

Dumping at Sea

Mr. Speaker: Order, please. I indicated earlier this afternoon that because of some of the very serious procedural problems and deeply fundamental procedural questions which were raised in the very important argument that was put forward this afternoon I would try to give judgment at eight o'clock. I have given the matter the most careful consideration, study and review in the interval, and in fairness, because of the rather important and fundamental points involved, I cannot bring myself to decide the question at this time. I therefore ask whether the House might involve itself in the consideration of other matters this evening to give me an opportunity to examine the matter further during this evening and tomorrow morning, and I will give my judgment at three o'clock tomorrow afternoon.

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OCEAN DUMPING CONTROL ACT

MEASURE TO PROVIDE FOR CONTROL OF DUMPING
SUBSTANCES INTO THE OCEAN AND TO ESTABLISH A BOARD
OF REVIEW

Hon. Mitchell Sharp (for the Minister of the Environment) moved that Bill C-37, to provide for the control of dumping of waste and other substances in the ocean, be read the second time and referred to the Standing Committee on Fisheries and Forestry.

Mr. Len Marchand (Parliamentary Secretary to Minister of the Environment): Mr. Speaker, it is my privilege this evening, on behalf of the Minister of the Environment (Mrs. Sauvé), to brief the House on Bill C-37. It is a measure to provide for the control of dumping of wastes and other substances in the ocean. This bill is not only important—

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, may I make a suggestion regarding what we should dump in the ocean?

Mr. Marchand (Kamloops-Cariboo): I thought the hon. member wanted to make a deal and pass the bill without debate. Certainly I would be willing.

This bill is not only important in Canadian terms but as part of a wider international effort to preserve our environment. Traditionally Canada has been committed to the principle that in some of its most critical aspects the work of protecting the physical environment is world work—work that nations cannot do successfully unless they do it together.

This is not a matter of abstract idealism but an operating principle based on a recognition of things as they are. The biosphere is one. The oceans, regardless of the names we give them, or the lines drawn on maps are, physically speaking, one. So Canada has consistently taken the lead or participated energetically in promoting international co-operation to protect the environment.

Late in 1972 our representatives met with those of 90 other nations under UN auspices to sign an agreement to control ocean dumping. The convention which came out of that meeting—it is known as the London convention—is based on the following principles. First, that the sea and

the life it supports are vitally important to all the world's people. This being so, all of the world's people have a direct interest in making sure that the sea is managed and used in ways that will damage neither its quality nor its resources. Second, that the capacity of the sea to absorb punishment, to assimilate wastes without damage and to sustain life, is not unlimited. The sea is vital yet fragile. Third, the nations signing the convention also recognized, in keeping with the United Nations charter and the principles of international law, that nations have the sovereign right to exploit their own resources. At the same time they have the responsibility to ensure that things done within the areas that lie within their jurisdiction do not damage the environment of other nations.

The 91 nations involved agreed to take measures, individually and collectively, to prevent marine pollution caused by dumping. In signing the London convention, Canada signalled her commitment to the principles of the convention, and our intention to ratify it. The bill now before the House is the instrument needed to fulfil our obligations under the London convention.

Before going into more detail let me first outline the salient features of the London convention itself. The convention will, when ratified, prohibit the dumping of wastes in the oceans without specific permission granted by the national authority designated by the state concerned. As far as the convention is concerned, dumping means any deliberate disposal at sea of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea. The ocean is no longer to be a garbage dump; neither is it to be a junkyard. Dumping also means the disposal at sea of the vessels themselves, or aircraft, or platforms, and so on.

In the context of the convention and of this bill, dumping does not mean the kind of waste disposal at sea which comes about in the course of the normal operation of vessels, aircraft, platforms or other installations. Nor does it mean the disposal of wastes or other matter generated in the exploration, exploitation and offshore processing of seabed mineral resources.

I should remind the House that separate instruments have been developed and are available to deal with pollution of the oceans by oil and other polluting substances, such as garbage and sewage, from vessels. Nationally speaking, the Canada Shipping Act addresses this problem. So does an international convention signed in London in November, 1973. The more recent London convention will operate separately.

Finally, in summarizing the history of the London convention let me add that it was preceded by a regional agreement for the prevention of dumping signed by 12 northwest European nations. This document is known as the Oslo Convention and its focus is on protection of northeast Atlantic fisheries and contiguous waters.

The bill now before the House will give the government of Canada legislative authority to control and manage dumping by all vessels in Canadian waters. This latter term includes Arctic waters within the meaning of the Arctic Waters Pollution Prevention Act. It also embraces Canada's fishing zones. The bill will apply to dumping by Canadian ships wherever they may be located. It will also apply to foreign ships that come to Canadian ports and