At present, it is clear that coastal states enjoy exclusive sovereign rights for the exploration and exploitation of the resources of their continental shelves. These rights do not depend on occupation or on any express proclamation. No one may explore or exploit the continental shelf without the express consent of the coastal state, even if the coastal state itself is not conducting such exploration or exploitation. How the continental shelf should be defined for this purpose is much less clear.

The Convention on the Continental Shelf drawn up at Geneva in 1958 left the legal continental shelf with elastic inner and outer limits. The inner limit is the edge of the territorial sea, which, according to national claims, ranges from three to 200 miles in breadth. The outer limit is a double one, being a water depth of 200 meters or, beyond, to whatever depth will allow exploitation of the underlying resources. However elastic this definition may be, there can be no question that the Convention relates to the continental shelf, and not to the whole of the deep ocean-bed. In other words, the Continental Shelf Convention recognizes that there <u>is</u> an area of the seabed and ocean-floor beyond the limits of national jurisdiction.

To determine the boundary of the area beyond national jurisdiction, it will be necessary to fix a new definition of the continental shelf by international agreement. As a country with vast and promising offshore areas, Canada is intensely concerned with the development of a new definition of the shelf. The 1958 Geneva Convention obviously provides a basic point of reference. Another basic point of reference is the geographical and geological reality which underlies the juridical concept of the shelf. The International Court of Justice, in the North Sea Continental Shelf Cases, confimed the principle that the coastal state's rights over the continental shelf flow from the fact that this submarine area constitutes a natural prolongation of the coastal state's land territory. We are taking the position that the redefinition of the continental shelf must recognize coastal-state rights over the "submerged continental margin", which consists of the continental shelf and slope and at least part of the rise. Any arbitrary distance-plus-depth formula which disregarded existing international law and geographical-geological factors would be unacceptable to Canada, and doubtless to a significant group of other coastal states.

There is an interrelation between the ultimate definition of the limits of national jurisdiction and the nature of the regime to be developed for the area beyond. A curious "After you, Alphonse" situation characterizes this interrelation. Some states are more interested in protecting the resources of their own shelves than in benefit they might obtain under a particular regime for the internationalized area. Therefore, they may be satisfied to define national jurisdiction independently of the development of the regime for the area beyond. Others wish to know how much they might benefit from a particular regime for the internationalized area before deciding on the extent of seabed they wish to claim. Some developing countries might press for the broadest possible internationalized area if they succeeded in obtaining an international regime designed for their particular benefit. Some highly-developed countries might see an advantage in bringing the widest possible international area under a competitive regime in which their advanced technology would assure them of a dominant position. Many states are simply uncertain where their interests lie.

In the elaboration of a legal regime for the internationalized area of the seabed, general principles of international law must certainly apply. This