

*Government Orders*

earlier, not just because it was a personal inconvenience, but because of the nature of the controversy that prevented us from getting to this matter earlier.

Bill C-25 before us is an Act to amend the Geneva Conventions Act, the National Defence Act and the Trade-marks Act. The purpose of the bill, as I understand it, is to ratify two protocols to the 1949 Geneva Convention which were agreed to in 1977. This tells us something about how slowly the mills of the gods grind with respect to international law, the fact that in January 1990 we are only now proceeding to ratify a protocol that was agreed to in Geneva in 1977.

The Geneva Convention that we are talking about here refers to the law applicable in time of armed conflict, humanitarian law or rules of conduct in war. The protocols serve to broaden the scope of the conventions. For instance, they include additional protections for prisoners of war and rules regarding children in armed conflict. The Geneva Conventions Act is amended so that its language is consistent with that of the protocols. The National Defence Act is amended so that there are no statutory limitations on the prosecution of grave breaches, again consistent with the protocols, and the amendment to the Trade-marks Act introduces legal protection for the new international distinctive sign for civil defence.

On the face of it, from the point of view of the New Democratic Party, there seems to be nothing particularly objectionable about this legislation. It merely ratifies what was agreed to in 1977. If there is anything objectionable, and perhaps there are some reasons for this but I cannot imagine that there is a good reason, it would be why something should take 13 years to be ratified. There are other countries, of course, which have already ratified the protocols.

• (1620)

I understand that the sole controversial feature of the protocols is that it extends the rules of the Conventions beyond international conflicts to cover civil wars or national liberation movements and the governments which they oppose. If my information is correct, I understand that this is giving our American friends some problems as they are leery about giving POWs of national liberation movements a recognized status. I am glad to see that the government, in bringing this bill before Parliament, is not itself participating in that

cautiousness and is willing to proceed with the ratification of the protocol.

This particular bill also gives us an opportunity to talk about international law in general and the over all approach of this government to existing international law as well as to the need for international laws which do not now exist or which could possibly come into existence very quickly if the government were more active in this respect. When I speak of laws that could possibly come into existence, I am thinking of the fact, for instance, that we have not as a country ratified the Law of the Sea.

Here we are in the middle of an ecological crisis of major proportion on the Atlantic coast with respect of the fishery in which almost everyone agrees that one of the causes of that ecological crisis has been overfishing and the role of foreign fishermen and foreign trawlers in our waters. This situation would seem to me to point to the need for stronger international agreements with respect to the oceans and with respect to the seas and yet we have not had any attempt made by this government to ratify the Law of the Sea Convention. Why, Mr. Speaker? The only reason I have heard is that there is reluctance in Washington to ratify the Law of the Sea Convention because there are things in the Law of the Sea Convention with respect to the sharing of mineral rights on the ocean floor that offend the entrepreneurial sensibilities of the American administration.

Therefore, here we are, in many respects, victims of our own reluctance on the east coast to bring into force, because in order for these things to come into force there is a requirement that so many nations ratify the Convention. That requirement has not been met and Canada has not done its part to help that convention meet that requirement by ratifying the Law of the Sea Convention.

Canada, with respect to existing international law, does not exactly have a perfect record either. We could talk about the fact that the government of El Salvador, headed by the Arena Party, recently prevented the evacuation of FMLN soldiers needing medical aid, in contravention of the protocols. There was no Canadian protest with respect to that or, for that matter, with respect to other violations of human rights by the Arena government which, as we all know, derives its political sustenance from the fact that it is supported by the United States and through its relationship with the