

these resources. Some states, principally the landlocked and geographically disadvantaged states, are still attacking the idea of coastal state sovereignty over the broad margin to its outer limits, but there is growing evidence of an emerging consensus which will accept the basic view of broad-shelf states.

The effect of a 12 mile territorial sea on passage through international straits has continued to be one of the more difficult issues at the Conference. There is widespread agreement that rights of passage must be maintained through those straits that are used for international navigation but that are overlapped by the territorial sea of one or more coastal states. Canada has supported this principle but has called also for rules tempering this right of transit which would protect the coastal state environment. A regime of "transit passage" is now embodied in the RSNT and is likely to be a central element of any Convention emerging from the Conference. However, some straits states are seeking more specific safeguards to accompany the right of transit passage and, based on encouraging indications at the recent session, there are hopes that through direct consultations between riparian and user states an accommodation will ultimately be reached thus resolving one of the more crucial issues at the Conference.

Finally, the Negotiating Group set up to deal with the economic zone boundary delimitation articles met only twice towards the end of the Conference and was not in a position to reach agreement on proposals put before it. Canada has expressed concern that Article 62 of the RSNT, as currently drafted, runs counter to existing principles of international law governing delimitation of maritime boundaries; in particular, the well established rule of equidistance. Accordingly, Canada has joined with Spain in introducing an amendment to Article 62 which clearly prescribes the median or equidistance line as the general rule for the delimitation of the exclusive economic zone between adjacent and opposite states while taking into account special circumstances, where justified, in order to reach an equitable result.

Committee III

The mandate of the Third Committee encompasses the protection and preservation of the marine environment, marine scientific research, and the development and transfer of technology.

With respect to marine pollution provisions, negotiations at the fifth session confirmed the emerging consensus in favour of a functional sharing of marine pollution jurisdiction between coastal, flag, and port states. The longstanding Canadian support for a global "umbrella" treaty laying down basic environmental obligations now appears to be generally accepted and is already embodied in the draft text.