

Tolentino, the Philippines' Minister of State for Foreign Affairs.

Foreign Minister Mochtar, in a keynote address during the opening session of the conference, stressed the fact that much had been accomplished already by the decade-long deliberations of the Third United Nations Conference on the LOS (UNCLOS III), including the recognition of the regime of archipelagic states. What remained to be done was to complete a framework for co-operation within the ASEAN region.

Senator Tolentino, who has led the Philippines' delegation at three full UN conferences on the Law of the Sea spanning the last 30 years, delivered a call in his closing address for all concerned to exert effort to finally conclude the much sought after UNCLOS III convention.

As a result of the symposium it is expected that future co-operation in research and technical exchanges on LOS matters will ensue between Canada and the countries of ASEAN.

New LOS: Similar Issues for Canada and ASEAN

THE third United Nations Conference on the Law of the Sea (UNCLOS III) is drawing to a close with the "final" session scheduled to commence on March 8, 1982 in New York. Whether the delegates succeed in achieving a treaty at the last minute or not, the effects of UNCLOS III on the ASEAN region will be profound.

Before the conference first convened in Caracas in 1973 the ASEAN countries were surrounded by "high seas". Today the concept of Exclusive Economic Zones (EEZ) extending 200 nautical miles from the coastline is a generally accepted principle of international law. The effect upon fisheries patterns, exploration for oil and gas, and environmental controls will be significant.

Moreover, the regime of territorial seas has been extended from the former three-mile to a 12-mile limit now claimed by over 80 countries. As a consequence, a large number of straits now lie within the territorial seas of neighbouring states. These straits, referred to as "International Straits," will be governed by the legal regime provided for in the new Convention on the Law of the Sea when it comes into force. This is the case for such great International Straits as the Straits of Malacca and Singapore, which lie within the territorial seas of Malaysia, Indonesia and Singapore.

The effect of the 12-mile limit on the archipelagos of the ASEAN region has been equally profound. The thousands of islands which comprise Indonesia and the Philippines, each potentially with its own territorial sea and EEZ, presented

a conceptual problem of wide reaching proportions. Accordingly, a determined effort initiated by Indonesia in 1957 was renewed to convince the UNCLOS III of the need for an archipelagic doctrine that provides these states with a baseline around the outermost island groupings. Success was achieved and now these two ASEAN countries have rights and responsibilities over vastly larger areas of the Pacific and South China Sea.

Accompanying this extension of jurisdiction is a need for the countries concerned to expand their knowledge of the ocean, its living and non-living resources, and the methods required to exploit them while maintaining sufficient stocks for future generations. Meanwhile, the constant threat of man-made pollution must be confronted and overcome.

Here similarities between the ASEAN region and Canada arise. As the second largest country in the world in area and fronting on three oceans, Canada has the world's longest coastline. Consequently a myriad of jurisdictional problems occur between Canada and her neighbours. Three boundary negotiations have been in progress simultaneously: with the United States with respect to the Gulf of Maine in the Atlantic, which has now been referred to the International Court of Justice, Dixon Entrance at the northern end of Vancouver Island in the Pacific, and the Alaska-North West Territories boundary in the Arctic; with Denmark regarding the Lincoln Sea, north of Greenland, and Ellesmere Island; and with France in respect of the Islands of St. Pierre and Miquelon off southern Newfoundland.

The 200-mile zone that Canada must now exploit and regulate in the Atlantic has all the size and complexities of the Gulf of Thailand. Both are vast fishing grounds requiring careful regulation but offering the potential for sustained fisheries wealth. The significance of this is evident when one considers that Southeast Asia produces 10 per cent of the world's fish while Canada is the world's largest fish exporting country.

Canada has an Arctic archipelago, which poses unique problems of administration and environmental protection. Exploration and exploitation of oil and gas in the Canadian Arctic and prospects of increased navigation in Arctic waters subject to Canadian sovereignty have pointed to the need for measures to protect this fragile ecosystem. As a direct result Canada established very strict conditions for the transit of oil and other potential pollutants in all her waters plus a management and control system to monitor such vessels.

The problems of understanding the oceans and protecting their environment have also been encountered in Canada. Pollution incidents involving tankers

along the coast of Nova Scotia in 1971 and 1976 led to the world's second largest ocean research centre being developed at the Bedford Institute of Oceanography in Dartmouth, N.S., to deal with the problems of establishing the parameters of the ocean and attempting to find solutions to the endless series of problems which arise from its use by man.

Canada's oil and gas industry is active both inland and offshore and Canada's largest oil discovery was made in the Hibernia field 150 miles south east of St. John's Newfoundland. The issues involved in offshore resource exploitation, so familiar to Southeast Asia, are thus shared and understood in Canada.

What significance do all of these similarities have for the ASEAN countries?

Firstly, it means that many interests are shared between Canada and ASEAN in international fora. Indeed close consultations have taken place at many levels including those between Ambassador Tommy Koh of Singapore, as President of UNCLOS III, and the chairman of the key drafting committee, Ambassador Alan Beesley of Canada.

Canada has developed computer-based systems for fisheries management in both the Atlantic and Pacific which could be of great benefit to the resolution of fisheries problems in Southeast Asia.

Highly sophisticated Vessel Traffic Management Systems (VTMS) have been developed for all of Canada's major ports and the 4,320-kilometre-long St. Lawrence Seaway. The Vancouver/Seattle joint system, for example, uses shore mounted automatic radar stations and microwave relays to effect positive control of shipping from 200 miles outside the port limits. There is obvious relevance for the introduction of this type of Canadian-devised system in the heavily travelled shipping lanes such as the Straits of Malacca and other exploration areas of Southeast Asia.

Canada is also a world leader in ocean technology. Everything from automatic marine radar activated buoys, to offshore drilling rigs, to deep diving manned and unmanned submersibles and a range of oil-spill-cleanup equipment is produced to meet the needs of Canadian ocean development. Their application in Southeast Asia is a matter of adaptation and technology transfer.

Finally, the questions of basic research and technology transfer have been addressed in Canada. The basic research capability with respect to the Law of the Sea was well demonstrated in the recent symposium in Bangkok. With assistance from Canadian academics, Professors Douglas Johnston and Edgar Gold and their Dalhousie Ocean Studies Research Program, a groundwork was established