

Arctic Waters Pollution Prevention Bill

We will have other comments to offer on this subject when the territorial seas and fishing zones bill is debated and will be looking forward to the proposals which the minister intends to present to cabinet regarding air and land pollution factors in the north as a whole. We hope that the minister will be able to develop his legislative ideas and be in a position to present them to us in regard to air pollution, fisheries and also shipping matters when the committee considers Bill C-202.

The hon. member for York South pointed out just the other day that this very important move on our part was done in isolation, without regard to the desires of the committee or the interests of any other members of the House. Perhaps this is not the correct procedure to follow in developing such important legislation. For a long time we have not had any exhibition on the part of government of the pride we, for our own self-respect as a nation, should show. Our national honour demands that we speak about matters of sovereignty with a clear and single voice. By precept and example, this Parliament has to show the Canadian people and the rest of the world that we are proud of our integrity, of ourselves and of our inheritance. We must show to future generations that we have their concern at heart as well, and that we consciously and deliberately, as a matter of policy, want to leave a legacy about which our younger people, our children and those who are yet unborn will likewise feel proud.

• (12:20 p.m.)

As human beings and as Canadians, we have no moral or ethical right to destroy our resources, or to accept the short term, fleeting economic benefits and thus sacrifice the economic interests and well-being of those who come after us. For these and other reasons we say to the government, not that we are right behind you on this matter, but that on the question of being pro-Canadian and endorsing the government's position on sovereignty, we are right with you. We hope you do not lag.

Mr. Warren Allmand (Notre-Dame-de-Grâce): Mr. Speaker, I should like to say a few words about the international law aspects of this bill. Before I do so, I should like to congratulate my colleagues, the hon. member for Laprairie (Mr. Watson), who is the chairman of the Standing Committee on Indian Affairs and Northern Development, and the hon. member for Coast Chilcotin (Mr. St. Pierre), who did a fantastic job in working with our caucus and the government in help-

ing to bring forward this bill. I think both hon. members deserve a lot of credit for the work they have done behind the scenes and in this House with respect to this legislation.

Some hon. Members: Hear, hear.

Mr. Allmand: When this bill and its companion bill, C-203, were given first reading and the Prime Minister (Mr. Trudeau) announced Canada's reservation with respect to the world court, I was a bit dismayed—not with the provisions of the bill, but with the reservation. As a supporter of the rule of law in international disputes, I do not like to see, in ordinary circumstances, reservations brought forward with respect to the jurisdiction of the world court. However, on my second examination of the bills I saw that what we had done actually was a spur to the development of international law in connection with pollution control. I firmly believe that by introducing and passing these bills we shall be developing international law relating to pollution.

As has been stated before, the present international law relating to the high seas is heavily loaded in favour of the shipping interest and provides as much as possible for free access of shipping to all parts of the seas. This orientation, developed over many centuries, probably favoured international trade and commercial shipping. The law of the seas was developed mainly by the ship-owner nations. Consequently, if Canada had agreed to allowing this legislation to be tested in the world court, we should have both gone to a court and submitted to a law heavily weighted against us and against any type of pollution control.

I might also say that in recent years the world court has not been known for its liberal interpretation of international law. If anything, it has been a very conservative court and has interpreted whatever international law there is in a very restrictive manner. This does not mean that the government rejects the international rule of law; far from that. Last fall members of the government attended the international conference in Brussels and tried to obtain some international agreement on pollution control on the high seas and in territorial waters and contiguous zones. However, such agreement could not be obtained, mainly owing to the position taken by ship-owning nations. Yesterday the minister said that Canada is still ready to work towards such a treaty. He repeated this again and other ministers repeated it after him.