

*Arctic Waters Pollution Prevention Bill*

Despite the statements made by the hon. member for York South and by the Leader of the Official Opposition, only one-third of the United Nations members have signed the optional clauses and less than a third of that third have signed without some sort of reservation. Only 45 of the 126 member states of the United Nations have accepted some measure of compulsory jurisdiction by the international court. Only 13, technically, place no limitations on that jurisdiction, yet even among that 13 some limitations exist. Eighty-one nations have not filed declarations of acceptance of compulsory jurisdiction by the international court. Canada was not among the 13 before this week's action—we already had reservations.

● (9:50 p.m.)

The United States, which today disputes our jurisdiction and asks for international co-operation, reserved everything when signing, starting with immigration, including tariffs, trade, the Panama Canal and finally throwing in for good measure "all disputes essentially within the domestic jurisdiction of the United States," empowering itself to decide just what these might be. Yet our friends to the left suggest that Canada was remiss in her responsibility not to bring this entire problem before the world court.

Is it really fair for any nation to criticize Canada for withdrawing in part from the court's domain, especially in the domain of pollution where international law is critically underdeveloped? Understandably, Washington is concerned that our claim to our archipelago ocean may create a precedent which could embarrass it in some parts of the world. But the Beaufort Sea is not the Java Sea. As one writer has stated, Ottawa is not Djakarta. Those who may be frightened or dismayed by the reaction of the United States should be reminded of the Truman proclamation of the continental shelf theory of 1948—a very unilateral action. As far back as 1780 the United States unilaterally established a 62-mile limit for anti-smuggling inspection of vessels.

If the world finds it difficult to act in concert, the fact is that Canada is prepared to tackle the problem of environmental pollution in the Arctic alone and, Mr. Speaker, it is gratifying that this effort commands the support of most members of this House.

At the recent session of the United Nations it was clear that the world is faced with an environmental crisis. Many statements were made. The concept of the ocean as a limitless

[Mr. Perrault.]

drainage basin for the world is wrong. The ocean itself has limitations, but we are faced with an environmental crisis and the world does not have laws for its own protection. The United Nations does great work, nations of the world working together and performing magnificently in many areas, but they have not been able to operate successfully in this battle against pollution. The inadequacy of world measures is not the fault of Canada. We continue to be one of the most active nations in the quest for international controls.

Surely it is not for a world without environmental standards and precedents to rule on the special problems of the Canadian Arctic, for Canadians will be the prime victims of any massive kind of pollution whether from oil spill or any other source. We are acting now to forestall the irreparable harm which might be caused while international law is developing to meet the current need. In 1972 there will be in Stockholm a conference on the environment, and Canada is a member of the planning committee. This conference will be vital to the world, but it would be a mistake to assume that Canada should wait until 1972 before acting to protect the ecology of her Arctic.

Those who suggest, almost in hurt tones, that they were surprised this measure was brought in without sufficient discussion or consideration should be reminded of the following paragraph in the Speech from the Throne as reported at page 3 of *Hansard* for October 23 last:

While the Atlantic and the Pacific retain their traditional importance for Canada, the Arctic Ocean and its coastal regions may soon enter a period of rapid economic development. Much of this development will undoubtedly occur on the islands of the Canadian Archipelago, or in the adjoining continental shelf whose resources, under international law, we have the exclusive right to explore and exploit. With resource development, and the benefits it entails, may come grave danger to the balance of plant and animal life on land and in the sea, which is particularly precarious in the harsh polar regions. While encouraging such development, we must fulfil our responsibility to preserve these areas, as yet undespoiled and essentially in a state of nature. The government will introduce legislation setting out the measures necessary to prevent pollution in the Arctic Seas. It is also considering other methods of protecting Canada's ocean coasts.

Through the United Nations and its agencies, Canada is seeking to establish a system to combat the pollution of international waters which threatens so many forms of life on this planet.

There is nothing inconsistent in the action taken by the government. As the Prime Minister said—

—the new Arctic legislation is not an extension of sovereignty, but a weapon against pollution—