

External Affairs  
Supplementary Paper

No. 53/63 THE CONTINENTAL SHELF  
AND FISHERIES

(Report of the International Law Commission)

Text of a statement made on November 24, 1953, by the Canadian Representative on the Sixth Committee of the eighth session of the United Nations General Assembly, Alan Macnaughton, Q.C., M.P., on the question of the continental shelf and fisheries arising in connection with agenda item 53.

Note: The text of the resolution adopted on this question by the Sixth Committee on November 25, 1953 and results of the voting are to be found at the end of this statement.

The Canadian Delegation has welcomed the division of our debate on the report of the International Law Commission. We are now debating Chapter III of that report which concerns The Regime of the High Seas. We consider that it is proper and in fact necessary to discuss in the one debate the work which the International Law Commission has completed on the three different aspects of this general subject, namely "The Continental Shelf", "Fisheries", and "Contiguous Zone". Although there may not be an immediate and direct connection between these three topics, I think all delegations will agree that the three topics are related and have some connection with one another, and that in a general debate of this kind it is not possible to discuss the effect and implications of articles relating to one without referring at times to the articles relating to either one or both the other topics. They are not entirely distinct or unrelated either in the physical or legal sense. To undertake extensive examination of one topic, without bearing in mind its connection with the others, would be to conduct our deliberations in an atmosphere of unreality. Moreover, the three topics we are now considering are related to other aspects of the Regime of the High Seas such as the territorial sea, super-jacent waters, and high seas. My Delegation would therefore have preferred to consider the three items now before us in conjunction with the International Law Commission's recommendations concerning all the other aspects of The Regime of the High Seas. I do not mean by this to criticize the efforts of the International Law Commission or to suggest that its work has been unco-ordinated or unduly delayed. On the contrary, we commend the Commission for the excellence of its work in drafting articles on these difficult and important subjects in such a relatively short time. We think these articles, once approved, constitute a major contribution to the development of international law.