



CANADA

STATEMENTS AND SPEECHES

INFORMATION DIVISION

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA - CANADA

No. 69/19

LAW AND ARMS CONTROL ON THE SEABED

An Address by the Honorable Mitchell Sharp,
Secretary of State for External Affairs, to
the International Law Association, Toronto,
November 5, 1969.

Mankind's recent "giant step" into outer space has captured the public imagination in a way no pioneering venture has ever done before. But the conquest of the "ocean space" of our own planet may hold out a more immediate challenge and perhaps even greater promise for the future. Spectacular advances in marine science and technology are rapidly making the seabed and ocean-floor accessible to the scientist, the entrepreneur and, inevitably, to the military planner.

If the predictions of "standing-room only" on the earth in a 100 years time come true, we may be pushed into the sea. At the very least, a protein-hungry and mineral-short world will be increasingly seeking to exploit the natural resources of the ocean. A new colonial scramble for the seabed is by no means an academic possibility. Nor is the extension of the arms race to the ocean-floor.

The world still has the opportunity to achieve a new order or international co-operation under the sea. Governments are going to need all the help they can get from those who are interested in how international law is made and those who have ideas about what international law ought to be.

The international community focused its collective attention on the seabed in 1967 when Malta put before the United Nations General Assembly a proposal calling for the reservation exclusively for peaceful purposes of the seabed and ocean-floor beyond the limits of present national jurisdiction, and for the use of their resources in the interests of mankind. I should like first to deal with the suggestion that the resources of the seabed beyond the limits of national jurisdiction should be used in the interests of mankind, and later with the "peaceful uses" element.

The basic questions that have to be answered can be briefly stated: How far does or should the national jurisdiction of coastal states extend? What legal regime should be developed to govern the exploration and exploitation of the resources of the area beyond the continental shelf -- that is, beyond the limits of national jurisdiction? And what international machinery, if any, will be required to give effect to this legal regime?