

the 1977 session by the adoption of a formula based on an earlier suggestion by Canada. By striking a balance between the rights of coastal states within this zone and the rights of other countries with respect to navigation, overflight and the installation of undersea pipelines and cables, a *sui generis* definition was created—i.e., the zone would be neither part of the high seas nor under national jurisdiction.

One of the biggest problems that remained unsolved concerned the desire of landlocked and geographically-disadvantaged countries to enjoy preferential rights of access to living resources within the exclusive economic zones of coastal states. At the outset, this group of countries sought the right to exceed the total allowable catch within these zones. Progress was achieved at the very end of the session with the presentation of a new draft text granting extensive privileges to landlocked and geographically-disadvantaged countries while protecting the vital interests of coastal states.

With respect to salmon fishing, Canada achieved an almost total ban on fishing for anadromous species beyond the 200-mile limit and recognition of the primary interest of the country in whose rivers the fish originate. However, the conference remained split over the question of lateral delimitation of the continental shelf and the exclusive economic zone between countries that share a border or lie opposite one another. Canada disagreed with provisions in the ICNT that, in its view, placed too much importance on the principles of equity. It favoured the principle of equal distance and sought to have the text brought closer to the provisions of the 1958 Convention on the Continental Shelf.

In the third committee, Canadian interests centred on the right of coastal states to set standards for the design, construction, equipment and manning of foreign vessels in their territorial seas and on the power of coastal states to police their own economic zones. The right of coastal states to set special environmental standards concerning ice-covered waters has now been incorporated in the negotiating text, a move that reflects growing international support for Canada's 1970 Arctic Waters Pollution Prevention Act. In the area of marine scientific research, the ICNT recognized the principle of coastal-state

consent to scientific research activities in the exclusive economic zone and on the continental shelf, and included clauses relating to the promotion and performance of such activities.

On the settlement of disputes, a consensus emerged for the establishment of a seabed tribunal distinct from the future law-of-the-sea tribunal. At the request of a number of coastal states, including Canada, an exception clause aimed at protecting coastal states in the exercise of their sovereign rights over the living resources of their economic zones was incorporated into the mandatory dispute-settlement procedures. Neither the coastal states nor the countries that depend on deep-sea fishing have been satisfied with this provision. The former would have preferred a more categorical exception and the latter felt that the current text already went too far.

In 1977 Canada and a number of its neighbours extended their fisheries jurisdiction to 200 miles. It thus became urgent to settle the delimitations of fishing-zones and continental-shelf jurisdiction between Canada and the United States, France and Denmark. On July 27, the Prime Minister of Canada and the President of the United States announced the appointment of special negotiators to seek a comprehensive settlement of the Canada/United States maritime boundaries and related resource issues. The negotiators were instructed to report to governments in October on the principles of a comprehensive settlement encompassing maritime-boundaries delimitation and complementary fishery and hydrocarbon resource arrangements, and to develop the substance of an *ad referendum* comprehensive settlement for submission to governments by December 1.

The Canadian negotiator, Ambassador Marcel Cadieux, organized a team drawn from the Departments of External Affairs, Fisheries and Environment, Energy, Mines and Resources, and Justice. Meetings with the United States team began in mid-August and continued on a rotating basis, mainly in Washington and Ottawa. The Canadian delegation held periodic