

coastal states. While this text requires a number of clarifications, its inclusion in the revision represented an important development towards a solution to one of the most difficult questions at the Conference.

The Conference, at the eighth session, did not succeed in reaching agreement on a new provision concerning lateral delimitation of economic zones and continental shelves. But the partisans of both equidistance (including Canada) and of equitable principles seemed willing to continue efforts to find a compromise formulation. This factor, coupled with the consensus that was achieved on a new paragraph on the provisional measures to be taken during the period pending agreement, lends credence to the belief that this issue might have a better chance to be settled at the last stage of the Conference. In the meantime, however, the delimitation formula in the revised ICNT remains as originally drafted and heavily favours the "equitable principles" approach at the expense of the pre-existing "equidistance-median-line special-circumstances rule" of international law.

One of the main developments of the Geneva part of the eighth session was the achievement of virtual consensus that work on the provisions relating to the protection and preservation of the marine environment and the development and transfer of marine technology had been completed. Of particular importance to Canada is an article recognizing the right of states to adopt special provisions for the protection of the marine environment in ice-covered waters, thus providing important evidence of the developing international acceptance of action taken by Canada in adopting the *Arctic Waters Pollution Prevention Act* of 1970.

In New York, discussions on marine environment matters focused exclusively on the outstanding issues relating to marine scientific research on the continental shelf. While most delegations could accept the provisions in the ICNT/Rev 1 dealing with this subject, some sought changes in order to accommodate a state wishing to undertake research operations beyond the 200 mile zone. There was also a proposal to amend provisions for the settlement of disputes relating to the interpretation of these specific articles. Time did not permit full attention to be given to the suggested compromise texts and the matter will be reviewed at the ninth session.

As of the end of the second part of the eighth session, the number of "hard core" issues to be resolved had been reduced and the extent of divergences on those remaining narrowed. Much work, however, remains to be done before the negotiations can be completed. Canada remains committed to a successful conclusion to the negotiations, which will ensure protection for its mining and maritime interests and will guarantee orderly and lawful utilization of the oceans.

International fisheries and maritime boundaries

Major changes have taken place in the legal status of the world's oceans during the last decade, as a result of developments at the Third United Nations Conference on the Law of the Sea and the extension of the maritime jurisdiction of coastal states. One of the most significant changes for Canada has been the extension of its fisheries zones from 12 to 200 miles on January 1, 1977.

The year 1979 was the third year of Canada's new fisheries regime. Ten long-term bilateral fisheries agreements signed between 1976 and 1978, with states which have traditionally fished in the east coast waters which are now included in Canada's fishery zone, regulate the major element of our bilateral fisheries relations. Of these, only the European Economic Community, which now acts on behalf of all its member states in the fisheries field, did not have a long-term bilateral arrangement with Canada at the beginning of 1979. This situation, however, was partially rectified with the signature on June 28, 1979 in Brussels of a Fisheries Agreement for 1979. That Agreement established a framework for the Canada-EEC fisheries relationship similar to those set out in the above-mentioned bilateral fisheries agreements. Included in the 1979 Agreement are provisions permitting the regulation of fishing activities conducted by vessels of EEC member states off the Canadian east coast. The Agreement also sets a limit on the catch of salmon in the waters off West Greenland, thereby assisting Canadian efforts to manage more effectively the Canadian east coast salmon fishery. (Approximately one-half of all salmon found off West Greenland is of Canadian origin.)

Canada, however, was not content with a one-year Agreement with the EEC and, in December 1979, both sides agreed to extend the 1979 Agreement into 1980 and to resume negotiations early in the year with a view to concluding a long-term fisheries agreement as soon as possible. Such an agreement would have to provide for significant commercial benefits for Canadian fish products imported into the EEC.

In separate discussions, Canada and France agreed to extend for a year the interim fisheries arrangements applied in 1979 in the area off St. Pierre and Miquelon, pending delimitation of maritime boundaries in that region.

Throughout 1979, the International Commission for the Northwest Atlantic Fisheries (ICNAF) and the Northwest Atlantic Fisheries Organization (NAFO) co-existed in a transitional arrangement until the coming into force of the NAFO treaty for members of ICNAF who had signed the new agreement. By December 31, 1979, ICNAF ceased to exist and all of its former members, with the exception of Spain and the United States, had joined NAFO. The replacement of ICNAF was necessitated by the need to establish a new basis for the international management of fisheries in the area beyond and immediately adjacent to the 200-mile fishing zones established by coastal states in the