

Arctic Waters Pollution Prevention Bill

Mr. Aiken: Will the hon. member accept a question?

Mr. Perrault: When I have finished my speech I will be glad to do that. If you will just listen to the burden of my argument, perhaps I can convert you.

Mr. Aiken: It is a burden all right.

Mr. Perrault: We were told today and on other occasions that we should declare our sovereignty immediately and not wait. Opposition leaders have been calling for a "ringing declaration of sovereignty." Those are great words for the hustings. Those who advocate a dramatic unilateral proclamation of Canadian sovereignty urge a policy which is far from simple.

Today, Canada's statements on sovereignty over the years were chronicled very well. Among other statements about our sovereignty was one made by Alvin Hamilton. He made a ringing declaration about Canadian sovereignty in 1958, but now we have the official opposition demanding again that we make another ringing declaration of our sovereignty over the Arctic. This just indicates how effective the Hamilton declaration was. The problem is not how to proclaim Canadian sovereignty, but how to get other nations to admit to our claim. Words are meaningless. Actions which create precedents are meaningful.

Surely those who advocate reference to the world court should be reminded that the notice to the United Nations, known formally in international law as a reservation to Canada's acceptance of the compulsory jurisdiction of the international court, had to be sent before the bill was tabled. Unless Canada had given notice to the United Nations in advance of the tabling of the legislation, it would have been tied up by any international court ruling arising from an unexpected American challenge to the bill. This is how unrealistic was the initial suggestion from spokesmen for the opposition parties.

Those who want to place the fate of Canada's Arctic ecology and Arctic sovereignty in the hands of a world court without sufficient precedents to render a sound decision perform a notable disservice. No government need accept the jurisdiction of the world court. An exception lies in the so-called optional clauses by which some states agree to accept the jurisdiction of the court in disputes with other states which have likewise agreed to accept the jurisdiction of the court.

ber today to hear his leader's speech. The deputy leader of the New Democratic Party need feel no embarrassment about Canada's position regarding that court, nor should he nor anyone else feel apologetic about the constructive role that we have played and continue to play at the United Nations.

Surely, Mr. Speaker, there is something quixotic about the position of the hon. member for York South. The other day he urged support for what he termed "the rule of law in international affairs." He accused the government of "hypocrisy in international affairs." Yet today his leader expressed opposition to world court intervention and made a compelling case for unilateral action by Canada.

Today, also, in another display of verbal acrobatics the Leader of the Official Opposition (Mr. Stanfield) expressed general support for Bill C-202 after criticizing the government in his initial statements. In January he accused the government of being dilatory, of lacking resolution, and I recall that he said the government "lacked old-fashioned guts." The challenge was issued to stand up and unilaterally declare our sovereignty over the Arctic. But after the government acted on April 8 to introduce two bills, one relating to pollution and the other to Canadian territorial waters, the hon. gentleman from Halifax who was a militant hawk in January became the dove of April. He criticized the government for failing to submit the matter to the International Court of Justice. There were no emotional appeals for old-fashioned guts. Here are his words:

We must recognize that it constitutes a serious step, a step hardly in the right direction, for Canada to reduce the jurisdiction of the International Court of Justice—

He questioned the wisdom of taking this action—

—in an arbitrary manner without...giving an opportunity to the members of this House...to express their views on this matter before the adoption by Canada of a position with regard to the jurisdiction of the court.

His words are to be found at page 5624 of *Hansard*. It is encouraging that today he expressed support for the pollution measures but mentioned only in passing his view that we should act through the world court. Most of his opposition was to Bill C-203 which, he told us, actually serves to limit Canadian sovereignty in the north. The allegation is spurious; indeed it is mischievous. Both measures will advance substantially Canada's claim in the Arctic.