

It has had under study the question of the regime of the high seas and as a special branch of that large topic, they studied this question of the continental shelf. It prepared a certain number of articles which were submitted for general information to the General Assembly at its sixth session; as I recall, that would be 1951. Those articles have not yet been the subject of substantive consideration by the committee. At the present time the General Assembly is waiting for further comments from governments, and I expect at the next session of the assembly the legal committee of the General Assembly will give further consideration to this report in the light of comments from governments.

Mr. BLACK: Does Canada make representations to this committee? If so, what representations have been made to the committee? No nation, I suppose, is more affected, more concerned with a report of this kind than is Canada. Have we made representations to the committee?

Mr. ERICHSEN-BROWN: Mr. Chairman, Canada has not filed any statement as yet with the International Law Commission.

Mr. BLACK: When was that United Nations committee appointed?

Mr. ERICHSEN-BROWN: It was set up in 1947.

Mr. BLACK: And Canada has made no representations to it in those five years?

Mr. ERICHSEN-BROWN: When I spoke of Canada not being on the committee, I was, of course, referring to the membership of the committee itself. You understand that the commission's reports are considered annually by the General Assembly, and they are referred to the legal committee of the General Assembly. Canada, of course, is represented in the General Assembly. Consequently, we have the same opportunity as any other member of the United Nations to express opinions or criticize any report which may emanate from the International Law Commission.

Mr. BLACK: As I understand it, no representations have been made by Canada to this committee?

Mr. ERICHSEN-BROWN: It is not exactly a matter of representation. It is a matter of comment on these draft articles, as they are called, relating to the continental shelf. It is a rather technical thing, this question of commenting upon the possible principles on which these articles were drafted. That, in the last analysis, would be a question of government policy, and Canadian opinion has not yet been formulated.

Mr. BLACK: We are studying it, are we not?

Mr. ERICHSEN-BROWN: Yes sir.

Mr. BLACK: And we expect to make a direct report to the committee?

Mr. ERICHSEN-BROWN: Yes sir; we expect to make some comments—and they will be simply comments—on the legal principles involved as to whether the draft articles are properly drafted or should be changed.

Hon. Mr. SINCLAIR: In my opening remarks—and I do not think you were here at that time, Mr. Black—I spoke of the government inter-departmental committee which is preparing Canada's stand on this. It is headed by Dean Curtis of the Law School of the University of British Columbia. It will concern itself with jurisdiction over territorial waters. The point that is made, as far as reference to a technical commission is concerned, it has to put all representations made to the committee. This commission would report to the general assembly, where we are represented, and then to the legal committee. That is where our Canadian representations on the report are made, or will be made, with more emphasis when we have our own Canadian committee's report not on just fisheries but on marine matters affecting the present territorial boundaries.