

ment may be considered as an improvement, although it only mentions the use of the low water line and low tide elevations. Moreover, it should be noted that the necessity for Canada respecting the principles of the Geneva convention on the territorial seas is only included in the explanatory note of the bill.

International law has established several rules to be followed in the drawing of straight baselines, and it makes a distinction between rules applying to coastal archipelagoes and outlying archipelagoes. Therefore, the first problem to be determined is whether the Arctic islands form a coastal archipelago or an outlying archipelago. Professor Donat Pharand, author of "The Waters of the Canadian Arctic Islands" appearing in the spring 1969 edition of the *Ottawa Law Review* at page 414, says between pages 418 and 420 that the Canadian Arctic archipelago under review presents considerable difficulty in categorization. Legally, however, the question arises as to whether these islands may be considered as constituting a single unit justifying a uniform regime for the various bodies of water between them. This is a question which Canada should resolve before proceeding with a delimitation of its territorial waters in the Arctic.

In my opinion, this section of the legislation which deals with our Arctic region is premature owing to the many areas of uncertainty in the region. When Dean Maxwell Cohen appeared before the Standing Committee on Indian Affairs and Northern Development in 1969, he enumerated these problems. He stressed how difficult it would be to establish sovereignty over an island system. He also mentioned the problem raised by the ice pack in the Beaufort Sea. For some, the ice pack is only frozen water; others, however, consider that it should be compared to land. He questioned also in what system the Beaufort Sea, where there is no Canadian island, should be included.

It seems to me, in view of these problems, that the first step taken by this government should have been directed towards establishing Canadian sovereignty in our Arctic region, not only over the islands in that region, but also over the waters separating those islands. We must never forget that we are neighbours of the two most powerful states in the world, the Union of Soviet Socialist Republics and the United States of America. We are the three principal nations sharing the Arctic basin. In view of the

Territorial Sea and Fishing Zones Act resources in the American north, the resources in the Canadian north and the unknown resources in the Russian north, I believe it would be opportune for Canada to consider sponsoring a major conference on the common problems of the Arctic, a conference which could also be shared in by Denmark and any other countries concerned about the benefits that would ensue from this type of conference. Such conference would certainly not do any harm to our legal position in this area and it may well be of immeasurable value to us and to mankind generally.

In closing, Mr. Speaker, may I say that I believe this act delegates too much authority to the government. It seems almost needless to repeat that under our modern form of government Parliament is increasingly delegating its powers to the executive. Although this action is justified for many reasons, this delegation of authority should not result in a complete abdication of power by Parliament.

In the *Territorial Sea and Fishing Zones Act*, Parliament has given the Governor in Council full authority to define the geographical co-ordinates necessary for the drawing of baselines. While this is a technical operation, the establishment of territorial water limits previously mentioned raised many problems with which Parliament did not attempt to deal in the Act itself. It could be argued that Parliament has purely and simply left it to the government to deal with such serious questions as those mentioned in paragraph 4 of this bill.

This legislation is a step, a very small step forward for mankind—to paraphrase another man—in his efforts to control and improve his environment. It can only be regretted that unanimity was not secured among other nations so that we could achieve our objectives and thereby have a better opportunity of preserving our fisheries resources.

Mr. Thomas S. Barnett (Comox-Alberni): Mr. Speaker, this bill, and the one which just passed second reading by the unanimous vote of this House, are rightly regarded I think as being two very important measures and, in many ways, complementary measures. Just to emphasize the fact that the party to which I belong is giving its support to both these measures, may I briefly refer to what the leader of our party had to say on Bill C-202 when it was introduced. I quote from page