

existing law and the development of new law where the present practice is deficient.

Then there is the question of the Regime of the High Seas which is in need of codification in order to prevent the principle of the freedom of the seas from being transformed into a series of regional and conflicting doctrines. The International Law Commission has undertaken a study of this question with the object of codifying the law of the high seas in all its various aspects.

Of these the continental shelf concept is perhaps the most interesting in view of the great variety of national claims which have been made in recent years asserting jurisdiction and control over the seabed and subsoil of submarine areas contiguous to the coast. A documentation of these various laws and regulations would now fill a large volume but there is as yet no international regulation or firm agreement on the subject. The Commission's Draft Articles on the Continental Shelf are intended to provide a basis for the general acceptance of the continental shelf concept in international law.

With regard to the extent of the shelf, the Commission believes that it should be limited to submarine areas adjacent to the coast where the depth of water does not exceed 200 metres. This represents the present limit of practical exploration and exploitation and also the depth at which the shelf in the geological sense generally begins to slope to the ocean floor.

It should be remembered, however, that this fixed arbitrary limit may work to the disadvantage of many states and a more flexible formula based on the criterion of exploitability may eventually have to be considered. With the advance of scientific and technical knowledge, that which is not exploitable today may well be exploitable in the near future.

The question of fisheries of the high seas has also been under study by the International Law Commission as part of the general topic of the Regime of the High Seas. Three draft articles have now been adopted by the Commission covering the basic aspects of the international regulation of fisheries. The most important provision would impose a duty upon states to accept as binding regulations enacted by an international authority to be created by the United Nations. Here the Commission is to a large extent aiming at the creation of new law which would have far reaching consequences for Canada, one of the principal fishing countries in the world.

Other projects, of course, have engaged the Commission's attention in previous years and remain to be settled. One of these is the proposal for the creation of a substantive international criminal law which would be applicable to individuals and which resulted in the Commission's Draft Code of Offences against the Peace and Security of Mankind. Parallel to this project is the suggestion for the establishment of an international criminal court.