

Arctic Waters Pollution Prevention Bill

1,010-foot British tanker *Esso Mercia* two officers have been issued bicycles to help patrol the decks of the 166,890-ton vessel. If they build that million-ton tanker, they will be buying them automobiles!

The size of the tanker fleet itself is growing at a rate that rivals the growth in average size of new tankers. In 1965 it had increased to 3,500, and in 1968 it numbered 4,300 ships. At the present time nearly one ship out of every five in the world merchant fleet is engaged in transporting oil, and almost the entire fleet is powered by oil—yet some people question why Canada is concerned about the movement of ships of this size through our Arctic waters.

Is it really suggested that we should do nothing about pollution while plans are being evolved which would see massive tankers carrying potential pollutants across our northern seas? Indeed, the tanker danger in the Arctic may be so great—and I believe this—that no economic benefits can justify it.

Mr. Alkenbrack: Let us build a pipeline.

Mr. Perrault: Perhaps we should not have tankers travel there at all and we should insist that oil go out by pipeline. The Canadian people—and this is not restricted to one party—are determined to guard the Arctic ecosystem, its people, fauna, flora and the delicate balance among them from the disaster from a calamity such as a supertanker's oil spill.

● (9:40 p.m.)

Our friends in the United States insist that they, too, are concerned about "the dangers to marine environment and the absence of international guarantees to protect against pollution." But surely it is fair to suggest that there have been serious shortcomings in all programs, including the American program, to combat pollution. Significant oil spills have occurred in the United States alone with increasing frequency—180 in 1968, 192 in 1969, and 61 to March 1, 1970.

Surely any government of Canada would be remiss in its responsibilities to the people of this country if it procrastinated with respect to Arctic pollution control, and instead waited for other nations to establish international precedents which might eventually result in a body of international law which might again, at some vague, indeterminate future date, form the basis for a decision by the world court. Surely the Arctic is an area where Canada, of all nations, must develop and

[Mr. Perrault.]

create its own precedents. The initiative lies with us. The measure before us would provide some of the world's toughest pollution penalties, and so it should.

While the Leader of the New Democratic Party (Mr. Douglas) delivered what I thought was a useful speech today with reference to the subject of international law, it was indeed disheartening to note the nature of the opposition criticism directed toward this government by the deputy leader of that party. He stated on April 8, 1970, as recorded at page 5624 of *Hansard*:

—it is obviously extremely regrettable that the government of this country, a government which has a position of some importance in the international family, should find it necessary to reduce the extent to which Canada is ready to submit itself to the rule of international law.

He continued:

If every country in the world, every country of the United Nations, were to reduce the sphere in which it would be internationally bound every time it is faced by a matter of national interest, pretty soon the whole concept of the International Court and, indeed, of the United Nations itself, would be dead and buried.

Of course this kind of statement is palpable nonsense. 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, as it has already, to develop agreed rules on environmental and fisheries protection; but that Canada is not prepared to engage in litigation with states on vital issues where existing laws are either inadequate or non-existent and thus do not provide a firm basis for judicial decision. As the hon. member for Coast Chilcotin has pointed out, such custom as does exist leans without any question in favour of the world's shipping companies, with little or no reference to pollution and that this, to Canada and its Arctic in 1970, is an intolerable situation.

So we have submitted, and quite properly, a reservation to Canadian acceptance of the compulsory jurisdiction of the International Court of Justice relating to those areas of the law of the sea which are underdeveloped or inadequate. I suggest that in spite of these reservations the hon. member for York South (Mr. Lewis) should confer with his leader and be reminded that Canada's acceptance of the compulsory jurisdiction of the International Court of Justice remains much broader than that of most other members of the United Nations. It is to be regretted that the hon. member for York South was not in the cham-