

*Continental Shelf Boundary*

area and are inhabited by citizens who fish, fur farm, and it has become a tourist attraction. On the basis of its sovereignty position, France is claiming ownership of the mineral resources of about 20,000 square miles of continental shelf and can base its claim in international law under the Geneva convention of 1958 which, by article 6, established the doctrine of equidistance for the determination of boundaries between the continental shelves of opposite and adjacent countries.

Under this doctrine, France claims offshore gas, oil and mineral rights from the median line to the nearest parts of Canada on three sides, and southward more than 200 miles to the outer edge of the continental shelf. But, Mr. Speaker, because this large area is so out of proportion to the size of the French colony as compared to Canada that we, Canada, are seeking and are taking the position that special circumstances as mentioned in the Geneva convention justify another boundary delineation which would give a smaller area to France. I am in support of this position.

In 1967, France issued an oil exploration permit covering the islands and adjacent waters to Petrosar, a company in which the French government has a large interest, and in the next year the French government passed a law regulating and proclaiming sovereign rights over the exploration for and exploitation of natural resources of the continental shelf adjacent to the French territory, specifically including overseas French territories. In the same year, Ottawa retaliated by issuing permits to Gulf and Mobil oil which overlap the French permit, and since that time there has been no accord in negotiations, unless, Mr. Speaker, this accord is also being kept in secret and is one of the reasons why I was asked to remove my notice of motion.

It is apparent from what I can gather, Mr. Speaker, that neither side wants to go to the International Court of Justice as both have telling and reasonable arguments. Needless to say, other matters, such as agreements on fishing rights and responsibility for pollution, will be dependent, as well, on the outcome of these negotiations which evidently are taking place, the contents of which are not made available.

From what I can gather, too, there is an agreement regarding fisheries between France and Canada in the area between the French islands and the province of Newfoundland, but the agreement is simply a convenient arrangement to take care of the fisheries problems for now and has not settled the question of ownership of the continental shelf resources. This agreement provides:

No provision of the present agreement shall be interpreted as prejudicing the views and future claims of either party concerning internal waters, territorial waters, or jurisdiction with respect to fisheries or the continental shelf resources, or the bilateral or multilateral agreements to which either government is a party.

Let us look at the factors which are relevant to the present position as it refers to the Law of the Sea conference. Canada's submerged continental margin, which can include, if we stand up for our rights, both the continental shelf and the continental slope seaward to the ocean depths, is estimated to cover almost two million square miles, an area about half as large as the total land area of Canada, the second largest in the world, exceeded only by the U.S.S.R. Yet, Mr. Speaker, Canada will not take the position, as she should, that we should rightfully claim priority over a little blob of land ten miles by ten miles in

[Mr. Marshall.]

area, and keep negotiating because we continue to be good fellows with other nations, to the detriment of Canadians.

Under the schedule of the terms of union of Newfoundland with Canada, as it applies to the province that I represent, these terms express the following:

On, from, and after the coming into force of these terms of union hereinafter referred to as the date of union, Newfoundland shall form part of Canada and shall be a province thereof to be called and known as the province of Newfoundland.

More important, Mr. Speaker, No. 2 of the terms relates "that the province of Newfoundland shall comprise the same territory as at the date of union, that is to say, the island of Newfoundland and"—I stress this, Mr. Speaker—"the islands adjacent thereto". Unfortunately, this only refers to the coast of Labrador as delineated in the report delivered by the judicial committee of His Majesty's privy council on March 1, 1927, and approved on March 22, 1927. Unfortunately those who signed the agreement with Canada forgot the adjacent islands of St. Pierre and Miquelon, which were not even mentioned, or at least this emphasizes the lack of foresight and ignorance of the resource potential off Newfoundland's shores by those supposed experts who were reputedly sincere in their efforts in joining Canada.

I feel that I should make reference to the more current situation that exists in St. Pierre-Miquelon, and I do so as a result of the fact that I was interested enough last year during the summer recess to visit that island to assess personally the situation vis-à-vis Canada's interest, and hopefully to come to some conclusions because of the passive interest indicated by Canada. My visit was prompted, firstly, as a result of Canada's closing of eastern Canadian ports to the Russians as a result of their over-fishing, and this again emphasizes Canada's lack of attention to the effects of St. Pierre-Miquelon. Needless to say, agreement was reached after discussions with the Soviets to reopen the ports to Russia, but we should not be deluded into thinking that the Soviet Union could not have used St. Pierre as an alternative port.

We were led to believe that the port facilities were not extensive enough to handle foreign trawlers but, Mr. Speaker, extensive plans are being made to expand port facilities. The harbour development work undertaken during the last decade offers much improved facilities for foreign fishing fleets. The harbour can accommodate up to 40 vessels at a given time, and with proper control as to timing of the arrival of vessels the port could handle many more. Indeed, Mr. Speaker, in the last year for which figures are available, 1972, there were 1,136 visits made to the port of St. Pierre by vessels from 22 nations. Spain, for example, made 585 visits. Reference to "Harbour Notes" information also discloses that the services offered for supplies, fuel and water are as good as those offered in Newfoundland or Nova Scotia ports, and costs are generally competitive with, or in some cases lower than, in those two provinces. Certainly from what I could conclude after my visit, they are not going to stand idle, and it is obvious that further closing of ports in Newfoundland would see an upturn in investment and activity in St. Pierre to expand its port facilities, and this is already taking place.