

Another area of conflicting views is the right of passage through straits used for international navigation. On the one side, there are the military and commercial concerns of the major maritime powers, who would like a "free transit" conception to replace "innocent passage", now that many of the world's most important straits such as Gibraltar and Malacca will become territorial waters through the adoption of the 12-mile rule. The strait-owning states oppose this concept and insist on the continuation of "innocent passage" to protect their security and their environment.

Canada looks favourably upon the development of the archipelagic waters theory, which is closely related to the straits issue. This has been put forward by the states composed of many islands, such as the Philippines, Indonesia and Fiji. Even though it does not apply directly to the Arctic archipelago, which is a coastal one adjoining a large land-mass state, it appears to be a move in the right direction, at least so far as economic jurisdiction is concerned. The thorny issue of transit through straits and archipelagos will doubtless cause major difficulties at the Conference.

Fisheries In 1609, the renowned Dutch jurist Hugo Grotius wrote:

"Most things become exhausted with promiscuous use. This is not the case with the sea. It can be exhausted neither by fishing nor by navigation, that is to say, in the two ways in which it can be used."

This statement is no longer correct on two important counts. But for some 350 years it accurately summed up the relationship of man and the sea. Any politician must agree that being considered right for that long is a highly enviable reputation. But Grotius underestimated both mankind's energy and ingenuity. There are certainly more than the two traditional uses of the sea that he cites. Also, and very troublingly so, we know that the sea can be exhausted by the indiscriminate use of modern fisheries techniques. The last years have seen the developments of methods of fishing that resemble vacuum-cleaning more than anything else. As ancient and vast as it is, the sea cannot indefinitely be abusively exploited. Like everything else in our world, it has its limits. Human technology can now fish whole species to virtual extinction.

With an expanding world population and an ever-increasing demand for protein, the living resources of the sea become daily more important. Long-range "factory" fleets go to sea for months at a