

STATEMENT DISCOURS



STATEMENT IN THE
HOUSE OF COMMONS
BY THE SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
THE HONOURABLE
ALLAN J. MACEachEN,
ON THE EXTENSION OF
CANADIAN FISHERIES
JURISDICTION

JUNE 4, 1976

MR. SPEAKER,

I STATED IN THE HOUSE ON MAY 18 THAT INFORMATION CONCERNING THE POSITION WHICH CANADA WILL TAKE AT THE FORTHCOMING ICNAF MEETING WOULD BE CONVEYED TO THE HOUSE. OUR POSITION AT THE ICNAF MEETING CANNOT BE DISCUSSED SEPARATELY FROM OUR POSITION ON EXTENDED CANADIAN FISHERIES JURISDICTION TO 200 MILES.

I WISH TO MAKE A STATEMENT ON BOTH THESE ISSUES, AND TO ANNOUNCE TODAY THE GOVERNMENT'S DECISION TO EXTEND THE FISHERIES JURISDICTION OF CANADA OUT TO 200 MILES FROM THE COAST. IMPLEMENTATION OF THIS DECISION UNDER EXISTING CANADIAN LEGISLATION WILL COME LATER THIS YEAR, AND IN ANY EVENT WILL BE IN PLACE BY JANUARY 1, 1977. THE STATE OF OUR FISHERY RESOURCE AND THE SITUATION OF OUR FISHERMEN, OF OUR FISHING INDUSTRY, AND OF OUR COASTAL COMMUNITIES, MAKE THIS ACTION IMPERATIVE. THERE WILL BE NO FISHERY RESOURCE LEFT TO PROTECT IF ACTION IS NOT TAKEN NOW -- BECAUSE THE FISH STOCKS WILL BE SO DEPLETED

AS TO DISAPPEAR AS A RESOURCE OF COMMERCIAL SIGNIFICANCE. NOT ONLY THE FISH BUT OUR CANADIAN FISHERMEN TOO ARE AN "ENDANGERED SPECIES", AS I HAVE HEARD THEM DESCRIBE THEMSELVES.

THE PROTECTION OF CANADIAN INTERESTS IS OF CONCERN TO US AS A RESULT OF THE EXTENSION OF U.S. FISHERIES JURISDICTION IN MARCH 1977. MEXICO, OUR OTHER NEIGHBOUR ON THE NORTH AMERICAN CONTINENT, HAS FELT COMPELLED TO ACT AND HAS RECENTLY ADOPTED LEGISLATION TO BRING ABOUT AN EXTENSION OF JURISDICTION TO 200 MILES.

THE GOVERNMENT LAST YEAR INSTRUCTED CANADIAN OFFICIALS TO CONDUCT BILATERAL NEGOTIATIONS WITH MAJOR FISHING STATES OPERATING OFF THE CANADIAN COAST REGARDING THE TERMS AND CONDITIONS THAT CANADA WILL APPLY WHEN PERMITTING FOREIGN FISHERIES IN RESPECT OF ANY RESOURCES SURPLUS TO CANADIAN HARVESTING CAPACITY WITHIN CANADA'S 200-MILE ZONE. AGREEMENTS HAVE BEEN SIGNED WITH NORWAY, POLAND AND THE USSR, AS WELL AS AD REFERENDUM AGREEMENTS WITH SPAIN AND PORTUGAL, IN ADDITION TO THE AGREEMENT WITH FRANCE

ENTERED INTO IN 1972. THESE VARIOUS AGREEMENTS, WHEN THEY ARE ALL IN PLACE, WILL COVER MAJOR FOREIGN FISHERIES OFF CANADA'S PACIFIC COAST AND MORE THAN 88 PER CENT OF THE FOREIGN CATCH IN THAT PART OF THE ICNAF CONVENTION AREA TO BE INCORPORATED WITHIN CANADA'S 200-MILE ZONE. THEY WILL PROVIDE FOR A SMOOTH TRANSITION TO THE NEW REGIME OF EXTENDED CANADIAN FISHERIES JURISDICTION.

THERE WILL BE A CONTINUING NEED, FOLLOWING EXTENSIONS OF FISHERIES JURISDICTION BY COASTAL STATES, FOR MULTILATERAL FISHERIES CO-OPERATION. NEW MULTILATERAL ARRANGEMENTS WILL BE NEEDED TO BRING THE INTERNATIONAL COMMISSION FOR THE NORTHWEST ATLANTIC FISHERIES (ICNAF) AND OTHER FISHERIES CONVENTIONS, INTO LINE WITH THE NEW JURISDICTIONAL REALITIES.

THE INSTRUCTIONS TO THE CANADIAN DELEGATION TO THE ICNAF MEETING IN JUNE HAVE BEEN FORMULATED ON THE BASIS OF CANADA'S DECISION TO EXTEND ITS FISHERIES JURISDICTION BY JANUARY 1, 1977. THE DELEGATION HAS BEEN INSTRUCTED TO MAKE CLEARLY KNOWN TO OTHER DELEGATIONS CANADA'S INTENTIONS REGARDING

EXTENSION OF JURISDICTION AND POSSIBLE FUTURE MULTILATERAL
ARRANGEMENTS FOR THE NORTHWEST ATLANTIC.

WE WILL ALSO GIVE NOTICE TO OTHER NATIONS FISHING OFF
OUR COAST THAT CONSERVATION AND MANAGEMENT MEASURES FOR 1977
WILL BE ESTABLISHED BY CANADA TO PROVIDE FOR EFFECTIVE PROTECTION
AND REBUILDING OF THE STOCKS AND MUST ENSURE, WITHIN SUCH
CONSERVATION LIMITS, THAT THE NEEDS OF CANADIAN FISHERMEN ARE
SATISFIED. AT THE SAME TIME WE ARE PREPARED TO COMMIT OURSELVES,
AS WE ALREADY HAVE IN THE BILATERAL AGREEMENTS, TO ALLOW OTHER
NATIONS TO FISH IN CANADA'S 200-MILE ZONE FOR STOCKS SURPLUS TO
CANADA'S HARVESTING CAPACITY, AND TO CARRY OUT APPROPRIATE
CONSULTATIONS WITH SUCH COUNTRIES IN THE DEVELOPMENT OF REGULATIONS
WITHIN THE ZONE. WE ARE PREPARED TO CO-OPERATE WITH OTHER NATIONS
IN THIS WAY, BUT IN RETURN WE EXPECT THEIR CO-OPERATION IN ACHIEVING
OUR OBJECTIVES.

I WISH TO EMPHASIZE THAT THE GOVERNMENT WILL IN NO WAY
ABANDON ITS DEEP COMMITMENT TO REACHING MULTILATERAL SOLUTIONS

TO THE PROBLEMS OF THE LAW OF THE SEA IN GENERAL AND FISHERIES IN PARTICULAR. WE WILL CONTINUE TO WORK WITHIN THE U.N. CONFERENCE ON LAW OF THE SEA TO REACH AGREEMENT NOT ONLY ON FISHERIES BUT ALSO ON THE OTHER VITAL AND DIFFICULT ISSUES FACING THE CONFERENCE, ISSUES SUCH AS THE ESTABLISHMENT OF AN INTERNATIONAL AUTHORITY FOR THE MANAGEMENT OF THE RESOURCES OF THE DEEP SEABED AND OCEAN FLOOR WHICH CONSTITUTE THE "COMMON HERITAGE OF MANKIND"; THE PRESERVATION AND PROTECTION OF THE MARINE ENVIRONMENT, INCLUDING THE ARCTIC; AND THE BREADTH OF THE TERRITORIAL SEA AND THE RELATED QUESTION OF PASSAGE THROUGH STRAITS USED FOR INTERNATIONAL NAVIGATION. THESE ISSUES MUST FIND AN EARLY MULTILATERAL SOLUTION.

WE KNEW FROM THE OUTSET THAT THE SPRING SESSION OF THE LAW OF THE SEA CONFERENCE IN NEW YORK COULD NOT ACHIEVE FINAL AGREEMENT ON A NEW CONVENTION. AT LEAST ONE MORE SESSION WILL BE NECESSARY FOR THIS PURPOSE, AND THE CONFERENCE WILL CONVENE AGAIN IN NEW YORK FROM AUGUST 2 TO SEPTEMBER 17. WE HOPE IT WILL SUCCEED BUT MUST ANTICIPATE THAT EVEN THEN THERE WOULD STILL BE FORMALITIES TO BE CONCLUDED.

I SAID AT THE UNITED NATIONS GENERAL ASSEMBLY LAST FALL, THEN AT THE LAW OF THE SEA CONFERENCE IN NEW YORK, AND MOST RECENTLY IN THE HOUSE OF COMMONS, THAT 1976 MUST BE THE YEAR OF DECISION FOR THE CONFERENCE. I WISH TO MAKE CLEAR HERE AND NOW THAT 1976 IS ALSO THE YEAR OF DECISION FOR CANADA'S EXTENSION OF FISHERIES JURISDICTION OUT TO 200 MILES.

THE DECISION I AM ANNOUNCING TODAY TO EXTEND CANADA'S FISHERIES JURISDICTION DOES NOT CONSTITUTE UNILATERAL ACTION THAT EITHER LEAVES NO ROOM FOR NEGOTIATIONS OR IGNORES THE INTERESTS OF OTHER COUNTRIES DIRECTLY CONCERNED. IT IS ACTION FOR WHICH WE HAVE CAREFULLY PREPARED THE WAY THROUGH BOTH BILATERAL AND REGIONAL NEGOTIATIONS WITHIN ICNAF, AND WITHIN THE MULTILATERAL FRAMEWORK OF THE LAW OF THE SEA CONFERENCE. IT IS ACTION BASED ON A GROWING CONSENSUS AMONG NATIONS, A CONSENSUS WHICH IS INCREASINGLY FINDING ITS WAY INTO STATE PRACTICE AND IS REFLECTED IN THE PROVISIONS OF THE SINGLE NEGOTIATING TEXT THAT EMERGED

FROM LAST YEAR'S SESSION OF THE LAW OF THE SEA CONFERENCE IN GENEVA AND HAS BEEN CONFIRMED IN THIS YEAR'S REVISED TEXT. IT IS ACTION THAT IS BASED ON CANADA'S OBLIGATION AS A GOOD STEWARD OR CUSTODIAN TO PROTECT AND PRESERVE A PERISHABLE RESOURCE WHICH IS INCREASINGLY THREATENED WITH DEPLETION WHILE GROWING IN IMPORTANCE AS A SOURCE OF FOOD FOR THE WORLD AT LARGE. IT IS ACTION THAT WILL ENSURE THE FISHERY RESOURCES OFF THE CANADIAN COAST CAN BE MANAGED WISELY FOR THE BENEFIT OF CANADIANS, AND INDEED OF THE ENTIRE WORLD.

IN CONCLUSION, CANADA IS BETTER PREPARED THAN PERHAPS ANY OTHER COUNTRY FOR EXTENSION OF FISHERIES JURISDICTION. SINCE AMENDMENT OF THE TERRITORIAL SEA AND FISHING ZONE ACT IN 1970, WE ALREADY HAVE THE NECESSARY ENABLING LEGISLATION FOR ESTABLISHMENT OF THE 200-MILE LIMIT AND, AFTER GIVING STATUTORY NOTICE, NEED ONLY PROMULGATE AN ORDER IN COUNCIL. THAT ORDER IN COUNCIL WILL BE PROMULGATED AT AN APPROPRIATE TIME THIS YEAR, SO AS TO HAVE

THE 200-MILE LIMIT IN PLACE FOR JANUARY 1, 1977. WE HAVE DONE THE NECESSARY TECHNICAL PREPARATION. WE HAVE ALREADY CONCLUDED MUCH OF THE NECESSARY NEGOTIATION WITH THE MAJOR DISTANT-WATER FISHING STATES CONCERNED. AND, ABOVE ALL, WE HAVE THE EXPERTISE AND DETERMINATION TO CARRY THROUGH AND IMPLEMENT OUR EXTENDED JURISDICTION IN AN EFFECTIVE WAY -- WITHOUT RANCOUR, WITHOUT CONFRONTATION, AND WITHOUT PREJUDICING THE HOPE WE SHARE WITH THE WORLD THAT A MULTILATERAL SOLUTION TO FISHERIES PROBLEMS CAN ULTIMATELY BE FOUND, EVEN WHILE STATES TAKE THE NATIONAL MEASURES OF PROTECTION THAT ARE SO URGENTLY NEEDED.