

To put it simply, we consider that the concept of "economic zone" is the keystone to any overall accommodation on the Law of the Sea. Differences of view may exist concerning the precise nature and extent of jurisdiction to be asserted but it is evident that there can be no solution which is not based on the "economic zone" approach. This presupposes a willingness on the part of major maritime powers to acquiesce in new forms of jurisdiction by coastal states embodying both rights and obligations, elaborated in treaty form, and subject, we would hope, to third-party adjudication concerning the application of these rights and obligations. With respect to coastal states, such an accommodation would presuppose, as a minimum, a willingness to recognize the interests of the international community as a whole, and particularly the major marine states, in freedom of navigation through such zones. Undoubtedly such an economic zone would have to include jurisdiction over the living resources of the sea, which, if not exclusive, would at least include coastal-state preferential rights, plus pollution-control jurisdiction and sovereign rights over the resources of the seabed of the economic zone. It may be that the continental shelf would extend in some areas beyond the economic zone. In return for acquiescence by other states in these forms of jurisdiction by coastal states, coastal states would accept a narrow territorial sea.

A further developing trend, not so readily perceived as the others just mentioned, perhaps, but nonetheless apparent for those who care to look for it, is the growing recognition of the need to seek accommodations which will reconcile not only conflicting interests but conflicting uses of the sea. The London Conference on Ocean Dumping provides an interesting precedent on this issue as well as others. A number of major maritime powers, who are also major industrialist states and thus major dumpers, joined together with a large number of coastal states and voluntarily agreed to accept self-denying treaty obligations prohibiting their right to dump certain noxious substances into the oceans of the world and seriously curtailing their rights to dump other such substances. That they did so reflects great credit upon them, but the implications go well beyond the particular example, in terms of the future development of environmental law and the Law of the Sea. Of equal importance is the willingness of the major maritime states to join with these coastal states in sharing the enforcement of this Convention. Of no less significance was the willingness on the part of coastal states at that conference to work out such accommodations with the major maritime powers on the delicate jurisdictional issue of coastal states' rights of enforcement. The solution adopted of shared or "universal" jurisdiction -- that is to say, enforcement by all parties to the Convention -- augurs well for the success of the Law of the Sea Conference. Such a solution does no violence to the interests of any state. Such a solution is quite clearly based upon the common interest of all states in the preservation of the marine environment.

It is worth noting, for example, that the Working Group on the Seabed Regime has done much valuable work based on the clear precedent of the Declaration of Principles on the Seabed Beyond National Jurisdiction, and one may wonder how much further concrete progress can be achieved short of the highly-intensive negotiating atmosphere which will prevail only at the