

Territorial Sea and Fishing Zones

Both my colleague the Minister of Fisheries (Mr. Robichaud) and I have already emphasized that we were not in a position to indicate the state of our negotiations concerning our straight base lines and the bodies of water which may be enclosed by these base lines. I am sure this will be understood. While negotiations are under way with foreign powers, friendly though they may be, no disclosure may be made until such time as it is in the interest of the parties concerned. To take any other course would be self-defeating. I can make clear, however, that in a general way we have based ourselves on the brief by the fisheries council of Canada of January 28, 1963, which recommended closing lines for the gulf of St. Lawrence, the bay of Fundy, Hudson bay and Hudson strait, Dixon entrance, Hecate strait and Queen Charlotte sound. I cannot at the present time go beyond this general indication of our position.

I am hopeful, however, that our discussions will soon be completed and that the governor in council will be in a position before the end of the year to proclaim a list of geographical co-ordinates of points for application of the straight base lines to at least a part of our coast line. If our optimism, here, proves unwarranted it will not be because this is not our present appreciation of the situation; it will be because of the nature of the negotiations themselves. It is unlikely that the governor in council will publish points covering our entire coast line in his first list. It is possible that, depending on how our discussions proceed, he will publish several lists and that, in the first, base lines will come into force only for those areas in respect of which we have completed our talks.

I should like to conclude by discussing briefly our negotiations with the United States. The Prime Minister (Mr. Pearson) said on June 4:

In my discussions with President Kennedy at Hyannis Port, I informed him that the Canadian government would shortly be taking decisions to establish a 12-mile fishing zone. The President reserved the long standing American position in support of the three mile limit. He also called attention to the 'historic' and treaty fishing rights of the United States and I assured him that these rights would be taken into account. Discussions will be held with the United States with a view to determining the nature and extent of the United States' rights and interests that may be affected by the action which Canada is taking.

I am confident that the United States and Canada will be able to work out a solution in this field, as we have in other difficult problems. In view of our tradition of the closest co-operation, I remain optimistic that we will reach a satisfactory common accord.

[Mr. Martin (Essex East).]

But we have not yet been able to settle all outstanding questions. On most matters there are no differences between us; in certain other areas, our points of view have yet to coincide.

The Prime Minister made clear in the house that Canada for its part is prepared to be fair and just towards our neighbour. In our efforts to reach an accord with the United States we will continue to be guided by our tradition of friendship. We are convinced that our case is a fair one, solidly based on legal, economic, and historic considerations as well as those of a security nature. The configuration of our coast line, the needs of our people, and the interests of our security, require us to draw base lines so as to enclose Canadian internal waters. We have informed the United States that in view of their treaty rights and in order to be as fair as possible to the interests of their fishermen we are prepared to allow them to continue to fish in those areas where they have operated until now, subject to agreed regulations for the protection of the fisheries concerned. We are endeavouring to obtain their acquiescence in our straight base lines and to the application of Canadian regulations in the waters affected by our action.

We hope that with the adoption of this legislation our negotiations will be substantially furthered. I am sure that the introduction of this bill, which provides for the establishment of a 12 mile fishing zone and which enables the government to establish a straight base line system, will be a material factor in the negotiations which are still under way. The differences which we must overcome do not affect large parts of our coastal limits where there should be no difficulty in achieving agreement on what we propose to do. I am hopeful that in the foreseeable future all difficulties will have been removed and that our long standing desire to protect our coastal waters will be realized. I believe this bill will commend itself to the house.

Hon. J. A. MacLean (Queens): It is a pleasure for me to take part in this debate on a most important subject which has been near to my heart for a number of years.

I wish at the outset to congratulate the Secretary of State for External Affairs (Mr. Martin) on the reasonable and generous attitude he has taken in the course of his remarks. But I regret that in this matter, which is one of national importance and is one with which I think all parties in this house agree in general terms the attitude now