

*Territorial Sea and Fishing Zones Act*

(Mr. Sharp) knows it. I think it is unfortunate for us because the consequences are serious. The minister is aware of what is taking place today on the French islands of St. Pierre and Miquelon, which lie within ten miles of the coastline of Newfoundland. Substantial funds are being expended by the government of France, as a program under the Common Market, to develop additional harbour facilities at St. Pierre and to provide substantial cold storage facilities for the storage of fish. This makes it possible for foreign trawlers, many of them from Common Market countries, which fish within the 12 mile limit as a consequence of either traditional or treaty rights, to land their fish within sight of our shores on the islands of St. Pierre and Miquelon. In my view this is the great weakness, the great anomaly, the great shortcoming of this legislation.

We have treaty and traditional rights with Britain, Portugal, Norway, Denmark, France, Spain and Italy, and until we renegotiate these treaty and traditional rights in the light of present-day circumstances, all of the legislation that we pass in this House, including the amendments now before us, will be useless. They are in fact redundant. As a matter of fact, Mr. Speaker, they are nothing short of deception to the fishermen of the Atlantic coast who have to obey this law knowing full well that their competitors can disobey it with impunity. You have the double hazard of these trawlers fishing within our 12-mile limit and then having the privilege of landing their fish for cold storage and trans-shipment right on the Grand Banks themselves, on the French islands of St. Pierre and Miquelon.

As a consequence of questions directed to the Secretary of State for External Affairs on a number of occasions, we were told in this House that the government was still negotiating with the government of France with a view to obtaining an agreement to establish a baseline on the south coast of Newfoundland. We are still negotiating. That is diplomatic language, Mr. Speaker, probably indicating that the negotiations have reached a stalemate. That is probably the diplomatic way of saying we have come up against a stone wall and the French government will not yield an inch. As the hon. member for South Shore (Mr. Crouse) pointed out in committee the other day, if we were unilaterally to establish our baseline on the south coast of Newfoundland it would go right through the French Islands of St. Pierre and Miquelon. In fact, such a line would literally go right through

Miquelon if the baseline were to be extended from Cape Race to Cape Ray, or from the tip of the Burin Peninsula to Cape Ray.

There is the problem, Mr. Speaker, and it is a double-barreled one. I know that the Minister of Fisheries feels very strongly about this matter, notwithstanding the fact that he had to leave the chamber a few moments ago, but obviously he has not been able to convince his colleague, the Secretary of State for External Affairs, on it. To me our course is an obvious one. Why should we be bound by the terms of an ancient treaty contracted between the government of France and the government of the United Kingdom in 1713?

• (5:30 p.m.)

**Mr. Sharp:** A piece of paper; that's all.

**Mr. McGrath:** A piece of paper, the Secretary of State for External Affairs says?

**Mr. Sharp:** That is what the hon. member suggested it was.

**Mr. McGrath:** Perhaps the minister would give me a chance to conclude what I am about to say. Why should we be circumscribed by the terms of this treaty?

**Mr. Sharp:** Because it is a treaty.

**Mr. McGrath:** It is a treaty made between Britain and France before Newfoundland was part of Canada, indeed before Canada was a nation. Surely, in the light of present day circumstances our government, if it has any backbone at all, should be able to go to the government of France and demand a renegotiation of this treaty in the interests of conservation, of protecting our own fishermen and fishery resources as well as enforcing our own pollution laws. All these things would give the Secretary of State for External Affairs a strong case for asking the government of France to reopen this treaty so that it may be renegotiated in the light of present day circumstances. If the government of France refuses to renegotiate, as it probably will refuse, then I suggest we ought to appeal to the International Court of Justice and ask to have the treaty repealed. If that fails, then I suggest that we, as a sovereign state, could tell the world that the provisions of this treaty are not in our interest. We did not negotiate the treaty in the first instance; it was negotiated before we were a country, and we no longer accept its provisions. However, at the same time we would respect, as we must, the sovereignty of France over the islands of St. Pierre et Miquelon.