

tion of the Ocean Development Institute, the support for the UNCED conference?

I want to say to the minister that he needs the backing of his colleagues. It is time he stopped fighting the battle himself. It is about time his entire government got behind him on this issue. While he may be prepared to fight it, it is clear his colleague from external affairs is not prepared to fight because, by her own actions and where she is cutting her budget, we can see that there is just no interest in the issue at all.

On the question of precedent, international law is not like domestic law. There is no central world government that can make decisions. To use the words of a lawyer, it is a "horizontal legal system". The precedent is an evolving one, usually undertaken by different countries that take initiatives, establish certain rights which then become accepted or then get codified into some kind of regulation or some kind of international agreement. We cannot go to some international legislature and petition for them to pass a law.

Changes in the international law only come about when individual countries make their case. I want to make this observation to the minister. If he looks at the international Law of the Sea, article 116, it is clear that it gives the dominant preference to coastal states. If I might quote a fairly senior and learned international lawyer: "Article 16 gives the right of coastal states to issue the kind of orders on conservation beyond the 200-mile zone". Other states would have to respond to us with that initiative. That is the kind of international law we are asking the minister to assert.

Of course we want other countries to agree. I would simply make this observation. The other countries will not agree until we take the action, until we take the initiative. That is what this resolution is about and why the government should support it. If we took the initiative, brought in legislation, then went abroad, then we could begin to establish a new set of international laws as it pertains to the conservation of our fishing resource.

[*Translation*]

Mr. Charles A. Langlois (Parliamentary Secretary to Minister of Industry, Science and Technology): Madam

Supply

Speaker, I welcome this opportunity to take part in today's debate on the motion of the hon. member from Newfoundland on the state of Canada's east coast fisheries.

[*English*]

Madam Speaker, I am sure that some members here today remember the Atlantic fishery in the early 1970s.

Canada's territorial sea had just been extended to the 12-mile limit. The waters beyond 12 miles were entirely international and we used to refer to them as the high seas.

I would like to take this opportunity in considering the motion before us today to remind hon. members of the tremendous progress that has been made in recent years and to describe some of the real measures that can and are being taken by Canada to protect fish stocks.

In the early 1970s, fish stocks beyond Canada's 12-mile territorial sea continued to be severely overfished and were crashing to an all-time low. At the same time international experts were meeting at the third United Nations Conference on the Law of the Sea.

By 1976, a consensus had emerged that national jurisdiction had to be extended 200 miles to protect the interest of coastal state fishermen and to protect conservation needs of living marine resources.

On January 1, 1977, Canada extended its fisheries jurisdiction to 200 miles, consistent with what would become a fundamental principle in the 1982 United Nations convention on the Law of the Sea. This was a tremendous gain for Canadian fishermen. It meant that Canada achieved exclusive jurisdiction over more than 40 important fish stocks on which Atlantic Canadian fishermen depend.

But the new 200-mile zone did not encompass the entire extent of the Grand Banks, leaving two small portions known as the nose and the tail beyond our zone in international waters.

Five important groundfish stocks could be found both inside and outside the new 200-mile limit. These straddling stocks, as they are known, remain vulnerable to fishing by foreign fleets. In addition, three other