

THE CONSEQUENCES OF SUCCESS OR FAILURE

THE IMPLICATION TO

WESTERN NORTH ATLANTIC COUNTRIES OF THE NEW LAW OF THE SEA

An excerpt from a speech by J. Alan Beesley, Q.C., Assistant Under-Secretary of State for External Affairs and Legal Adviser, Ottawa, Canada from a Seminar held in Bermuda, November 8-10, 1976 ... Consequences of Success or Failure -

A successful Conference would mean agreement on over 500 treaty articles, including annexes, which would together comprise a comprehensive constitution of the oceans - an area, we are often reminded, consisting of over 70 percent of the earth's surface. These rules of law would not exist in a vacuum. They would bind states to act in new ways. They would stipulate a wholly new régime for the rights of passage through international straits. They would lay down totally new principles concerning the management of ocean space. Admittedly, international straits, the areas of ocean space most in need of a management régime, would be exempt from the rules applicable elsewhere but the right of "freedom of transit" through international straits appears to be the price which the coastal states must pay to achieve the agreement of the super-powers on the other rules being developed.