

*Arctic Waters Pollution Prevention Act*

The Canadian Arctic is nowhere defined. It is the opinion of this party, which has been trying to prompt this government to make a declaration with respect to what is the Canadian Arctic for some time and finally was successful in kicking the Prime Minister and the government into making some progress along these lines, that the Canadian Arctic has a very specific meaning and interpretation. It is quite wrong and most improper to put in a bill the words "the Canadian Arctic" without being precise as to the definition of these words.

What the hon. member for Oxford has done in a very simple amendment is to point out that the extent of the area to which the proposals in this bill shall be applied must be taken as being without prejudice to the right of the Canadian government and the Canadian people to maintain the claim to sovereignty which has been made over a great many years. We recognize that this is a bill which does not *per se* deal with the question of sovereignty. But in order to indicate the extent to which the provisions of this bill will apply, the government has ventured into the area of the Canadian Arctic.

There is a very simple proposition of common law that sometimes when you mention a specific area to be covered, failure to define it with precision means that you may well be abandoning claims that you have heretofore made. What we fear is that, not knowing what international problems lie ahead because there is another companion bill which is, as a matter of fact, subject to the procedures of international law and other legislation may well be enacted later, by failing at this time to reiterate with determination and vigour the claim of the Canadian people as to what is the Canadian Arctic, a term used in this bill, we might well be held to have abandoned the claim which has been made over so many years.

Therefore, without in any way putting ourselves in the position where we are objecting to the principle of the bill, we are saying that the bill is in the form which is acceptable to us when it contains a saving clause which provides that nothing in this act shall be in any way construed to be inconsistent with Canada's rightful claim to sovereignty in and over the waters, islands and land areas of the Arctic regions. What that might be is something which may well have to be discussed and fought in other areas and courts. But we are saying that to the extent there is and there has been a claim, this bill shall not be

[Mr. Baldwin.]

construed as abandoning that claim. We feel that without this clause the government is taking a very doubtful step because the failure to include the fact that this is without prejudice to maintaining our claims of the past could constitute an act which other interested nations could say is an abandonment of what sovereignty we have.

● (5:40 p.m.)

If the hon. member's motion were to say that we are claiming sovereignty over certain parts of Greenland, over certain waters in respect of which there had never been any claim before, and we specified what they were, then I think the objection of the minister would be a proper one. I would have to agree with him. But I ask Your Honour to read over the wording of this amendment carefully. It says:

—to be inconsistent with Canada's rightful claim of sovereignty in and over the water, ice and land areas...between the degrees of longitude 60 and longitude 141.

In other words, whatsoever claims Canada would have prior to the enactment of this bill will be maintained. Therefore, this is a principle which we feel must be introduced into the bill in order to make it acceptable to us, and yet not constitute the type of amendment which has to be made on the report stage where we try to amend a specific clause. I recognize, Mr. Speaker, that this is not without difficulty. We are probably breaking new ground. Hard facts sometimes make difficult law. This government proposal is an unusual and unique proposition, and it certainly poses problems for the Chair. However, I think that this is an occasion when the Chair, because this is an innovation, should say that an amendment of this kind, one which is essential in our opinion to preserve Canadian sovereignty, should be allowed to be put so that members could express their viewpoints and come to a decision as to whether or not this legislation should be passed without the addition of this saving clause.

[*Translation*]

**Mr. Chrétien:** Mr. Speaker, in answer to the argument of the Opposition House Leader (Mr. Baldwin), I must say I feel the bill defines very clearly the limits we want to impose with regard to pollution areas.

The member claims we must define the boundaries of the Canadian territory. I feel Parliament defined them a long time ago. At