

Territorial Sea and Fishing Zones Act

ment, led by the right hon. member for Prince Albert (Mr. Diefenbaker), was moving from igloo to igloo. I do not think many people today are quite as disparaging about this foresight. The right hon. member was not the only one. There have been many Canadians throughout the past 100 years who have foreseen the laws of our north.

I do not believe the unanimous vote today in this House was, in any sense, an exhibition of Chauvinism or what might be called hysterical xenophobia in this country. I think we are taking positive action. I know I am not supposed to refer to a vote, but it is very difficult not to do so since these bills came before us in tandem, so to speak. I hope our discussions on this bill and other legislation will be free of anti-Americanism and will present a positive and sensitive view of our country and our needs, both in the north and in our seas. I think the two can be differentiated very easily. I do not see why the government of the United States should have been surprised by this and other legislation.

On February 19, 1970, a distinguished senator, Gaylord Nelson, delivered an important address in the United States Senate when introducing legislation entitled, "The Marine Environment and Pollution Control Act of 1970". I will not bore hon. members or spend time giving the details of this legislation, but the senator could well have taken part in a debate the other day on the bill having to do with pollution in the Arctic.

There is also the matter of the Amchitka Island tests. I am trying to be fair about this. The United States government was also insensitive toward the understandable misgivings of this country about moving nerve gases from Okinawa to the State of Washington. These are really forerunners and part of the total picture of Canadian concern. There is another hon. member who wants to speak about the reservation concerning the international court. I am sure this is so. It is certainly the point of view of members of this party that these reservations are but preludes to international agreements. If there is no international jurisprudence on this aspect and on the pollution aspect, so be it. However, it does not in any way inhibit governments from reaching agreements, as they tried to do in Brussels and I assume will be doing in Stockholm in 1972, to avoid pollution of the oceans.

I cannot resist a rather amusing quote by the former Secretary of State for External Affairs whose views on international matters used to grip the House, for part of my time

[Mr. Fairweather.]

here, in any event. Speaking of the rule of law in world affairs, he said that international law, while not his mistress, was assuredly his constant companion. Well, the government leader in the Senate is now without a mistress and, apparently, in the light of these reservations, he has no companion.

• (5:50 p.m.)

Mr. Sharp: Oh, oh.

Mr. Barnett: On a point of order, Mr. Speaker. In view of the well-known interest of the hon. member for Esquimalt-Saanich (Mr. Anderson) in this subject matter, I wonder if there might be a disposition on the part of hon. members not to see the clock until, say, ten minutes after six, should the hon. member require extra time in which to give us the benefit of his thoughts.

Mr. McGrath: That would depend on how the hon. member proceeds in the few minutes we have left.

Mr. David Anderson (Esquimalt-Saanich): I can assure the hon. member for Comox-Alberni (Mr. Barnett) that should I still be talking at six o'clock he throw a book in my direction and I will take the hint that I have spoken long enough and promptly sit down. Seriously, I thank him for his suggestion, and I am grateful to the hon. member for Fundy-Royal (Mr. Fairweather) for cutting his remarks short so that I might be able to speak at this time.

I intend to speak first of all on the subject of the territorial sea, the feature which at present most concerns the Canadian public. This new legislation makes it possible for the Canadian government to consider Barrow Strait, and all of Prince of Wales Strait to be entirely Canadian territorial waters, rather than waters in a more questionable position, at least as far as the opinions of some other governments are concerned. We have made it clear by the provisions of this legislation that we regard these as entirely our territorial waters, regardless of the opinions of other nations.

I believe it is becoming a generally accepted idea among all nations that the concept of innocent passage is a term which includes freedom from the risk of pollution. The passage of a ship is not innocent if it results in pollution of the shores on either side of such straits as those I have mentioned. We have no intention of being dogs in the manger on this issue; I agree with previous speakers