

in the "Free and Hanseatic City of Hamburg." Most supporters of the Treaty believe that West Germany, whose coalition government was closely divided on the issue of signing before the 1984 deadline, will be tempted to accede to the Treaty to gain the prestige of this international court.

Another commission, chaired by a Dutch diplomat, has to work out the seabed mining code and tackle the controversial question of transfer of technology. A third commission has been debating whether to establish a system for compensating developing countries which are land-based producers of nickel, copper and cobalt and which might be hurt when seabed mining becomes a reality.

But the reality will not come for at least twenty years, say mining executives. With mineral prices likely to remain depressed, no consortium is going to sink a billion dollars or more into developing a seabed site. The whole dispute over seabed mining issues, if not a complete abstraction, is a debate about something far over the horizon.

Canadian opportunity

So the question comes: if the only part of the Convention at issue has become a remote matter, why not ratify the Treaty? The Hockin-Simard report, from the Special Joint Committee on Canada's International Relations, asked this question. It said the government should press for early completion of the Prep Comm's work and then do a detailed cost-benefit analysis of the Treaty. "Although it has not yet come into force, the Treaty has already brought Canada significant benefit, and the committee thinks Canada should ratify it."

In response, last December the government agreed we were deriving "substantial benefit" and said it was active in the Prep Comm's work, hoping for "universal acceptance of the Convention." Then it fell back into utmost caution, declaring: "When the Preparatory Commission

completes its complex task, Canada will be in a position to determine whether to ratify the Convention."

This is chicken-and-egg stuff. The Prep Comm could go on for decades devising new rules and formulae as circumstances and prices alter. Its task will be completed when the Treaty comes into force with sixty ratifications and the Assembly of the Seabed Authority takes over. And to wait for "universal acceptance" means waiting for the United States to accede - that is to ratify ahead of Canada.

The real reason for the Canadian government's caution is the worry that, if it ratifies ahead of larger industrial powers, it will be liable to pay a disproportionately large share of a (presently incalculable) bill to maintain the Seabed Authority in its Jamaica headquarters and even to develop the first seabed mining site of its operating arm, the Enterprise. These fears are wildly exaggerated - seabed mining, everyone agrees, will not start this century - and the costs can certainly be spread, if Canada now shows a little of the diplomatic boldness and skill that External Affairs lawyers under Alan Beesley and Len Legault provided during the conference itself.

Waiting for Canada

The mathematics are not too complicated. The operations of the Seabed Authority and the Tribunal will be paid for by those who have ratified the Treaty according to their scale of assessment for the United Nations regular budget. The thirty-five countries which have so far ratified are nearly all Third World states - the most substantial are Mexico, Yugoslavia and Iceland - and together they contribute less than 3 percent of the UN budget. Canada's assessment is 3.08 percent and, if only twenty-four other small states came forward to ratify and bring the Treaty into force, Canada could find herself paying, say, one-third of the costs.

The solution is obvious, but it requires some entrepreneurial initiative. The two dozen ratifying countries needed to bring the Treaty into force should be recruited as a body from among those who pay sizeable assessments. Fortunately, the time is ripe for such a recruiting drive.

For a start, the four countries which are registering claims for their state corporations contribute 29.4 percent of the UN budget. Then eleven countries of the "West European and Others" group, which also call themselves "Friends of the Conference," make up nearly 17 percent. This group includes Australia, New Zealand and Canada as well as the Nordic countries and Ireland and Austria. Finally another dozen Third World countries which played important roles during the conference or gained largely from the Convention and have not yet ratified it add another 8 percent. Together, these twenty-seven countries could bring the treaty into force and would contribute enough that Canada's share would be less than 6 percent of the cost.

Canada would do well to persuade these countries to sign a joint declaration saying that, if reasonable progress is made at the next session of the Prep Comm, they would be prepared to ratify the convention as a group. This would give urgency to the work of the Prep Comm and end uncertainties about this historic treaty.



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