

the only way you can preserve the stock that exists within it. It is clear in international law and we should be going to the World Court.

If you take a look at the evolution of international law, it has happened consistently as a result of either international conferences, which according to the minister are failing, or because of unilateral action taken by individual states. Canada has done it, the United States has done it. It is one of the fundamental tools, because the world is changing.

The problem is that the current government is so rooted in an archaic view of inter-dependence, it is so rooted in an archaic view of sustainable development, which the rest of the world is now supporting, that it fails to understand the tools it has at its disposal.

In summary, very clearly: (1) ratify the Law of the Sea; (2) exercise your full rights under international law; (3) take an action in front of the World Court; (4) the government must examine the alternative between trade retaliation or enforcement and prosecution on the high seas. Other states have done it. The time has now come for Canada to stand up for its own rights and for the rights of the global commons. We are not simply talking about Canada, we are talking about a global resource and we have a responsibility as a developed nation to protect it.

**Hon. Chas. L. Caccia (Davenport):** Mr. Speaker, what has become clear in the course of this debate so far is a problem the government has with functional jurisdiction, as put on paper in our motion.

We have already dealt with that briefly earlier in this debate and I am sure that my distinguished colleague, the member for Winnipeg South, in his intervention will explain to the government benches the potential and the history of functional jurisdiction.

What we are saying in essence with this motion is that we can draw from the model, the experience and the history established in the 1970s when Iceland took an initiative that we are proposing here today.

As recently as two or three weeks ago, this initiative was recalled by Judith Swan, the executive director of the Oceans Institute of Canada, when she said on CBC Radio: "Canada could extend its fisheries jurisdiction to

the outer limits of the Grand Banks and enforce its regulations on all fishing vessels in the area.

• (1250)

Retaliation by foreign fishing countries is a clear risk. They could attempt to ignore the new jurisdiction or take the case to the International Court of Justice. Canada could stand its ground in such a case that this country would show a scientific basis for its action and point to the danger of permanent depletion of the stocks. The empty results of years of attempting to halt foreign overfishing would then become an argument in our favour."

This is what was said by a scientist who spoke from the Atlantic coast on the CBC.

Obviously an initiative like this is not common and would be particularly looked upon with disdain by bureaucrats in the Department of External Affairs. That is nothing new, however. The issue has reached a point in its development which requires political action.

My colleague from LaSalle-Émard has very clearly put forward a many-pronged political initiative in his intervention earlier. As he also pointed out, the credibility of the Government of Canada is impaired so long as it refuses to ratify the Law of the Sea for the very clear reasons that my colleague made when he pointed to section 63. It is all in there.

I hope that the Parliamentary Secretary to the Minister of Fisheries and Oceans and the minister have a clear understanding of the potential offered in the concept of section 63.

How can we go to the international community and say that we want to have international action to protect the stocks if we do not ratify an international piece of legislation which has been ratified by 43 nations but which requires 60 nations' ratification in order to become operative? That is where the problem lies.

Very recently, Brazil, another coastal nation, has ratified it. Canada's ratification would send a very important signal to the world community if it were to do the same. The time has come for the Minister of Fisheries and Oceans and for the government to bite the bullet and to move in that direction, considering the fact, as the member for LaSalle-Émard said earlier, that