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Third Law of the Sea Conference makes some headway, 1

Science scholarships, 2

Habitat Conference, 2

Climate getting colder?, 2

Canada cuts nuclear co-operation with India, 3

Canadian cattle in India, 3

Oil and gas prices rise, 3

Loto Canada — new national lottery to replace Olympic lottery, 4

National atlas wins award, 4

Twin stamps for U.S. Bicentennial, 4

Canadians and the earthquake in Italy, 5

Federal activities in support of the 1976 Olympic Games, 6

Winnipeg Mint inaugurated, 6

Solar energy meeting in Manitoba, 8

News briefs, 8

Third Law of the Sea Conference makes some headway

Significant progress was made at the recent session of the third United Nations Conference on the Law of the Sea in New York, said Secretary of State for External Affairs Allan J. MacEachen in a report to the Standing Committee on External Affairs and National Defence on May 11.

Although a number of issues remained for further negotiation, the new negotiating text produced at the Conference was, he stated, "a considerable improvement over last year's draft".

Excerpts follow from Mr. MacEachen's review of developments affecting main issues at the Conference and their impact on Canada's interests:

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The first part of the new text deals with the range of complex and radically new concepts that are being developed in order to regulate future activities in the international seabed area beyond the limits of national jurisdiction. It now provides, in my view, many of the basic elements necessary for a true accommodation of interests between developing and developed countries. Whereas the articles drafted in Geneva last year were regarded by the technologically-advanced countries as impracticable, the new text represents a more realistic approach to the problem. At the same time, the concept that the international area will be the "common heritage of mankind" and not an area of renewed colonial expansion, has been given more specific and concrete meaning through a series of new draft articles and technical annexes covering a wide range of issues....

Economic zone intact

The second part of the new text deals, among other questions, with the economic-zone concept, a concept which we regard as the foundation stone of any successful law of the sea conference. In spite of the many attempts made by certain groups, notably the landlocked and geographically disadvantaged states and some of the long-distance fishing nations, to erode the very nature of the economic zone, the concept has emerged unscathed and is now firmly entrenched in the consensus which is reflected in the revised single negotiating text. This means that Canada would acquire sovereign rights

over living resources (that is, fisheries resources) out to 200 miles, would maintain its sovereign right over the resources of the continental shelf out to the edge of the continental margin, and would have recognized in specific treaty language its right to preserve the marine environment and control scientific research.

On fisheries, the basic compromise reflected in the original single negotiating text accommodated all essential Canadian interests, and has re-emerged intact in the revised text.... The most difficult issue that remains to be resolved is the question of rights of access by landlocked and "geographically disadvantaged" states to the fisheries within the economic zones of coastal states in the same region or sub-region....

With respect to the continental shelf, the previous affirmation of coastal states sovereign rights to the edge of the continental margin was confirmed together with the concept of revenue-sharing in respect of the seabed resources found between the 200-mile limit and edge of the margin.

Marine environment

Canada was extremely active in New York in the debate on the preservation of the marine environment. The basic Canadian approach is reflected in the revised single negotiating text on this subject, whereby the draft articles establish an umbrella convention laying down fundamental treaty obligations to preserve the marine environment. The original single negotiating text was already in large measure accept-

