



DEPARTMENT OF EXTERNAL AFFAIRS
MINISTÈRE DES AFFAIRES EXTÉRIEURES

communiqué

No.: 56

DIFFUSION: FOR IMMEDIATE RELEASE
RELEASE: JULY 18, 1979

THE CANADIAN DELEGATION AT THE RESUMED 8TH SESSION OF THE LAW OF THE SEA CONFERENCE

The Secretary of State for External Affairs, Flora MacDonald, announced that she will head the Canadian Delegation to the resumed eighth session of the Third United Nations Conference on the Law of the Sea which is to take place in New York from July 19 to August 24, 1979. The Minister of Justice and Attorney General, Jacques Flynn, and the Minister of Fisheries and Oceans, James McGrath, will be alternate heads of the delegation. High Commissioner J. Alan Beesley will be Deputy Head of the Delegation.

The resumed session will follow up on the substantial progress achieved in Geneva this spring, with the declared conference objective of concluding the negotiations. The focus of the session will be primarily on the unresolved issues relating to the establishment of an international system for the exploitation of deep sea-bed resources.

In addition, there will be active negotiations on the question of revenue sharing concerning the resources of the continental margin beyond 200 miles, the delimitation of maritime boundaries between adjacent or opposite states, marine scientific research, settlement of disputes and the preamble and final clauses of the future Convention on the Law of the Sea.

During the first part of the eighth session there were active negotiations on all of these issues and, in certain major areas, the conference was able to move much closer to consensus. This progress is reflected in the revision of the Informal Composite Negotiating Text issued in Geneva on April 28, 1979 (ICNT/REV. 1). This revised draft treaty incorporates new or amended articles on a wide range of important issues which had hitherto blocked progress in the negotiations, such as the definition of the outer edge of the continental margin; the rights of access of land-locked and geographically disadvantaged states to the living resources of economic zones in the same region or sub-region; the settlement of disputes relating to the exercise of coastal state sovereign rights over fisheries in the economic zone; the protection of the marine environment and the nickel production ceiling. The inclusion in the revised

text of draft articles on these issues represents a major step forward in restructuring the principles of the law of the sea and in developing new concepts of ocean resource management.

These developments, in conjunction with results achieved in previous sessions, reflect the substantial progress which the conference has made since 1973 and indicate that it is nearing the end of its work programme. Many of these items are of direct significance and benefit to Canada. For example, the 200-mile fishing zone, which is now considered by most states to be a principle of international law, has already contributed to the remarkable resurgence of the fisheries industry in the Maritime Provinces. The 12-mile territorial sea, which Canada proclaimed in 1970, is now an accepted legal norm.

Of particular importance to Canada, the conference has produced a comprehensive system of legal rules for the protection of the marine environment, including an enhanced role for the coastal states in the prevention and control of vessel source pollution as well as special provisions for protection of fragile ecosystems in ice-covered waters.

Facing on three oceans, with a broad continental shelf, a major fisheries industry, an important land-based mineral industry and an ecologically vulnerable Arctic, Canada has a vital interest in the outcome of the Law of the Sea Conference.

In view of the progress already achieved, and without minimizing the difficult issues still to be resolved, for the first time there is a real prospect of successfully completing the substantive negotiations. Apart from the intrinsic importance of the new rules of law which have been developed, not only for Canada but for the international community as a whole, the proposed convention will make a major and fundamental contribution towards the foundation for a stable world order. The proposed convention will not only lay down new rules of law of far-reaching importance but will also provide the basis for the peaceful settlement of disputes. If the United Nations is successful in this endeavour, the results will provide concrete evidence of the kind of contribution which the United Nations can make towards a more secure world.

The Secretary of State for External Affairs emphasized the Government of Canada's firm commitment to the conclusion of a new comprehensive Constitution of the Oceans. The Canadian Delegation will work actively to achieve this important objective at the forthcoming session. She intends, if possible, to participate in the conference at an appropriate stage.