

Recent Developments in Seabed Committee

The Canadian Delegation to the Committee on the Peaceful Uses of the Seabed and the Ocean Floor beyond the limits of National Jurisdiction has played an extremely active role on the range of issues being considered by the Committee (which is, in effect, the Preparatory Committee for the Third Law of the Sea Conference). Canada has tabled working papers on: the proposed regime for the seabed beyond national jurisdiction; fisheries management principles; scientific research; and a proposed comprehensive treaty on marine pollution. The basic range of Canadian interests reflected in all of these working papers is that of Canada as a coastal state with an extremely lengthy coastline, an extensive and deeply glaciated continental shelf, with coastal rather than distant water fishing interests, with coastlines fronting on the Atlantic, Pacific and Arctic oceans, concerned to preserve its marine environment and conserve the living and non-living resources of the marine areas adjacent to its coast. Canada has called into question the viability of certain traditional concepts of the Law of the Sea which are based in large part upon the doctrine of the unrestricted freedom of the high seas, and has emphasized the need for the development of new concepts aimed at providing accommodations between coastal states and flag states, between coastal fishing states and distant water fishing states, between wide shelf and shelf-locked countries by placing a new emphasis upon the responsibilities of states as well as rights of states. The Canadian approach has been to present first a conceptual approach to each of the issues under discussion, and then to put forth specific Canadian positions on each of the major issues, followed by the tabling of working papers intended to provide the basis for the drafting of treaty articles. Obviously, this three-phase approach requires, at a certain point, an attempt to reorient the particular interests of