

Intersessional Discussions

The next session of the Conference convenes in New York from May 23 to July 8, 1977, with the possibility of an additional week. In his final report on the fifth session the President expressed the hope that towards the end of the sixth session the progress in negotiations would enable him, in collaboration with the Chairmen of the main Committee, to prepare an informal single composite negotiating text on the basis of which the Conference could in the last week prepare a draft Convention. Whether these objectives are realized will depend largely on the course of negotiations in Committee I which are to be given priority attention in the first two or three weeks. It is a fairly general view, shared by Canada, that agreement on a regime for the deep seabed would have a positive effect on the work in other Committees and expedite a successful conclusion to the Conference.

Between now and May, 1977, intensive intersessional discussions are expected, particularly on deep seabed mining. Canada would hope to play an active part in some of these discussions and it is strongly of the view that if any progress is to be achieved, all major viewpoints should be adequately represented and be given a full opportunity to make a contribution. It is to be hoped that the intersessional discussions will, at a very minimum, serve to establish a dialogue between representatives of developed and developing countries which in turn could lead to an accommodation on the regime applicable to the deep seabed. In this regard one of Canada's concerns is that by focusing on the question of access and the discretionary power of the International Seabed Authority many delegates are losing sight of other equally important and interrelated issues pertaining to the seabed regime. The legal status of the Enterprise, the powers of the various organs of the International Seabed Authority, the system of reserved areas, the production control powers are all significant elements in formulating a regime governing deep seabed mining. Hence in Canada's view it is important to adopt a more comprehensive approach to discussions on Committee I issues both at the forthcoming intersessional talks and at the sixth session.

While it is obvious that intersessional discussions should have as their primary aim efforts to resolve the Committee I deadlock, other problem areas in Committees II and III should not be ignored in the period between now and the next session. For example, some attention might be given to the status of the economic zone and the regime applicable to marine scientific research. Further study could also be given to marine pollution items, particularly standard-setting powers in the territorial sea and the adequacy of coastal state enforcement powers in the economic zone.