

rights of other states therein in respect of freedom of navigation and overflight, and the laying of submarine cables and pipelines and "other internationally lawful uses of the sea related to these freedoms". While a number of so-called territorialist states (those who support a 200-mile territorial sea concept or, at least, the definition of the 200-mile exclusive economic zone as a zone of national jurisdiction) may still oppose the ICNT formulations, it is hoped that the "balancing" approach reflected in the draft text can ultimately command a broad consensus, particularly since it can probably be accepted by the major maritime states, provided other outstanding issues are resolved. If such a consensus can be realized at the Seventh Session, the result will have been an important achievement in resolving what was one of the most difficult issues facing the Conference.

3. Fisheries

The economic zone regime now firmly entrenched in the negotiating text reflects the Canadian position on coastal state management and control of fisheries within the 200-mile limit. The provisions in the ICNT make it clear that the coastal state has sovereign rights over these resources, can establish total allowable catches and all other management measures required, provide for its own fishermen in accordance with their harvesting capacity, and distribute any surplus that remain to other countries. The clear consensus which has been reached on this subject at the LOS Conference has provided the basis for action by an increasing number of states, including Canada, which have found it necessary to extend their fisheries jurisdiction to 200 miles in advance of the conclusion of the Conference.

During the Sixth Session, fisheries-related discussions focussed on three major issues: (a) the problem of access to living resources by the land-locked and geographically disadvantaged states; (b) highly migratory species; and (c) anadromous species. Although the ICNT articles on these subjects (64, 66, 69 and 70) have been incorporated unchanged from the RSNT provisions, all of these issues will likely continue under consideration at the Seventh Session of the Conference.

One of the most difficult outstanding problems at the Conference concerns the demands by the LL/GDS Group to have preferential rights of access to the living resources of the exclusive economic zones of coastal states. Originally the LL/GDS Group had demanded access to more than simply the surplus in the EEZ. Coastal states, however, insisted that access to the EEZ by LL/GDS should be confined to the surplus in similar fashion to access by third states generally. Progress was made at the session in finding a means to resolve the problem, with the introduction, at the very end, of a new draft text which would protect all the vital interests of coastal states while providing considerable advantages for the LL/GDS Group and