old and historic fishing areas from which many countries have been drawing rich harvests for centuries. On the west our salmon, halibut and other fish have been caught by Canadian and United States fishermen for many years. On the east, the Grand Banks of Newfoundland have been fished regularly by Portugal, Spain, France and several other countries. In fact, two years ago Portugal celebrated the 500th anniversary of the first of their annual fishing expeditions to the Grand Banks in a colourful ceremony at St. John's, Newfoundland. That goes back long before the beginning of our life as a nation. I mention this because these fishing resources are of interest not only to ourselves but to many other countries whose ships have continued their rewarding efforts for so many years.

"The interest of different nations in this subject is also brought into perspective by the size of their annual catch of fish and other sea food. May I give the last figures available, those for 1956, for the first fifteen countries in terms of metric tons. These were the catches in 1956: Japan, 4,763,000; United States, 2,936,000; Continental China, 2,640,000; USSR, 2,617,000; Norway, 2,129,000; Canada, 1,077,000; United Kingdom, 1,050,000; India, 1,012,000; Germany, 771,000; Spain, 749,000; Indonesia, 652,000; Union of South Africa, 555,000; France, 538,000; Iceland, 517,000; Portugal, 471,000. When it is remembered that China has over 600,000,000 people,

the U.S.S.R. over 200,000,000, the United States 170,000,000, and Japan 90,000,000, it will be realized that the Canadian catch for a population of 17,000,000 people does constitute a very important part of their economic life. In fact, it is not without significance that Canada, with a third of the population of the United Kingdom, has a larger annual catch. I have placed these figures before you only to establish the fact that when we speak of our interest in fishing we are discussing something that is of very great practical importance to our people, particularly to those living along our long coastline, who depend so largely upon fishing for their livelihood and sustenance.

"We are also very directly interested in everything related to the navigation of the seas and the freedom of the seas. In 1956, cargoes were loaded on ships in our ports to the total of 50,000,000 tons. I should also mention the new and rapidly expanding means of transportation which will be greatly affected by the decisions here. We have commercial aircraft lines already flying to many parts of the world and rapidly extending their services for passengers and freight. The routes they can follow and the services they can give, as much to the people of other lands as to our own, will depend upon decisions made here in regard to the area over which there is real freedom of the sea because that measures in turn their right to freedom of the air....

FISHING ZONE

"We believe Canada should be able to reserve exclusive fishing rights for its own fishermen within a contiguous zone of 12 miles from the coastal baseline as defined by Articles 5 and 6. We believe that Article 66 should be amended to add the control of fishing to those subjects already covered by Section I. This would seem to be the most satisfactory and most practical way of dealing with this subject because it comes logically under the article relating to a contiguous zone over which control will be exercised rather than any of the articles which deal with fishing on the high seas.

"In seeking exclusive national jurisdiction over fishing within a 12-mile limit from the baseline we are not disregarding the arguments which have been put forward in favour of retaining a 3-mile limit over fishing as well as the territorial sea. We are impressed by the statements which have been made by the distinguished representatives of the United Kingdom and other countries as to the effect of such an extension of national jurisdiction over fishing upon their own fishing in distant waters. We would greatly regret that any decision by this conference might substantially reduce their annual catch. We do hope that