

*Government Orders*

charged. This is an example where the use of force involved a loud hailer, a few threatening manoeuvres I suppose is a good way to put it, the stopping of the vessel and the sending across by boat of two armed boarding parties.

All kinds of things are done to show force, but force that is proportionate to get the vessel to stop and arrested and taken back to port so it can be properly charged. I agree on the high seas it is going to be much more difficult and I would not expect people to go and do that tomorrow.

I want to tell the House that when this government was elected on October 25, 103 vessels were on the nose and tail of the Grand Banks, and 72 of them were fishing. Today there are 39 that are engaged in any sort of credible fishing endeavour. There may be 70—odd, I did not get the count for the day. But the point I am making—and please do not hold me to numbers—is that the numbers have decreased significantly. That has, in my opinion and in the opinion of others, been the direct result of the Minister of Fisheries and Oceans and the Prime Minister making it very clear that we do not intend to stand for foreign overfishing, where foreign fishing vessels from other nations plunder our stocks, either by using small mesh size, by disregarding quotas, giving themselves great quotas, literally vacuuming up the ocean of a stock that Newfoundlanders and Atlantic Canadians and Quebecers cannot catch because of the rules that we have imposed on ourselves, to say nothing of the fact that there are no fish to catch anyway. If we have to stand on guard quietly and watch our fish disappear under some rubric that we are not really allowed to go outside the 200-mile limit, this government is not going to stand for it.

• (1755)

The rules we are discussing are intended to apply within our jurisdiction. The parliamentary secretary has made that clear. However, these are rules that can be developed. After all, in my lifetime we have gone from a 3-mile territorial sea because that was the range of a cannon-ball. We went out to 12 miles because that was the range of high definition radar for an average size vessel in an average sea state. We are now out to 200 miles because that is where the resources are and we have technical detection devices and aircraft that can tell us what is in the 200 miles. I do not expect to live the rest of my life with a 200-mile limit. I have gone from 3 miles to 200 miles so I can assume, in the interest of *avant-garde* international law, we may well go beyond the 200-mile limit.

I want tell members how we can use this kind of force. We have our ship at sea and we are involved with a foreign fishing vessel that is fishing in an area where it is not supposed to be. We are told that this vessel is to be arrested. The first thing we do is make it clear to the vessel that it is under arrest. We go through

all kinds of pain. We hoist international codes. We use our radio, flashing lights and, if we have speed advantage over that particular vessel, we do circles around it. We basically stand on our nautical head to do everything we can to make sure that vessel understands it is under arrest.

If the vessel proceeds and ignores the order, we have to make it clear to the vessel that we must now ratchet up our force. Without going through all the measures, I suppose at some point a shot would be fired in the general direction of the vessel and eventually across the bow of the vessel. In an ultra necessary step, where force is absolutely necessary and where hours and hours have elapsed, at some point the captain of the arresting vessel has to make it clear to the vessel on which force now has to be used, a disabling force after hours of negotiation: "We are now going to disable your rudder so get your people out of the stern of the vessel and we will give you an hour. Let me know when they are out". The captain may not hear from the vessel.

At some point we may have to fire a shot into the stern of the vessel to disable it. It is terrible stuff but necessary, that force which is necessary to disable the vessel to allow the arrest to be carried out. Hopefully that should be enough under regular circumstances to allow an armed party to be put aboard that vessel, a tow to be put together and the vessel to be towed back to a Canadian port where the master would be charged and duly put through the process.

The importance of this legislation in allowing regulations to be developed by the government, to make it more clear and to buttress the determination of the government to take charge of foreign overfishing I cannot reinforce enough. I believe it is safe to say that this kind of legislation not only clarifies section 7 of the charter and responds to the Ontario court ruling which made some form of legislation necessary—and I am delighted to see it is already in our mandate—but it makes the change to the Coastal Fisheries Protection Act in such a manner that the rules and the intent of the government to masters of vessels involved in arresting foreign vessels that are overfishing are very clear, unequivocal and concise.

• (1800)

I commend the Minister of Justice and his parliamentary secretary for putting forward this legislation at such an early date. I commend all members of the House because the presentations I heard seem to indicate an understanding of the intent of the regulation. I was delighted there were indications on both sides of a good understanding of what was involved in the necessity to improve the Coastal Fisheries Protection Act. Certainly I saw a general predisposition on the part of all members to move forward with second reading to get the bill into committee so that we could have a good look at it there.