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LAW OF THE SEA CONFERENCE  
RESUMED SEVENTH SESSION, NEW YORK  
August 21 - September 15, 1978

Assessment by Canadian Delegation

The resumed seventh session of the Third United Nations Conference on the Law of the Sea convened in New York from August 21 to September 15, 1978. Although the final results did not entirely fulfill expectations, an important measure of progress was achieved and all delegations remain firmly committed to a new Law of the Sea treaty. The work programme in New York resumed where it had left off in Geneva at the end of the first part of the Seventh Session in March/May of this year. A constructive, businesslike atmosphere pervaded the resumed session and by eschewing doctrinal polemics and concentrating objectively on detailed aspects of the international seabed mining regime, the Conference was able to build on the progress achieved in Geneva. Thanks to the intensive discussions in the negotiating groups, the essential elements of a final compromise package concerning the remaining hard core issues have been clearly identified. But having isolated the most difficult remaining questions, the Conference still has exacting negotiations ahead before final agreement on a comprehensive treaty is possible.

This session must be seen in the overall context of the Law of the Sea Conference. Over the course of seven sessions, 150 countries have been engaged in a process of international law-making of a magnitude and importance unprecedented in diplomatic history. The Conference has already a remarkable record of progress to its credit. It has virtually concluded work on most of the elements of a new international oceans regime. Many of these elements are of direct significance and benefit to Canada as well as to the successful outcome of the negotiations. The regime for the 200-mile exclusive economic zone incorporated in the negotiating text has already had an important impact on state practice, particularly in respect to coastal state management of fisheries resources in adjacent waters. The 12-mile territorial sea is now an accepted legal norm. Provisions included in the negotiating text with regard to the concept of archipelagic waters and the regime of passage through such waters and through straits used for international navigation are now generally accepted by delegations. A comprehensive and balanced system for the protection of the marine environment with particular emphasis on vessel-source pollution is embodied in the negotiating text,

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