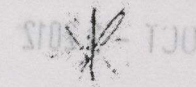


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May 25, 1978
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LAW OF THE SEA CONFERENCE
SEVENTH SESSION, GENEVA,
MARCH 28 - MAY 19, 1978

Assessment by Canadian Delegation

The seventh session of the United Nations Conference on Law of the Sea (UNCLOS) has marked an important turning point in negotiations leading to a new constitution of the oceans. Earlier concern that the Conference might founder on issues of seabed mining and rights of land-locked and geographically disadvantaged states has, as a result of the productive work at this session, given way to a cautious sense of optimism that a positive outcome to the Conference is now within reach provided the momentum established during this session can be sustained when the session resumes on August 21 for a further four weeks.

Despite initial controversy over the presidency, delegations put this divisive issue behind them and got down to serious negotiations focusing on "hard-core issues" covering deep seabed mining questions, rights of land-locked and disadvantaged states, settlement of disputes, definition of the outer limits of the continental margin and delimitation of maritime boundaries. There was also a thorough discussion of less divisive questions, such as marine environment issues.

On seabed issues, the most important development at UNCLOS VII from a Canadian point of view has been the achievement of an ad referendum agreement by the Canadian and U.S. LOS delegations on a production ceiling formula, the product of lengthy and intensive behind-the-scenes bargaining. The formula, included in a resulting draft text emerging from the session, provides for the orderly growth of seabed mining over the course of a 20-year period following commencement of commercial production and provides, in the view of the Canadian delegation, satisfactory assurances against disruption of land-based mineral markets as well as allowing for a level of tonnage of seabed nickel production sufficient to meet the requirements of all potential seabed miners.

On areas other than resource policy, negotiations were extremely productive and suggested compromise texts on the transfer of technology and the review conference in particular, while not perfect, should point the way to consensus on a package satisfactory to both sides at the next session. Further work still remains on the question of financial matters, particularly regarding financial obligations of contractors to the proposed International Seabed Authority (whether by way of a production

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