

# Law of the Sea

by Dorrik Stow

World attention has focused increasingly on the sea as the solution to the problem of steadily depleting land resources. The ocean is far more than a mere dumping ground for nuclear and other wastes which we are unable to, or refuse to control. Its treasures extend beyond a few sunken chests of gold coins and the odd Russian submarine discovered on the seabed.

## Mineral resources

Extraction of the vast mineral wealth of the seas is still in its infancy. Oil and gas exploration has resulted in important finds, particularly on the continental margins and in 'inland' seas. Other minerals exist in deposits on and beneath the seabed, some in large quantities, but the technology required for their extraction has yet to be developed.

The potentially most significant of these are manganese nodules, as they contain many important metals. However at present they cannot be collected without the use of highly sophisticated and extremely expensive equipment, such as the variation on a vacuum cleaner devised for Howard Hughes. Gold, diamonds, sulphur, salt, phosphorites, coal, platinum and uranium are all lying in wait for the next rich adventurer who is not quite rich enough.

Seawater itself contains approximately fifty tons per cubic mile of zinc, iron and aluminium, and fifteen tons per cubic mile of uranium, tin and copper, in addition to many other minerals. The costs involved in collecting them from the water are currently prohibitive. Seawater can also be converted into fresh water for use in desert areas.

## Living resources

The annual world fish catch is now in the region of seventy million metric tons. Of this total, a staggering ten million metric tons are lost each year through wastage (fish discarded by fleets which are concentrating on

catching one species). About 80 percent of the world catch is taken within fifty miles of shore.

Much hope has been placed in the farming/collection of plankton and krill for food. Positive use of such living resources depends on a clear understanding of the ecological balance of the oceans, an understanding we do not as yet possess.

## Law of the Sea Conference

The question remains as to whether exploitation of these rich ocean resources. Will the rich and powerful nations grab what they can while they can, without regard to long-term human and ecological consequences? Will potentially renewable resources be turned into non-renewable ones through disregard for conservation issues? Are the same mistakes to be repeated, or can we learn from them in developing a comprehensive strategy for management of the oceans?

The international Law of the Sea conferences represent an attempt to meet the challenge implicit in these questions. The first such conference was held as early as 1958. During the summer of 1976, 150 nations entered the fifty session of the third conference. Discussions have centred around four main issues: the idea of a 200-mile exclusive economic zone for countries with coastlines; the importance of preservation of the marine environment; the necessity for developing scientific research for peaceful purposes and to the benefit of all; and the proposal to establish an international seabed authority to manage and oversee mineral extraction outside the coastal economic zones.

## Present state of agreement

It is now almost certain that sole jurisdiction over all marine resources within 200 miles will be granted to coastal states. This plan ignores the needs of the thirty or so landlocked nations, most of which are less

developed. They have formed a united block in order to press their case for a fair share of the ocean's wealth, but as yet they have made little progress towards attaining their ends. A further twenty to thirty countries could be said to be geographically disadvantaged, by having either short coastlines or narrow shelves.

Other questions which are still to be resolved concern the size of the economic zone around small islands, the partition of enclosed seas, such as the Mediterranean, and the extent of control a neighbouring state will have over passage through the straits of the World.

It is proposed that pollution control within the 200-mile zone be the responsibility of the coastal state. Vague plans for "assistance" to developing countries have been formulated to enable them to carry out this duty. No practical scheme has been worked out for the transfer of technology in order that poorer nations can begin to explore and exploit their newly-acquired slice of sea.

## Forcing the Issue

As debate has proceeded on these concerns, many countries have decided to act unilaterally in declaring a 200-mile limit. In this they have followed the example of Chile, Ecuador, and Peru, which claimed 200 miles as early as 1952. The United States had declared its right to mine its continental shelf seven years before, in 1945. Canada will assume control over a 200-mile economic zone as of 1 January, 1977.

These moves have positive implications, in that such limits will provide a defence for many coastal states against depletion of local resources by the rich and technologically developed. At the same time, they run counter to the concept of the sea as "the common heritage of mankind". Meanwhile, the major part of the ocean (the two-thirds outside the exclusive economic zones) is left free for all, with the odds heavily stacked against those who are not equipped to take advantage of this freedom.

## International Control

In view of these developments, the

need for an international Ocean Authority, opinions differ widely, (along rich/poor lines) as to its nature and purpose. It is also important to note that the body which is envisaged would only have power over the extraction of seabed minerals and the potential resultant pollution. It would not control the activities of states within their 200-mile limit.

The majority of the developed nations favour the establishment of a relatively weak authority, whose power would be limited to the granting of extraction licences to applicants, whether they be governments or multinational companies.

The less developed countries, on the other hand, would like to see a much stronger body, with wide-ranging powers over the use of ocean resources:

- 1) It would be able to tax nations or companies on their profits for purposes of redistribution.
- 2) It would become directly involved itself in the collection of minerals from the ocean floor.
- 3) It would be committed to preserving the marine environment.
- 4) It would provide financial backing and expertise to poorer countries, to enable them to develop ways of using their resources.

Success of this second alternative depends ultimately on the support of the developed nations. For it is they who hold the key to effective financing of such an authority, effective policing by it, and effective exploitation of deep sea resources through the application of advanced technology. The strength of numbers would give the poorer countries at least a measure of political control over the work of the authority, and the rich nations are all too aware of this fact.

If such a body were to be formed in spite of these very real obstacles, it could work towards the achievement of two significant and related aims: lessening the wealth gap between developed and developing nations, and ensuring far-sighted ecological management of the oceans. It may be the case that the only alternative to the Law of the Sea is the Law of the Jungle.

## Letters

### Japan

To the Gazette:

Personally, I feel the article "Spiritualism in Japan" (Oct. 21, '76) conveys a distorted view about the traditional spirit of Japan. It simply reflects the old sinister days of Japan—"militarism".

What constitutes the suicidal intents of brave 'Kamikaze pilots' is due to their 'blind filial' to their authority. That's the tricks of the imperialists and the poor soldiers die for the sake of the selfishness and ambition of their dictator.

If this is what you want to tell, I do congratulate the young generation. They set themselves free and discard the dogmatic beliefs handed down from the past.

I know, traditionally, the Japanese are searching for the innermost beauty, self-denial, natural simplicity, harmony and perfection of mankind. These can be reflected in the daily acts like flower arrangement, landscape design and vernacular architecture.

Maybe I have misinterpreted your article. Please do excuse me.

N.L. Miu

### The Attack

To the Gazette:

Though I know that I am taking a grave risk in writing this letter to the *Dal Gazette* since it will be expressing views which are not acceptable to the status quo who regard themselves as the collective voice of the Dal student, I believe that as a Dal student I cannot flinch from what I view as the plain truth. I also hope that the *Dal Gazette* is willing to let contrary opinions be heard since I too must pay fees which keep the *Dal Gazette* in print and I am a Dal student entitled to my fair share of printed

democracy.

In all the media the public is continually being bombarded that the situation in South Africa and Rhodesia can be easily reduced to oppressors and oppressed. Both countries are judged by European and North American standards of liberalism without taking into consideration the particular circumstances of either country. The fears of the white minorities are more than justified concerning a black take-over. Most black African nations are out and out dictatorships where the legal status of a white man is that of an animal: he cannot own property; he cannot be a citizen; he cannot vote; etc. One African state has a "medal of the mosquito" as its greatest honour since that insect kept whites out of the country. In Angola the Portuguese whites had to leave en masse as it was perfectly clear what would happen to those whites who stayed on.

In both Rhodesia and South Africa the whites literally turned jungle and wilderness into nations. One should try to think what either country would be like today if no white man had ever gone to Africa. Another consideration is whether or not the black population is educated enough to take over completely. Perhaps the majority of blacks, being uneducated, would fall easily under the sway of more Idi Amins. Unlike Rhodesia, most of the four million whites in South Africa have been there for hundreds of years and can hardly be regarded as foreigners in an alien land. The irresponsible Western press has often condemned white rule in South Africa and Rhodesia without giving the benefits of white rule a fair acknowledgement. If black majority rule does come the only way the new black nations will be able to function competently is if enough whites stay on to instruct in the ways of handling a complex technological modern nation. If, however, the whites are forced to look for

a new home we in Canada could not possibly allow in enough of these hard-working, diligent people.

It is very easy for irresponsible liberals in Canada to insist that white South Africa and white Rhodesia place all they have accomplished as well as their homes, their families, and their very lives at the mercy of a black majority which has not hesitated in the past to take 'vengeance' on their former white masters. Such Canadian liberals are safe at home surrounded by more white faces than black but I bet they would sweat if the situation was reversed. On the practical side, the West needs South Africa as a trading partner far far more than South Africa needs the West. Those who foolishly demand embargos are recklessly threatening Canadian jobs rather than South Africa.

Whites have worked hard in Southern Africa and Rhodesia and their lives are on the line when one argues over black majority rule and not just printed words as in the case of liberal Canadian journalists who are so adept at playing holier than thou in the safety of predominately white Canada. Indeed, unless the immigration department comes to its senses we Canadians will be looking at white Africa a lot more sympathetically in the very near future.

Yours truly,  
Bob Alexander

## A Reply to Bob Alexander

Mr. Alexander's views on Southern Africa are insulting, naive, and bigoted.

In South Africa (Azania) and Rhodesia (Zimbabwe) there are the **oppressors** and the **oppressed**; there are those who hold power (a white minority) and there are those who are prevented from holding it (a black majority). Mr. Alexander neglects to inform us of "the particular circumstances" surrounding the formation of these "outposts of western civilization". White minorities will be defeated largely because they refused to share

power, refused to give up privilege, and refused to end their exploitation of black labour.

The "legal status" of any person travelling or living in Africa is preserved by international law. Admittedly, there are countries that are ruthlessly oppressive such as Amin's Uganda or Bokassa Central African Republic but these are a minority.

In the case of Angola, Mr. Alexander is unsure of his ground. Many Portuguese whites left the country because of the civil war, not because they were forced to leave by the People's Government of Angola. Many white Angolans have stayed on and are currently helping to build a new independent state. The current leadership of the governing party, MPLA is multi-racial. Even during the armed struggle 1961-1976 a number of whites (Portuguese Angolans) fought with the guerrilla movement to end Portuguese Colonialism.

Mr. Alexander's criticism of Canadian liberalism and the news media deliberately obscures the issues at stake—Independence and majority rule. The African people of Azania, Namibia and Zimbabwe have the right to determine their own future, to secure their own historical development. They have tried negotiations before but have been answered with beatings, trickery, and bullets.

The current negotiations concerning the independence of "Rhodesia" are a hollow sham. While Ian Smith pretends to follow the so-called "Kissinger principles", Rhodesian troops have attacked refugee camps in Mozambique, killing defenseless women and children.

Communication of the struggle in Zimbabwe, Namibia, and Azania is a task that revolutionary leaders of the ANC, SWAPO and ZANU have personally requested of those who support their just struggle for independence. In the case of Azania, the South African police state has committed atrocities against Blacks, Asians and Coloreds. They have used Black labour to enrich themselves and have created a reign of terror against the Azanian people. We must support the international struggle against the South African police state through every means available to us.

Jim Robson