Mr. Kennan calls for an effective international régime and he calls for it now. We join with him in that appeal. We know, however, that the international community moves slowly in the creation of new law and the construction of new apparatus. We have no reason to believe that such a régime can be expected within the next few months, or even years. But we know that Arctic shipping and Arctic mineral exploration activities are occurring now and that in the interest of Northern Canada they must be controlled and encouraged. Until such a régime exists, therefore, Canada must take steps to ensure that irreparable harm will not occur in the interim.

This is why I stated in the House of Commons last October that we were inviting the international community to join with us and to support our initiative for a new concept, an international legal régime designed to ensure to human beings the right to live in a wholesome, natural environment. I repeat now what I said at that time, that a combination of an international régime, and the exercise by the Canadian Government of its own authority in the Canadian Arctic, will go some considerable distance to ensuring that irreversible damages will not occur as a result of negligent or intentional conduct in the Arctic areas.

The biosphere is not divided into national compartments, to be policed and protected by national regulations. Yet neither is the current state of international law sufficiently developed to permit instant and effective protection for the Canadian Arctic against activities which are already under way. Our pollution legislation is without question at the outer limits of international law. We are pressing against the frontier in an effort to assist in the development of principles for the protection of every human being on this planet.

The pollution legislation is quite different from the bill proposing an extension of our territorial sea from three to 12 miles. The 100-mile zone in the pollution bill is an assertion of jurisdiction; the 12 miles is a claim of sovereignty. Fifty-seven countries now claim a territorial sea of the breadth of 12 miles or more. There is thus no novelty in 12 miles; there is no new legal concept involved. There are differences of opinion, but Canada is, nevertheless, prepared to have the territorial-sea legislation adjudicated upon by international tribunals. We are content to do so in this instance because there is a body of law and practice upon which a court can base its decision. Such is not the case, however, with the concept of pollution control. There is as yet little law and virtually no practice in this area.

It is for that reason that we are not prepared in this matter of vital importance to risk a setback. Make no mistake. Involved here is not simply a matter of Canada losing a case in the World Court -- that is one of the prices that we have long willingly paid as part of our adherence to an international rule of law. What is involved, rather, is the very grave risk that the World Court would find itself obliged to find that coastal states cannot take steps to prevent pollution. Such a legalistic decision would set back immeasurably the development of law in this critical area.