

N.W. Atlantic Fisheries Convention Act

Motion agreed to.

Mr. Speaker: When shall the bill be read the third time?

Mr. Knowles (Winnipeg North Centre): By leave, now.

Mr. Davis moved that the bill be read the third time and do pass.

Motion agreed to and bill read the third time and passed.

* * *

NORTHWEST ATLANTIC FISHERIES CONVENTION ACTAMENDMENTS RESPECTING DEFINITIONS, INSPECTION,
OFFENCES AND PUNISHMENT

Hon. Jack Davis (Minister of Fisheries) moved that Bill S-13, an Act to amend the Northwest Atlantic Fisheries Convention Act, as reported (without amendment) from the Standing Committee on Fisheries and Forestry, be concurred in.

Motion agreed to.

Mr. Speaker: When shall the bill be read the third time?

Some hon. Members: Now.

Mr. Davis moved that the bill be read the third time and do pass.

He said: Bill S-13 to amend the Northwest Atlantic Fisheries Convention Act is a very simple piece of legislation. Its purpose is clear. One of the great problems connected with Canada's coastal fishery is that of over-fishing. We badly need enforcement procedures which will allow us to set quotas in co-operation with other countries and make sure that those quotas are not exceeded. This bill provides the legislative support required to enable us to put our enforcement officers on vessels owned and operated by nationals of other countries. It also provides a reciprocal right on the part of other countries to investigate the operations of Canadian commercial fishing vessels on the high seas. In other words, this bill provides legislative authority for a system of inspection on the high seas, particularly in the north Atlantic. It will enable us to enforce reasonable quotas, quotas which will be consistent with sound conservation.

The Northwest Atlantic Fisheries Convention Act applies to the north Atlantic and at the present time it covers all those nations which are signatory to the international convention for the northwest Atlantic. These countries include Denmark, France, the Federal Republic of Germany, Iceland, Italy, Japan, Norway, Portugal, Rumania, Spain, U.S.S.R., the United Kingdom, Poland, the United States and, of course, Canada. This legislation would enable officers from Canadian fisheries protection vessels to board any fishing vessel owned and operated by the U.S.S.R., or the U.K. or Portugal, for example, check the gear, check the catch, and so on. We shall no longer be operating on the basis of rumours or hearsay as to what other nations are catching off our shores. We shall be able to provide facts, and use these facts in our development of sound conservation measures.

[Mr. Davis.]

As a result of a Canadian initiative, most other countries have passed similar enabling legislation and we expect that this legislation, which is reciprocal, will be in effect in 1972.

Hon. J. A. MacLean (Malpeque): I do not intend to take up the time of the House for very many minutes on this bill. We in this party agree with the purpose of this amendment. I might add that the measure has been passed without amendment by the Committee on Fisheries and Forestry.

Increasingly, it is being recognized that the living resources of the sea—and these resources in the northwest Atlantic are very rich—are being over-exploited by the nations of the world. It is more than 20 years since the nations chiefly concerned joined together in the Northwest Atlantic Fisheries Convention, commonly known as ICNAF, to control the exploitation of these resources. To begin with, control was chiefly limited to restrictions on net sizes and so on, regulations which could be generally enforced at the home ports of the vessels involved. For many years, enforcement was the responsibility of the country to which the fishing vessel belonged and which was a signatory to the convention. But as time went on the nations concerned, and Canada most of all, realized that regulations of this kind were not sufficient to safeguard the future of the resources by making sure they were not over-exploited. It was realized there had to be a beginning, at least, of closed seasons in some areas and complete prohibition of fishing for certain types of fish, possibly for given periods.

• (3:50 p.m.)

Concurrent with that, it was recognized that the former method of enforcement would probably not be adequate. As a result, an agreement was arrived at, I think at a meeting at St. John's, Newfoundland, in 1970 whereby the members of ICNAF agreed that there would be reciprocal enforcement among all members with regard to their fishing vessels. The minister will correct me if there are any technical errors in what I have said in that respect, but it was agreed in principle that enforcement officers of any of the signatory nations could enforce the regulations mutually agreed upon regarding the fishing vessel of any of the other nations operating in the ICNAF areas.

I think that this is a very important new principle of international law. We are recognizing that if any Canadian fishing vessel on the high seas infringes the regulations to which we as a nation have agreed, the enforcement officers of any other nation can on request board our vessel and make sure it obeys the law. This would be a principle that probably would be abhorrent to strong advocates of freedom on the high seas in the purest sense. However, on the other side of the coin, I think the time has now come when nations with special problems on the high seas—and most of these waters are classified as the high seas—must get together with other nations and be prepared to relinquish some of their rights for the common good. Further, they should mutually agree to exchange certain rights and obligations so that, as far as humanly possible, all vessels operating within ICNAF areas are made subject to the regulations mutually agreed upon, even if these regulations have to be enforced by the enforcement officers of another member nation.