

Canada, along with most developed countries, was unable to vote in favour of a moratorium resolution put forward in 1969 by the developing countries, believing that it would unduly restrict technological progress and cause an unacceptable delay in making these resources available to all.

Of special concern to Canada is the high nickel content of the manganese nodules which have been found in quantity in certain parts of the seabed. Canada is the world's largest producer and exporter of nickel, and also exports copper and cobalt. We cannot ignore the impact that mining of the nodules could have on our economy. Canada is not alone in this position; for example, Zambia, Chile, and Zaire, all with large copper outputs, have a comparable interest. Therefore, Canada is pressing for an orderly regime for the development of the international seabed area, under which the law will keep up with technology, and the abyssal seabed resources will truly benefit all mankind.

#### Navigation

The increased jurisdiction being proposed or already claimed by coastal states has given rise to conflicts with the navigation interests of major maritime powers. On the resolution of these conflicts, more than anything else, may hinge the success of the Law of the Sea Conference. As I have said, the majority of states already claim a 12-mile limit for the territorial sea. The coastal state exercises full sovereignty over this area, but must permit foreign vessels innocent passage through it. Submarines must surface in another nation's territorial sea and warships must cover their guns. Passage is "innocent", according to the 1958 Convention on the Territorial Sea, if it is not prejudicial to the peace, good order and security of the coastal state. If the coastal state decides that passage is prejudicial on these grounds, it may take action to stop it.

But can the passage of a polluting ship be innocent? Should Maritimers or British Columbians be forced to stand helplessly by while a passing vessel contaminates the shores on which they live? You have had sufficient unpleasant experiences already to understand the serious economic, social and recreational damage even a relatively small spill can cause.

Canada maintains that "environmental integrity" is as valid a concept as "territorial integrity", and that every state has the right to protect itself by legitimate means against acts of what might be called "environmental aggression". Canada asserts that a coastal state can suspend the passage of a foreign vessel through its territorial sea where a serious threat of pollution is involved. We will seek to have this right explicitly confirmed in international law. On this point we are opposed by major maritime powers, who fear that such an interpretation of innocent passage would entitle coastal states to interfere unduly with the movements of their naval and merchant vessels.

Another area of conflicting views is the right of passage through straits used for international navigation. On the one side, there are the military and commercial concerns of the major maritime powers, who would like a "free transit" concept to replace "innocent passage", now that many of the world's most important straits such as Gibraltar and Malacca will become territorial waters through the adoption of the 12-mile rule. The strait-owning states oppose this concept and insist on the continuation of "innocent passage" to protect their security and their environment.