

Territorial Sea and Fishing Zones Act liable for damages up to \$14 million if they pollute the sea within 12 miles offshore.

Further, the act sets anti-pollution jurisdiction far beyond the 12-mile limit over offshore drilling operations on the seabed. I claim that nothing would indicate more clearly the complete breakdown of negotiations between our two countries than the fact that at no time in his speech did the Secretary of State for External Affairs indicate that similar legislation for pollution control was being set up by the United States. I submit that he did not say this because he did not know anything about it.

Mr. Sharp: It is quite different.

Mr. Crouse: In view of all the discussions of our territorial sea, I believe it is desirable to review the actions of the Liberal government on this matter since it came into office in 1963. In 1964 the Parliament of Canada passed the Territorial Sea and Fishing Zones Act. The purpose of the act was twofold. First, the act established the fishing zones of Canada at 12 miles from the coastline. Second, the act applied the straight baseline system to the Canadian coastline. The adoption of this method by Canada for delimiting its territorial waters was of great significance. Indeed, the fixing of a baseline is important because it determines how far seaward a coastal state may exercise jurisdiction within a certain breadth of territorial waters beyond the baseline. It also affects the extent of contiguous zones for purposes of customs, fiscal, immigration and sanitary regulations. Now that Bill C-202 has been introduced to the House, the control of water pollution should be added to the list. The baseline of territorial waters has become significant also for the implementation of the contiguous fishing zones.

The 1964 act comprised six sections. One is very general and provides that the act applies to any federal legislation. One establishes the territorial sea at three miles from the baseline. One establishes the fishing zone at nine miles from the outer limits of the territorial sea, that is 12 miles from the baseline. One vests the Governor in Council with the power to make regulations for the drawing of the straight baselines, and one requires the minister of mines and technical surveys to establish charts showing the territorial sea limits and the fishing zones of Canada.

This act was promulgated on July 23, 1964, and it is interesting to read some of the remarks of the then secretary of state for

[Mr. Crouse.]

external affairs, the Hon. Paul Martin, as reported at page 5208 of *Hansard* of July 8, 1964 when he spoke on this legislation. This is what he had to say, among other things, and I am not going to quote all his speech:

In the committee I indicated that it was the intention of the government, when this bill was passed by parliament, to establish without delay the fishing zones of Canada, and I indicated that this might be done by bringing into effect those portions of the bill relating to fishing, while deferring until a later date proclamation of the rest of the bill. After this testimony my colleagues and I considered the matter further, and subsequently the Minister of Fisheries stated on my behalf in the committee that the government did not expect any undue or substantial delay in bringing the entire bill into force. Therefore the situation is that there will be no delay in proclaiming the bill in its entirety after it has passed through the house and received royal assent.

I should like to take this opportunity to emphasize one or two points which my colleague and I mentioned in the standing committee. When the bill is proclaimed the immediate effect will be that the fishing zones of Canada will be established from existing base lines. These base lines will follow mainly the sinuosities of our coast line, pending the drawing of straight base lines by the governor in council under clause 5 of the bill.

Those countries with which we are not having negotiations will therefore be immediately excluded from the fishing zones—

Listen to the wording.

—and their vessels will be subject to penalties under the Coastal Fisheries Protection Act if they operate in those areas. This will be of great importance to Canada in view of the rapid development by certain countries of large, modern fishing fleets capable of operating very far from their home ports.

● (4:00 p.m.)

It is unfortunate that the government did not follow through with its intentions as stated by the minister on that date instead of waffling, procrastinating and dilly-dallying to the extent that we now see our fisheries resources seriously depleted. Many of the fisheries problems faced by our fishermen on the east coast of Canada today are directly related to the indecision and inaction of the federal Liberal government in implementing the terms of this legislation as it was passed by this House in 1964. I would point out, Mr. Speaker, that the eight nations to which the minister refers in his speech of 1964, which are to be excluded from our fishing zones, are still fishing, as I stand here today, in the same waters as they were fishing then. If I am in error let any minister in the House stand up and dispute that statement. I emphasize that the eight fishing nations referred to in that speech in 1964 are still fishing in the same