

before the House. We did have this alternative, Mr. Speaker. Leading statesmen of this country, prime ministers and ministers charged with departmental responsibility have, over a period of 80 years or more, made statements which indicate beyond any possible doubt that this country does have sovereignty, within the meaning of the word, over the islands, the waters and the ice of the Arctic.

I should like to think, Mr. Speaker, that far more good could have come about, not from legislation in this form with its complexities, its hesitations, and its refusal to make clearly and certainly the claims which have been asserted, but from the simple reassertion of our claim. It was more than a year ago that the Leader of the Opposition (Mr. Stanfield) the right hon. member for Prince Albert (Mr. Diefenbaker), myself and hon. members from the New Democratic Party began to press the government and the Prime Minister to make this clear, simple reassertion, that we continue to claim what we have always claimed in the past.

I should like to think that if the government had brought a joint resolution reasserting that fact into this House and the other place over a year ago, it would have had the unanimous support of this House and the other place as well as the citizens of Canada. At that time, when it was so very important, the government would have been able to present to the United States and other countries involved, the fact that Canadians stood together in reasserting their claim to uninhibited an unlimited sovereignty over the islands of the Arctic, the waters between the islands and the waters between the mainland and the islands.

I think that simple declaration, passed as it would have been without hindrance or objection in this House, would have been a most impressive document so far as the world is concerned instead of this miserable, puling attitude which the government has taken. We supported the legislation because we had no other choice, and because we had no other opportunity to assert in legislative form what we thought ought to have been brought forward. But I venture to say that if our ideas had been accepted, this country would have had a much more potent weapon with which to approach international negotiations.

• (3:10 p.m.)

Despite what has been said, and I will not traverse ground that has been gone over

*Arctic Waters Pollution Prevention Act*

before because these matters have been debated in the House and in committee as well as throughout the country, we do not know what the government's position is with regard to certain of the waters between and around the Archipelago in the Arctic. Does it have a claim with regard to territorial sovereignty? Does it assert that claim because these waters are part of the maritime belt and constitute the territorial waters of Canada? Does the legislation claim that these are the internal waters of Canada or must we assume, from a certain vagueness of attitude, that there is a considerable vacuum with regard to certain of these waters.

Let me make it plain that more is involved than the mere question of waters, important though the question of waters is. The 1958 convention at Geneva, a convention to which this country is not a signatory, involved very important issues. If these are territorial waters, there is one position to be taken; if they are internal waters, there is another position to be taken. What about the passage of nuclear submarines, whether on the surface or under the waters of the Arctic? If these are internal waters, no foreign submarine may go through the waters because the sovereignty of Canada over these internal waters will clearly permit Canada to prevent passage of such submarines. If they are territorial waters, then there is a limited right on the part of Canada, as there is on the part of any coastal state, to say that there may be innocent passage only. Innocent passage has been defined as relating not to the character of the vessel but to the character of the passage. The same thing applies to the air above the waters. If they are territorial waters, there are certain rights which the coastal state may exercise.

It is all very well, for example, for the United States to make allegations, as it did recently in this controversy, about the high seas and the rights of nations. I am not being overly critical of the United States, but I can recall that when the United States felt its territorial security was threatened by the establishment of missile bases in Cuba, it did not hesitate for one moment to lay down a rule of quarantine that prohibited the passage of vessels of a country with which the United States was not at war through certain waters which can only be characterized as being part of the high seas. I do not criticize the United States. It felt its security was threatened. But I think it is somewhat hypocritical of the United States now to challenge not only the very limited nature of this bill but all that