

what it is or is it a treaty which requires ratification by this Parliament before it comes into effect.

Hon. Mitchell Sharp (Secretary of State for External Affairs): Mr. Speaker, there were two documents I tabled. One is a treaty. I described it as an agreement, and it is so described, but it is a treaty and will require ratification. It is not the intention of the government, however, to present it before Parliament. The hon. member knows, having been a member of a previous administration, that it is only rarely such a document is brought before Parliament before ratification by the government.

Mr. Lundrigan: Mr. Speaker, I have a very serious question of privilege which I should like to raise, and which will take five or six minutes, rather than wait until the end of the question period. It relates to the secret treaty which has been made between Canada and Norway.

Mr. Speaker: The hon. member cannot take up too much time on a question of privilege. If he has a question of privilege, I shall be delighted to receive it.

Mr. Lundrigan: Mr. Speaker, on July 15, 1971 a secret document was exchanged between the government of Canada and the government of Norway which, if ratified, would permit Norway legally to pursue a course which has not been pursued since the 18th century. It would permit Norway to violate the territorial seas of Canada. Perhaps I might quote from article XII of the terms of the treaty.

Some hon. Members: Oh, oh.

Mr. Lundrigan: Perhaps hon. members who are not interested in the sealing operation would pay a little attention to the sovereignty of the nation—

Some hon. Members: Oh, oh.

Mr. Speaker: Perhaps hon. members would allow the hon. member for Gander-Twillingate to indicate what his question of privilege is.

Mr. Lundrigan: Perhaps I might quote, in part, from Article XII of the terms of the treaty:

—Norwegian vessels engaged in sealing operations are allowed, notwithstanding the provisions of the Exchange of Notes between the Government of Canada and the Government of Norway of July 15, 1971, to take seals

(a) within the outer nine miles of the territorial sea on the Atlantic coast of Canada between 48° 00' North latitude and 55° 20' North latitude, and

(b) up to but not closer than three miles from the nearest land—

Mr. Speaker: Order, please. The hon. member should indicate quickly what his question of privilege is. As the hon. member knows he has to indicate how his Parliamentary rights and privileges, as well those of the Parliament of Canada, have been affected by the tabling of this document or the signing of a treaty. I would like him to indicate his question of privilege.

Mr. Lundrigan: Mr. Speaker, if I might be allowed one tenth the latitude allowed members such as the hon. member for Winnipeg North Centre, then I will get around to my question of privilege. The treaty continues:

—in all the waters of Notre Dame Bay and of the Strait of Belle Isle—

Further, it indicates briefly that either party may terminate this agreement upon three years' notice in writing. However, no such notice shall be given by either party before December 31, 1975. It is signed for the government of Canada by Mr. Beasley and for the government of Norway—I cannot pronounce the name.

In view of the remark made by the Secretary of State for External Affairs, it is clear that this matter, the secret treaty, would never have been made public but for some loyal people who were willing to offer a service to members such as the hon. member for Prince Edward-Hastings and others. Because of the fact the minister indicated this treaty will not be brought before Parliament, and in view of the urgency and the principle involved in the document concerning the conservation of the marine resources of Canada, an important aspect of the Canadian economy, I feel it is incumbent on the minister or on the Minister of Fisheries, who we have felt up to date has been fairly loyal to our cause, to have this document referred to the House of Commons for debate and further to the Standing Committee on Fisheries and Forestry. I would move such a motion.

Mr. Speaker: Order, please. The hon. member cannot, during the question period, rise and propose a motion. The hon. member has taken the floor on a question of privilege and has stated his point clearly. The Chair has to rule concerning whether there is a question of privilege. Obviously, in my interpretation of parliamentary privilege, the parliamentary privilege of the hon. member has not been injuriously affected. The matter to which the hon. member referred may be very important, but I really suggest to him and to all hon. members, it can hardly be considered by way of a question of privilege. Perhaps some other way might be determined in which the situation could be considered by the House.

Mr. Lundrigan: I thank Your Honour for his statement. I give oral notice now, and shall give written notice tomorrow, of my intention to move a motion asking for unanimous consent of members of the House to refer this matter to the Standing Committee on Fisheries and Forestry.

Mr. Speaker: The hon. member does not have to give verbal notice. He can give his notice tomorrow and I assure him that it will be considered, as it ought to be.

Mrs. Grace MacInnis (Vancouver-Kingsway): Mr. Speaker, I should like to ask the Secretary of State for External Affairs whether this agreement has been ratified yet and if not when is ratification likely to take place.

Mr. Sharp: Mr. Speaker, the ordinary procedure in agreements of this kind is not to make them public until they come into force; that is, after ratification. In this particular case it became public because the Norwegian government, in the course of its procedures for ratification, released the text so I felt we were privileged to release it too. It would be our intention to ratify it immediately.

An hon. Member: It is already ratified.