

celestial bodies shall be the common heritage of all mankind". The Canadian Delegation, while expressing the view that the Treaty should affirm this principle, considered that at an appropriate time in the future, when exploitable resources are discovered, it would be necessary to establish an international régime based on generally agreeable institutional arrangements to govern the development of this common heritage. At the 1973 meeting there was disagreement between the space powers and the developing countries in particular as to whether space powers should enjoy any proprietary rights in the Moon's natural resources prior to the establishment of such an international regulatory régime.

The position of the U.S.A. is that while it supports the principle of the common heritage of mankind it has also advanced the proposition that only those resources "in place" on the Moon or other celestial bodies should not be appropriated by any state. The "in place" formulation would permit any state to acquire some rights over these resources once they have been removed, at least until an international régime had been established.

It is becoming more likely that the Legal Sub-Committee will not be able to resolve this issue until the U.N. Conference on the Law of the Sea has articulated a more precise definition of the concept of "common heritage of all mankind". Canada, as a country which is not a major space power but which does have extensive and recognized experience in outer space activities, should be able to play an effective role in resolving this issue. The Canadian Delegation at the thirteenth session of the Legal Sub-Committee has already expressed our willingness to participate actively in any discussions, on a formal or informal level, directed toward achieving compromise on these outstanding issues, particularly since articles in the draft Treaty already agreed upon contain genuinely useful provisions, relating especially to scientific exchange and environmental protection.