

Arctic Waters Pollution Prevention Act

As to the advisability of the amendment, the discussion could go on for hours. Indeed, Canada has always been and still is in favour of establishing an international scheme concerning pollution on the high seas. Such is the main objective the government is seeking to reach through this bill. We do not claim that the 100-mile zone gives us jurisdiction beyond that zone.

We unilaterally assume the responsibility to protect waters up to 100 miles because there is no international law for that purpose. If there were a disaster out at sea, whether a ship collided with an iceberg or any other obstacle, it is contended that even if it occurred 12 miles of our coast, damage would spread to beaches along Canadian shores through tides and winds and Canadians would have to pay for damage caused by improvident people who would have travelled through Arctic waters.

The House must follow the procedure. My hon. friend purpose may be highly commendable, but it does not coincide with the intent of the bill and in the end, it could very well be detrimental to Canada in the event of the establishment of an international protection system against pollution on the high seas.

• (5:50 p.m.)

[*English*]

Mr. Barnett: Mr. Speaker, as I understand the substance of the point of order that is being discussed, it is whether this amendment is beyond the scope of the bill. As the minister quite properly suggested, the title of the bill indicates that it is an act to prevent pollution of the Arctic waters. No one is quarrelling with that as being the main thrust and purpose of the bill. However, as the hon. member for Peace River quite properly observed, if this amendment purported to constitute an addition to this bill, if in effect it made a declaration of our sovereignty in a certain direction, I think it would obviously be beyond the scope of the bill. But, Mr. Speaker, if I may suggest, that is not what the amendment proposes.

Mr. Baldwin: I did not say that.

Mr. Barnett: I may not have heard the hon. member correctly but that would be my view. I discussed at some length with my colleagues the question of whether we should consider moving an amendment which would clarify the question of our sovereignty, but we decided we could not do this within the scope of the bill.

[*Mr. Chrétien.*]

The subject of this amendment certainly was the object of considerable discussion in committee. If I recall correctly, without having the second reading debates in front of me, questions surrounding our sovereignty, whether the bill involved our sovereignty and in what way it involved it, were very much to the fore. Even the Secretary of State for External Affairs involved himself in that aspect of the debate.

In committee we listened to testimony from people who are presumably as knowledgeable as any on questions of international law. Precedents were cited to us and it was stated that this bill did not in any way affect any rights or claims to sovereignty that Canada has or has declared itself to have in the past. As I read this amendment, in effect it says exactly what the experts told us was the case. Even though a declaration of jurisdiction as distinct from sovereignty is involved—a declaration of jurisdiction over an area out 100 miles from Canadian land with respect to pollution—this bill does not in any way affect any existing claims to sovereignty.

All that this amendment does, in effect, Mr. Speaker, is to add the weight of the expression of Parliament to the professional opinions given to the committee. In other words, the amendment says the same thing that the experts stated was the case, except that in my view it would verify the fact that Parliament agrees with their opinion. In my view, this is all that it does. It does not add anything to the bill but simply makes a declaration.

As the minister has quite properly observed, the bill does not deal with sovereignty; it deals with the matter of establishing a regime of pollution control in an area beyond that which has been traditionally accepted by the sea powers of the world. In that sense, Mr. Speaker, I feel the amendment is not beyond the scope of the bill but rather it is simply saying that this bill will not affect any matters that lie beyond the scope of the bill.

[*Translation*]

Mr. Yves Forest (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, unlike the hon. member who has just spoken, I think that if the Chair allowed this amendment to be introduced, this would bring into the bill now before the House a new and irrelevant factor.