

Territorial Sea and Fishing Zones Act

the Grand Banks, are properly managed. We must take the initiative there. But I do not regard those waters as exclusively Canadian from the point of view of exploitation. However, they are of vital concern to us and we must do everything we can to make sure that they are cropped intelligently and that our share in that cropping increases as time goes by.

Mr. James A. McGrath (St. John's East): As the minister indicated, this legislation will certainly commend itself to the House. As my colleague, the hon. member for South Shore (Mr. Crouse) has said already, it is our intention to give it our support and to expedite its passage in order to get it before the committee. In this particular case, however, I regret very much that the bill will be going before the external affairs committee and not the fisheries committee, because I think the type of study that this legislation requires can only be conducted in the Standing Committee on Fisheries and Forestry where there is a fund of knowledge on this subject. The suggestion has been made that it might be a good idea, for the purpose of examining this bill, to combine the two committees. Certainly, I am strongly of the view that only the Standing Committee on Fisheries and Forestry can give this bill the scrutiny it warrants.

● (5:20 p.m.)

The Minister of Fisheries (Mr. Davis), who just took his seat, said that this bill completes the fisheries map of Canada. I would like to think that it does but, unfortunately, as the minister said in his subsequent remarks, it falls short of achieving that goal. So far as completing our fisheries map is concerned, in my view the bill represents nothing but a pious hope. I do not blame the Minister of Fisheries for this, because it is something which concerns areas outside his responsibility. Nevertheless, the bill merely expresses a pious hope that it can do what it says it will do, the same pious hope that was outlined in the legislation when the fishing zones Act was passed in July, 1964.

At that time, the then Secretary of State for External Affairs, the former hon. member for Essex East, said as reported at page 5209 of *Hansard*.

This bill will establish a 12-mile fishing zone in Canada. It will enable the government to establish the straight baseline system. The straight baselines are not spelled out, for the reasons we gave in the committee, because this would interfere with the negotiations that are under way.

[Mr. Davis.]

That was six years ago, Mr. Speaker, when the negotiations were under way.

This is following the practice established by other countries who have initiated new fishing zones based on the straight baseline system, countries such as Norway and Iceland, and other countries I mentioned in the committee.

I repeat that it is six years since that Act first came before Parliament. I think it is fair to say that measure was supposed to be the fulfilment of a rash political promise made during the 1963 election campaign when the Liberal party promised that if it formed the government it would unilaterally impose a 12-mile limit. They said they would declare the 12-mile limit first, and negotiate afterwards. History has proven the folly of this course. Six years later the promise is still unfortunately unfulfilled.

The minister, who has a great deal of sympathy for the plight of the inshore fishermen of my province and of the Atlantic Coast generally, referred to the fact that the inshore fishery yield has dropped to half of what it used to be. In my view, Sir, this drop in the yield from the inshore fishery is a consequence of our inability to enforce our own laws, our inability to protect our own coastline from infringement by the fishing vessels of foreign nations. The legislation which we impose, which has to be adhered to by our own nationals, is ignored by the fishermen of other countries who fish off the Atlantic coast. You have the paradox of Canadian deep-sea trawlers not being permitted by law to fish within the 12-mile limit whereas foreign trawlers such as French, Spanish, Portuguese and Russian do so with impunity. Indeed, as the minister himself just said, the French fleet does so with the full protection of law.

The French fleet fishes within the 12-mile limit with the full protection of ancient treaty which was referred to by the minister, the Treaty of Utrecht, signed by Britain and France in 1713 and amended and renegotiated in 1904. That treaty today has as much force of law as it had when it was renegotiated and signed in 1904. What the minister forgot to mention was that, in addition to the fishing rights which this treaty gave France in 1713 and 1904, it also gave France the islands of St. Pierre and Miquelon. It is because of these islands that we will never be able to successfully conclude negotiations with France to have this ancient, out-moded, out-dated treaty, which we inherited from Great Britain, repealed.

I think the minister knows that, and I think the Secretary of State for External Affairs