

*Arctic Waters Pollution Prevention Bill*

unanimously. I do not know if there is precedent in this House for a vote to be recorded when all are in agreement.

**An hon. Member:** Oh, yes.

**Mr. St. Pierre:** I am happy to hear that there is. I hope we follow this practice at the conclusion of this debate. Both the hon. member for Nanaimo-Cowichan-The Islands and the Leader of the Opposition (Mr. Stanfield) have stated that they are in favour of the legislation—in principle, of course. We can go further than this at this time.

I have read the bill with some care and attention. I would only say there are very few bills coming before the House which cannot be improved by a hardworking parliamentary standing committee, and I have no doubt that improvements can be made to this legislation.

**Mr. Nesbitt:** The government will not pay attention to them.

**Mr. St. Pierre:** The bill, I am happy to see, has brought strong support from two of the parties of the opposition; the third party at the moment is still silent. The Leader of the Opposition spoke of legislation association with this bill. He was speaking of the establishment of the 12-mile territorial sea limit. I agree with him, and I also agree with the hon. member for Nanaimo-Cowichan-The Islands that these two bills really are linked together and that we scarcely discuss one without the other. The Leader of the Opposition said this implies that we are abandoning our assertion to sovereignty over the waters we consider to be ours. In this I totally disagree with him. My opinion is quite the reverse and I should like to take a few minutes of the time of the House to review this matter.

What is the effect of the 12-mile territorial sea legislation which is to come before us later, and how particularly does it apply in the Arctic? Questions which were asked of the Secretary of States for External Affairs (Mr. Sharp) related to the drawing of baselines from which the 12-mile territorial limit could be extended. The question is, of course, where are these baselines to be drawn? If they were drawn from headland to headland they would be in accordance with the Norwegian decision in the international court of 1954. Would they be drawn around the perimeter of the Arctic islands? The Norwegian decision is, I suggest, crucial in this matter. It had to do with the surrounding of a smaller archipelago by baselines at the northern part of Norway.

[Mr. St. Pierre.]

In the subsequent dispute before the world court a dispute which resulted at the conclusion of that hearing in a Norwegian victory, it was established that baselines could be drawn not only from mainland to island but from island to island, including small islands. In the Norwegian decision some of the baselines are as long as 44 miles.

The question is, Mr. Speaker, how much farther might we extend baselines in the Arctic? If we were to enclose the entire outer perimeter we would in one case at least, in the case of such a line stretching from Prince Patrick to Banks Island in the McClure Strait, have to draw a baseline of 120 miles. Could we successfully sustain this in the world court, bearing in mind that it has been announced in this debate that Canada is fully prepared to go to the world court and defend her declaration of a full 12-mile territorial sea limit? I do not know the answer to this, Mr. Speaker, and neither does the world court which is not now seized of it.

I would draw the attention of the House to an associated matter. The purpose of our establishing control in the Northwest Passage is, to my mind, primarily this: we wish to control pollution and bar the passage to tankers which we consider to be dangerous. We have an interest in this. I do not think that any member of the House has suggested seriously that Canada would deny innocent passage to ships on any occasion, provided that passage was truly innocent, and this would apply not only to our territorial waters but also to our internal waters.

May I next draw to the attention of hon. members of the House the four small islands between Prince of Wales and Bathurst Islands; they are Garrett, Lowther, Young and Russell. That sounds like a firm of lawyers. The distance between these islands is less than 24 miles, well below the maximum limit of 44 miles in the Norwegian decision. By any rule current in international practice, the territorial waters of Canada would extend completely across the Northwest Passage in the Barrow Strait. I do not suggest that this is sufficient authority, but I suggest it would back the government in its statement that the waters between the islands are Canadian.

In all common sense, sir, let us face this fact: we are attempting to make new law in our establishment of Arctic pollution control measures contained in this bill. We are extending our authority, although no further than 56 other nations, in this 12-mile ter-