

with the position of the landlocked states in sharing, under the Maltese formula, in the "common heritage" of the sea.

The Common Heritage of Mankind

The matter of national limits of jurisdiction over seabed resources became particularly important with the introduction of Dr. Pardo's Resolution at the United Nations in 1967. This Resolution led to the establishment of what became the United Nations Committee on the Seabed. The Maltese proposal called upon the United Nations to examine reserving the seabed and ocean floor and its subsoil, beyond the limits of national jurisdiction "exclusively for peaceful purposes... and the use of their resources in the interests of mankind". The 1970 Declaration of Principles Governing the Seabed confirmed that there is an area of the seabed and ocean floor beyond the limits of national jurisdiction which constitutes the "common heritage of mankind", and which is not subject to national appropriation or claims of sovereignty. Thus, attention was focussed on the crucial question -- what are the "limits of national jurisdiction" over seabed resources?

Simultaneously, with the definition of an outer limit of national rights over offshore minerals, the powers of the proposed International Seabed Authority must be defined.

The developing nations would like to see all mineral resource exploration and exploitation activities in the international area, including scientific research, to be carried out by the International Seabed Authority and not by individual states. However, many now recognize that the high cost of seabed exploration and exploitation would be beyond both the financial and technical means of the Authority alone, at least at first. Accordingly, some are coming around to the view that joint ventures and other forms of collaboration between the Authority and individual contracting states may be necessary. Several developed countries, on the other hand, want a simple licensing scheme, allowing them to go ahead on their own with the Authority's role largely confined to issuing and registering the necessary licenses. I can, however, foresee Canada playing an important role in the building up of the technical resources of the Authority.

Once again, Canada advocates an accommodation of national interests on this delicate but highly important issue. The role of the International Authority must be defined in a way that helps narrow the gap between the "have" and "have not" countries. In the Canadian view, there should be a mix of licensing and sub-contracting by the Authority, as well as direct exploitation by the Authority itself when it acquires the means and know-how. It would seem illogical, however, for Canada with its programme of development assistance, that is among the most extensive of any, not to give the Authority every support, so that it could in time become an important source of material and financial assistance to the developing countries.

Some developed countries will soon have the technological capability to extract and process certain mineral resources of the seabed for commercial purposes -- the much publicized manganese nodules. Indeed, a number of U.S. and other companies are said to be ready to move to the exploitation stage within two or three years. This possibility arouses strong concern on the part of developing nations.