

choose the areas of law - or the seas - it wishes to subject to compulsory settlement. Parties to the Convention should be prepared to submit all disputes to binding dispute settlement. Similarly Canada would be opposed to any system which allowed plaintiff States to opt in at the last minute for the purpose of instituting an action against another State, while not having previously made themselves subject to compulsory dispute settlement proceedings brought by other States.

It is for similar reasons that Canada would not favour a system of dispute settlement based upon an optional protocol. Given the nature and extent of new law which would be embodied in the Convention, such an approach could destroy the very basis of an effective system of compulsory jurisdiction.

3. With respect to the issue of the most appropriate comprehensive procedure to be chosen, we have reservations as to the proposals set out in Part IV of the Single Negotiating Text. Article 9 of that text gives primacy to a new "Law of the Sea Tribunal". We wonder if we need a new court at this time when we already have the International Court of Justice and arbitral procedures. What would be the effect of the creation of such a new tribunal upon the existing Judicial Organ of the United Nations? Furthermore, are there not many disputes which