

and flatfish stocks. You can see where cod and American plaice, as examples, extend outside the 200-mile line. If you compare where fish are with where the foreign fishing pressure is, you very quickly get an appreciation of the impact of 146 trawlers, without quotas in most cases, sitting out there fishing.

Honourable senators, the committee took heed of those remarks of the wise counsel, Ron Bulmer, and we made some recommendations. Leading up to those recommendations, we stated in our report, the committee's advice is similar to that proposed by the Fisheries Council of Canada and the Oceans Institute of Canada that we visited, and the Northern Cod Review Panel (the Harris panel) which was doing a report and an examination on the fisheries at the same time at a cost of over \$511,000 while we were doing the same thing and reaching the same conclusions.

Extending Canadian jurisdiction beyond 200 miles would involve members of the Northwest Atlantic Fisheries Organization (NAFO) agreeing to give Canada functional management jurisdiction over the straddling stocks in the organization's regulatory area. Such action would not be for Canada to claim a sole right to harvest straddling stocks on the high seas; rather, its purpose would be to preserve Canadian interests and the interests of the international community in the conservation of these stocks. Such authority is arguably implicit under Article 116 of the third United Nations Convention on the Law of the Sea (UNCLOS III), which grants countries the right for their nationals to fish on the high seas—a right which is, however, made subject to the rights, duties and interests of coastal states. The essence of Article 116 would then allow coastal countries like Canada the right to establish conservation measures for straddling stocks, even on the high seas in the absence of international agreement. Limited extensions of jurisdiction have also been suggested; for example, a provisional extension could be declared until an appropriate resolution process is agreed to or until a negotiated agreement acceptable to Canada is reached.

Honourable senators, Recommendation No. 6 of the 42 recommendations we have in our report states:

That the federal government step up sanctions beyond port closures, which they had been doing, and the curtailment of preferential access to surplus fish stocks within the 200-mile limit to bring pressure on those countries that overfish the so-called straddling stocks.

The Prime Minister, the Secretary of State for External Affairs and the Minister of Fisheries and Oceans should have developed a strategy five years ago to establish full, functional Canadian fisheries jurisdiction over the whole continental shelf.

We made 41 other recommendations, honourable senators, including Recommendation No. 9, worthy of mention, which states:

That a major peacetime role of the Canadian military should be surveillance of Canada's coast lines.

They are squealing about that now. The Minister of Fisheries responded 13 months after our report. I did not even receive it during my term. Senator Robertson was good enough to get it for me.

The then Minister of Fisheries stated that issues relating to overfishing on the continental shelf outside Canadian jurisdiction are of active concern to the Government of Canada. In allocating fish surpluses to Canadian requirements, the Government of Canada encourages foreign fleets to respect conservation of these stocks. With respect to jurisdiction, the policies of the Government of Canada are, and must continue to be, in full accordance with the Law of the Sea Convention of the United Nations.

As I said before, Honourable senators, it took the then Minister of Fisheries a year to give that blistering response.

I can tell the members of the committee something they did not know before. When we tabled the report, I gave it to one of the officials at DFO for whom I had great respect, who was an expert in all phases of the fishery. He responded two weeks after he read the report. It took the minister and all the other officials in the department over a year to respond. Why? Because the report emanated from the Senate.

The gentleman whom I had consulted said that the most important consideration, following on the work of your committee, will be the implementation of the recommendations after government and industry have had an opportunity to complete their assessment. I believe DFO has to take the lead and initiate action after comments have been received and compiled.

He commented on Recommendation No. 6, our main recommendation. He said that NAFO is definitely not working. The Prime Minister, together with External Affairs and Fisheries, must do as the Senate committee recommended. We missed the boat on the French deal in connection with 3PS by not taking a different approach, and I expect St. Pierre/Miquelon will come out a clear winner unless our negotiators are very astute.

On Recommendation No. 9 he stated that not only should we utilize the military, but the Canadian Coast Guard should be operating patrol ships for fisheries surveillance.

Honourable senators, that is all I have to say today. I thank Honourable Senators for giving me the extra time. In the coming days I hope that I will be able to deal with other issues in more detail, such as the St. Pierre and Miquelon issue, the extensive report we did on the seals and the recommendations we made on those matters.

On motion of Senator Corbin, debate adjourned.