

Territorial Sea and Fishing Zones Act

was a country, which gave these rights to France? The treaty was renegotiated in 1904. I am referring to the treaty of Utrecht. This treaty has no relevance to the present day. This treaty which was negotiated between Great Britain and France had no respect for Canada as it was then and did not anticipate Newfoundland entering into the Confederation of Canada. Nevertheless, this treaty was renegotiated in 1904.

• (10:00 p.m.)

This treaty today gives France not only territorial rights over the islands of St. Pierre and Miquelon but it gives her the right to fish in our territorial sea and within the three-mile limit. Under this treaty France can fish right up on the shores of Newfoundland. The Parliamentary Secretary has said something from his seat. I suggest that he restrain himself and occupy himself with the history books in the library so that he may learn something about this treaty, because his minister is very concerned about it as he should be. This treaty makes a total sham of this legislation. In fact, this legislation is a farce so long as that treaty is not renegotiated by Canada and so long as there is not an understanding between Canada and France that certain aspects of it are no longer relevant and it must be renegotiated. I am a little sick and tired, as I believe many Canadians are, concerning the attitude of the government toward France.

Only yesterday the government of France refused to grant permission to our Secretary of State for External Affairs to fly over that country. This was an indignity for Canada. What about the situation in respect of the Marville air base? In understand this matter has not been resolved. A substantial amount of money, over \$100 million, is owing Canada by France as a consequence of the takeover of this NATO Canadian military installation by the government of France. Yet the Secretary of State for External Affairs rises in his place in this House and says this is a solemn treaty and that Canada must respect it.

I say to the government that Canada should exert its sovereign right and say to France that we can no longer subscribe to the terms of this ancient treaty which is no longer relevant to the present day. We should say to France that we respect its territorial rights to the islands of St. Pierre and Miquelon, but that we must renegotiate the fishing rights of that country within our territorial seas. Then if France refused to renegotiate, we should

[Mr. McGrath.]

exercise the right to take this matter to the International Court of Justice and ask that it adjudicate on it. If Canada is not able to obtain satisfaction from the International Court of Justice, we should exercise our right as a nation and say to France that we can no longer honour the commitment of this treaty which grants to France rights which are denied to our own nationals, rights which we deny to our own fishermen, to fish within Canada's territorial seas and waters.

We should settle for nothing less than a renegotiation of this treaty. Otherwise, the legislation to which we are now asked to give assent is nothing but a sham, because the area concerned is the most prolific fishing area off Canada's east coast, the southern area of Newfoundland, the Grand Banks. This area has already been referred to in great detail by my colleague the hon. member for South Shore (Mr. Crouse). I am only sorry that the Minister of Fisheries (Mr. Davis), who is in his seat, did not see fit to participate in this debate in order to tell the House the difficulties he has as Minister of Fisheries in trying to enforce conservation and fisheries jurisdiction in the area of the south coast of Newfoundland and in trying to establish baselines on that south coast which, as he knows, is impossible so long as this treaty remains as it is today.

In order to set up such baselines one would practically have to go through the territory of France. Yet the government adopts the attitude that this is a treaty which cannot be renegotiated and is one which must be honoured. This is the treaty that was negotiated between Britain and France in 1713 and was renegotiated in 1904, which as it stands today represents a grave injustice to the fishermen of Canada. It allows the fishing fleets of France to violate our territorial sea and to ignore our conservation measures, and it makes this legislation to which we must assent nothing but a sham. I say to the government that they should heed the counsel of the Minister of Fisheries and Forestry because I know he is concerned about this matter. He has expressed his concern.

Let the Secretary of State for External Affairs while he is in Europe take advantage of his presence there, which coincides with the passage of this legislation, to express to the government of France the concern of the Parliament of Canada and to ask the government of France if, in light of the legislation which we are now about to pass, they would be prepared to at least renegotiate the fishing