

Arctic Waters Pollution Prevention Act

wisdom and knowledge. I would find it difficult to disagree with a ruling so clearly expressed by the learned Deputy Speaker, and I am honoured to have the opportunity to confirm the ruling that he made at that time and to say that it applies on all fours to the situation we now have.

I regret, in the circumstances, that the motion proposed by the hon. member for Peace River cannot be put to the House.

Mr. Doug Rowland (Selkirk): Mr. Speaker, this is the first occasion on which I have risen in the House and felt a little fear and trepidation. Having just learned of the sterling qualities of the Deputy Speaker, I am rather abashed at having to speak in his presence. I wanted to indicate the wholehearted support of the New Democratic Party for the subject matter incorporated in this bill, as we have indicated on other occasions. I also wanted to take a moment to endorse the remarks made by the hon. member for Peace River (Mr. Baldwin), and I will not attempt to duplicate his eloquence in expressing his aspirations for the development of northern Canada, aspirations which I am sure all of us share.

There seem to be some matters related to this bill which should be drawn to the attention of hon. members before it receives third reading and passage through this House. It would seem to those of us in the New Democratic Party that a logical companion piece to legislation establishing a 100-mile pollution control zone in the Arctic would be legislation establishing a similar zone for the east and west coasts of this country. I also submit that the establishment of these zones represents and even more immediate need on the part of Canada, in terms of protecting our maritime environment, than do parallel provisions for the Arctic waters.

There exists at the present time off our east and west coasts a clear and present danger from the devastating effects of pollution, as the wreck of the *Arrow* off Cape Breton Island amply illustrates. In this regard I should like to cite the statement made to the Commons by the Minister of Transport (Mr. Jamieson) during the debate on the committee report on Arctic sovereignty. In opening his speech, the minister said that the "totality" of the pollution problem in the world today was a more serious and immediate problem than the potentiality of pollution in Canada's northern areas, since given even the greatest possible technological advances, and even if the decision were made to employ ships for the transportation of oil through

[Mr. Speaker.]

northern waters, it appeared that it would be some time—according to the minister, perhaps years—before such voyages could be accomplished.

Nevertheless, and somewhat inexplicably, the minister has supported the wholly commendable action of establishing a 100-mile pollution control zone in the Arctic. At the same time he describes, to use his own words, the "strongly emotional and appealing" approach of taking unilateral action on the matter with respect to our east and west coasts as being in many ways futile in the face of overwhelming opposition by other countries. I suspect that the main thrust of the government's reluctance to incorporate provisions in this bill to establish a 100-mile pollution control zone along our east and west coasts is based on just the sort of argument that was mustered by the Minister of Transport in his speech during the debate on Arctic sovereignty. That is to say, the government believes that because of overwhelming international opposition any such attempt would be futile.

I should like to submit two sets of counter arguments to the approach taken by the government. The first set of counter arguments is based on international law as it stands today; the second set is based on the practicalities of the situation. First, I should like to examine this idea of pollution control zones off our east and west coasts in the light of existing international law. The existing body of international law is composed largely of custom, multi-national accords, agreements, conventions and treaties. But a very strong case has been made on numerous occasions for the use of unilateral national action as a spur to the development of international law.

In this regard, I should like to quote two or three passages from a statement made by three professors of international law from the faculty of law of the University of Toronto, Dean R. St. J. MacDonald, Professor Gerald L. Morris and Professor Douglas M. Johnson. These professors described Canada's action in establishing a pollution control zone in the Arctic as an "initiative of striking importance and relevance in the context of dynamic, creative development of international law". They went on to say:

It exemplifies the unavoidable resort to unilateral action by a national government faced by the inability of the international community to remedy a critical situation affecting its essential interests.

Let me take a moment or two to provide hon. members with some background to the