

our shores. We will be able to manage all of those fishing waters and all of those resources within our fishing zones, both from the point of view of conservation and from the point of view of protecting our living resources in the water from pollution.

I mentioned last week when we were introducing the amendments to the Fisheries Act that we would be putting more teeth in that legislation with regard to pollution. That legislation extends to the limits of our Canadian fishing zones. These fisheries closing lines will provide one further way in which we can properly define these fishing zones of Canada. In other words, they also define the limits of our jurisdiction in respect of the anti-pollution provisions of the Fisheries Act.

The Prime Minister (Mr. Trudeau) has stated in the House of Commons that Canada strongly supports the rule of law in international affairs and that Canada is prepared to participate actively in multilateral efforts to develop agreed rules on environmental and fisheries matters. He has also said that Canada is not prepared to engage in litigation with regard to vital issues where existing law is either inadequate or non-existent. We are not prepared, in other words, to argue our case in a court of law when there is no firm basis for a judicial decision.

• (5:00 p.m.)

The Canadian government has, therefore, submitted a reservation to Canada's acceptance of the compulsory jurisdiction of the International Court of Justice. This reservation relates to those areas of the law of the sea which are undeveloped or inadequate. One of these areas, as hon. members know, relates to the bill we passed unanimously this afternoon dealing with the prevention of pollution in our Arctic seas. The other has to do with the present Bill C-203 which will establish the right of the government by Order in Council to proclaim fisheries closing lines. In other words, we have declared we will not go to the International Court of Justice in relation to both these matters and specifically in the case of this bill in respect of the new concept of fisheries closing lines.

Hon. members who have an intimate knowledge of Canada's fishery will realize that the mere drawing of lines will not in itself stop foreign fishermen from fishing off our shores. Some countries have long standing treaties with Canada in respect of fishing outside and inside our fishing waters. A larger number traditionally have fished in

*Territorial Sea and Fishing Zones Act* these areas and have used traditional methods of fishing for particular species in what we regard as the fishing zones of Canada. These practices will have to be phased out. We do not intend unilaterally or overnight, so to speak, to rule these countries out of our fishing zones.

We will have to enter into negotiations with these countries and arrange for the phasing out of those privileges within what will now be clearly defined in maps published in the first instance in the *Canada Gazette*, as our fishing zones. We have already had talks with the countries. These talks commenced in 1964 right after the Territorial Sea and Fishing Zones Act was first passed. These talks were not finalized because at that time we were unable to specifically define what we regard as the geography, if I may use that term, of our own fishing zones. Until we were in a position to table maps and be specific about the co-ordinates involved we were not in a position to conclude any agreements or understandings with other countries. Now, with the completion of the fisheries map of Canada, hopefully this summer we will be in a position to complete this phasing-out process.

There are several treaties. We have a treaty with the United States in respect of fishing in Canadian waters and reciprocal rights of Canadians to fish in United States fishing waters. We also have a long-standing treaty with France. I understand it dates back to 1713 when the Treaty of Utrecht was signed between Great Britain and France. This was modified to some extent by a further convention in 1904 between Great Britain and France. It had relation to Newfoundland, which at that time was a colony of the United Kingdom. This treaty of 1904 is referred to as the French treaty or as the treaty relating to the French shore, essentially the western coast of Newfoundland. Under that treaty, which still obtains at the present time, the fishing vessels of France can come and go as they please and when they please. They can fish right up to our shores. They are not bound by our Canadian fisheries legislation. Our own fishermen must observe this legislation and large Canadian trawlers in the main must stay 12 miles off-shore.

Because we as Canadians are prevented from doing certain things which fishermen from France can do under this treaty, this is a source of irritation. We will have to re-examine this treaty after this legislation is passed with a view to creating a set of cir-