TEXT OF A STATEMENT BY MR. J.A. BEESLEY, REPRESENTATIVE OF CANADA
TO THE UNITED NATIONS SEABED COMMITTEE, PLENARY SESSION
PALAIS DES NATIONS, GENEVA, AUGUST 10, 1972

Mr. Chairman,

At this stage in our deliberations, the Canadian delegation believes it would be useful to conduct a tour d'horizon, as briefly as possible, of the progress achieved so far in the work of the Committee in order to take stock of the situation, as we did last year in our statement of August 5. Ambassador Pardo has today outlined some of the reasons why such an appraisal is timely at this stage of our work. In our view there are two basic questions facing the Committee at this time:

a) Has the Seabed Committee developed the broad outlines of a possible settlement of the major issues of the law of the sea? and, if so,

b) Will it be possible, in the light of the answer to the first question, for the Law of the Sea Conference to be convened in 1973 as originally scheduled by the 25th Session of the United Nations General Assembly?

The two questions are, of course, closely related. The relevance and interrelationship is indicated clearly by the explicit terms of General Assembly Resolution no. 2750C, XXV, which reads in part as follows:

"The General Assembly..... decides to convene in 1973 a conference on the law of the sea......and decides further to review at its 26th and 27th sessions the reports of the Committee on the progress of its preparatory work with a view to determining the precise agenda of the conference of the law of the sea, its definitive date location and duration, and related arrangements; if the General Assembly, at its 27th session, determines the progress of the preparatory work of the Committee to be insufficient, it may decide to postpone the conference."

It would be idle to suggest that the Seabed Committee has completed all the necessary preparations for the Third Law of the Sea Conference. On the other hand, it would, in our view, be quite inaccurate to suggest, on the basis of the results of our work to date, that the commencement of the Third Law of the Sea Conference in 1973 is impossible.

It is easy to be pessimistic, Mr. Chairman. If one looks only at the developments in particular sub-committees and working groups, and at the progress we have made on the list of issues, for instance, it is possible to be overwhelmed by detail and to see only the remaining areas of difficulty and contention. If one steps back a pace or two, however, and takes a broader, longer view of the road we have travelled since the establishment of the ad hoc Seabed Committee in 1967, we believe there are real grounds for positive encouragement. In fact, Mr. Chairman, my delegation is convinced that on the basis of the deliberations of the Seabed Committee and developments in state practice in the last few decades and more recent years in particular, the broad outlines of a possible settlement of the major outstanding issues of the law of the sea have already emerged. What Ambassador Pardo sees as a possible partition of ocean space, we see rather in terms of realistic accommodation between national and international interests. Without such accommodations, however, Ambassador Pardo's worst fears could come to be realised. May I explain what I mean.

Mr. Chairman, there is, in our view, an interrelationship between the concept of the common heritage of mankind and the concepts Canada has suggested as directly relevant to areas within national jurisdiction. The common element is the interest of the international community as a whole. We have pointed out on a number of occasions, particularly in our Plenary statement of August 5 last year, that the time has come to abandon the

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narrow approach reflected in the traditional concepts of the law of the sea, which over-emphasize the rights of states, and begin to restructure the law along the lines of every system of civilized law, by elaborating and legislating through multilateral treaties the duties of states, which must go hand in hand with their rights. In particular we should, as we have repeatedly said, ensure that the future law of the sea achieves an equitable balance of interests between coastal states, flag states, distant water fishing states, and the interests of the international community as a whole. The time has come to abandon the polarization of views concerning the relative merits or demerits of "creeping jurisdiction" as compared to "roving sovereignty" and to begin instead to seek an accommodation of interests. The functional approach whereby specialized jurisdiction is exercised instead of an assertion of full sovereignty provides us with a possibility of meeting these objectives. The Canadian delegation has used the terms "custodianship" and "delegation of powers" to illustrate these principles and objectives and the underlying conceptual approach we should be adopting. It is our view that the concepts they are intended to reflect are widely shared, and indeed underlie the broad outline of the general accommodation which I will attempt to trace. I would suggest that these concepts might be looked at more closely, not only by coastal states understandably jealous to maintain their sovereign rights but also by the maritime powers. I suggest that negotiations directed towards working out the necessary balancing of interests in the regime to be adopted for coastal state jurisdiction is a far preferable approach to simply opposing such jurisdictional claims. It is important to note the contributions of the delegation of Malta on these questions, particularly the concept contained in the Maltese Draft Treaty postulating different limits for different forms of

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jurisdiction, that is to say, leaving aside for the moment the question of precise limits, a wholly functional approach. In the view of the Canadian delegation these broad concepts which I have referred to are gaining increasing acceptance, and a new and more enlightened approach to the law of the sea is developing and a new regime is in the making. This new regime will, we hope, reflect in large part the radical and forward-looking concept first advanced by Ambassador Pardo of Malta of the common heritage of mankind. I shall attempt to explain how, in the view of the Canadian delegation, that concept can be and has come to be reflected in many branches of the Law of the Sea by means of what we called the functional approach, without which I fear we would indeed be embarking on a kind of partition of the seas which Ambassador Pardo has warned about.

We are all aware of the strong divergence of views which has existed concerning two central issues, namely (i) the legality, desirability and viability of assertions of maritime jurisdiction beyond 3 miles, as compared to the desirability and viability of the traditional concept of freedom of the high seas; and (ii) the adequacy of the traditional, customary and conventional concept of innocent passage through the territorial sea, particularly international straits.

Dealing first with the question of the breadth of the territorial sea, we have seen since the 1958 and 1960 conferences the assertion of varying breadths of the territorial sea, but an overwhelming swing away from the 3-mile limit towards a 12-mile limit. The process of establishment of the legality of the 12-mile territorial sea is, in our view, at least as important as the substantive change in the law thereby created. I refer, of course, to the legal process of development of customary international law, that is to say, state practice, namely unilateral action by states

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acquiesced in and followed by other states. The importance of the process and its currency in contemporary international law goes well beyond the question of the legal status of the 12-mile territorial sea, for various limited and specialized forms of jurisdiction have been asserted by many states, including Canada, beyond 12 miles. Some states have claimed a patrimonial sea extending out to 200 miles. All this state practice has been opposed and protested by certain states, relatively few in number but of considerable importance in terms of their influence as major maritime powers on the development of the law of the sea. It has been the Canadian view for some years, however, that an accommodation is possible between these major maritime powers and those coastal states asserting certain forms of limited jurisdiction beyond 12 miles. The essential elements in an accommodation on this issue have always been, in our view, two-fold: on the one part, acceptance by the coastal states of a relatively narrow territorial sea, beyond which they would assert only certain forms of limited and specialized jurisdiction, distinct from and falling short of complete sovereignty and allowing, for example, freedom of passage and freedom of overflight in the broader area subject to their jurisdiction; and, on the other part, acquiescence by the major maritime powers in these assertions of limited forms of jurisdiction by the coastal states in question. However, no such accommodation appeared likely in the absence of a world-wide law of the sea conference, at which the essential ingredients of a new regime could be laid down in treaty form. Neither side was prepared to make concessions on its fundamental position of principle without some assurance of the nature and stability of the regime that would replace the pre-existing lack of any uniform regime. Mr. Chairman, this situation has now changed.

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For the first time it now appears possible to secure general agreement on a relatively narrow limit for the territorial sea, as a consensus appears to be developing around the 12-mile limit. This in itself is a major accomplishment when one considers that the 1958 and 1960 Law of the Sea Conferences were unable to agree on a uniform breadth for the territorial sea. It is a major accomplishment also in the sense that a relatively narrow territorial sea would help to guarantee the vital interests of the international community and of individual states in that freedom of communication which is the essential freedom of the seas.

However, if there appears to be an almost general agreement that the breadth of the territorial sea should be fixed at 12 miles, that agreement is decidedly conditional. It has been clear for some time that no such agreement would be possible unless adequate provision were made for the special rights and interests of the coastal states in areas adjacent to their territorial seas, and the interests of the international community, including land-locked states, which must continue to be reflected in the regime applicable to such areas. Indeed, we are already in the process of negotiation on these issues, and have begun to narrow the areas of disagreement as to the scope, nature and extent of the functional jurisdiction to be exercised by the coastal state beyond the territorial sea and of defining with greater precision the rights and responsibilities not only of the coastal state but of flag or distant-water states as well.

As regards mineral resources, existing international law already provides a firm basis for the exercise of exclusive sovereign rights by the coastal state with respect to the exploration, exploitation and management of these resources. The outstanding question to be resolved in this field is the more precise delimitation of the limits of national jurisdiction.

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Here again I would venture to say that the broad outlines of the solution are already apparent. With the greatest deference to the distinguished delegation and representative of Singapore and the point of view he has expressed, it must be recognized that the definition of the precise juridical limit of the continental shelf will have to take into account the acquired rights of coastal states, pursuant to the exploitability test laid down in the 1958 Geneva Convention, over the submerged land mass as defined in the recent decision of the International court in the North Sea cases. At the same time it must take into account the existence of an area of the seabed beyond national jurisdiction to be reserved for peaceful purposes for the benefit of mankind, particularly the developing countries. A continental shelf convention is, after all, what its name implies -- a convention on the continental shelf, not a convention on the deep ocean floor. To our delegation at least it seems likely that the precise definition will have to be based on a combination of criteria such as distance and geomorphological factors. This appears to us to be the only solution which would adequately reflect existing law and the acquired rights of states, the need for the early establishment of a regime and machinery applicable to the area beyond national jurisdiction, and thus considerations of equity in terms of both contribution and benefits.

As regards living resources, there would appear to be overwhelming support for the view that the coastal states must have jurisdiction over the exploitation, conservation and management of these resources in a broad area adjacent to its territorial sea. According to various approaches advanced in the Seabed Committee, the fisheries jurisdiction of the coastal state might be either preferential or exclusive. Canada has suggested the preferential approach as the possible basis of an accommodation. What is

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important, however, is that the coastal state's jurisdiction would be exclusive in either case. Whether or not its right to exploit the living resources in question should also be wholly exclusive rather than preferential is a matter on which we continue to make progress and should not of itself prove to be an insurmountable barrier to agreement. There is, of course, no basic conflict or incompatibility between the so-called species and zonal approaches. They are not, as we see them, alternative or mutually exclusive concepts but rather particular applications of the same concept or particular means of attaining the same objectives.

As regards environmental or anti-pollution jurisdiction, it is encouraging that we have now set up a working group on various pollution principles. It appears to be generally agreed now that there is an intimate interrelationship between environmental management and the management of mineral and living resources. This interrelationship has been explicitly recognized and affirmed, for instance, by the Stockholm Conference on the Human Environment, particularly the statement of objectives of marine pollution principles endorsed by the Stockholm Conference. We for our part have no doubt that the functional jurisdiction of the coastal state must include, and indeed already includes, insofar as Canada is concerned, a form of anti-pollution jurisdiction in areas adjacent to the territorial sea. The list of issues and the economic zone and patrimonial sea concepts all reflect this reality. This reality should not, in our view, be taken to imply a necessary conflict with the jurisdiction of the flag state over its vessels in coastal areas. The more likely basis for an accommodation appears to lie in replacing the old notion of exclusive flag state jurisdiction with a new form of shared or concurrent jurisdiction whereby both flag and coastal states would be able to discharge their responsibilities

for the protection of the marine environment on the basis of internationally agreed standards and procedures. The draft dumping convention, carefully negotiated and elaborated in treaty form at Ottawa and Reykjavik and to be considered later this year at a London conference, provides a possible precedent of such shared jurisdiction.

As regards scientific research, there appears to be growing recognition for the need of the coastal state to have an appropriate voice in the conduct of scientific research in areas adjacent to its shores. To the Canadian delegation this would mean the right of prior notification and consent in respect of such programmes, the right to participate in them, and the right of free and open access to their results. Such rights need not and should not be incompatible with the promotion and facilitation of marine scientific research. Indeed their recognition should go a long way towards removing present obstacles to scientific investigation of the oceans. I would venture to suggest that present difficulties with respect to marine scientific research will fall into place when the question of the resource jurisdiction of the coastal state has been resolved. For it should not be forgotten that the notion of freedom of marine scientific research has been advanced as part and parcel of the overworked and anachronistic doctrine of unfettered freedom of the high seas and, in this sense, has been seen by the coastal states as a challenge to their rights and interests. When the coastal state feels secure in its resource jurisdiction, the tendency to view foreign scientific research programmes as a possible challenge to that jurisdiction may be expected to diminish. At that point the value of and need for scientific investigations of the ocean will undoubtedly gain wider recognition and may of themselves provide a guarantee for freedom of scientific enquiry.

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Mr. Chairman, it will be apparent that coastal state jurisdiction over mineral resources, living resources, environmental management and scientific research are the essential elements underlying the relatively new concepts such as the economic zone or patrimonial sea. Terminology, however, is not important. What is important is to recognize that it is becoming increasingly clear that the only realistic basis for an accommodation on the problems of the law of the sea involves the exercise by the coastal state, in a broad area or areas adjacent to the territorial sea, of the forms of jurisdiction I have just described. This present session of the Seabed Committee has witnessed some developments of historit importance on this very issue.

The developments to which I refer are the introduction in the Seabed Committee, as Document A/AC.138/80 of July 26, 1972, of the text of the Declaration of Santo Domingo approved by the meeting of Ministers of the Specialized Conference of the Caribbean Countries on Problems of the Sea held on June 7, 1972, and the introduction, as Document A/AC.138/79 of July 21, 1972, of the text of the conclusions in the general report of the African States' Regional Seminar of the Law of the Sea, held in Yaoundé from June 20 - 30, 1972, followed by the proposal of Kenya for an economic zone, tabled as Document A/AC.138/SC II/L.10 dated August 7, 1972. These documents put forth for the first time as official working documents of the Committee the proposal for an economic zone-patrimonial sea, in terms making it clear that what is involved is the establishment of certain limited forms of jurisdiction by coastal states beyond 12 miles and the restriction of outright sovereignty claims to 12 miles. The underlying concept, in other words, is the functional approach, maintained and supported by Canada for many years, whereby a state asserts only that jurisdiction

essential both in nature and extent to the achievement of the specific problem to be met. We are aware, of course, that to many states such proposal are very difficult to accept. We have no doubt, however, that there can be no successful outcome of any law of the sea conference which is not founded on these very concepts, or some variation of them. It is interesting, for example, that other states such as the USA, Australia and Canada have put forth proposals on fisheries which, at least in the view of the Canadian delegation, are not incompatible with the concept of the economic zone-patrimonial sea. Other influential delegations such as those of India and France have spoken in favour of the economic zone-patrimonial sea concept. The delegation of Malta has put forth analogous concepts in its broad treaty approach. The delegation of China has supported the right of coastal states to establish such forms of jurisdiction. Even such important distant-water fishing states as the USSR and Japan have indicated the possibility of accepting such concepts, at least in the case of developing countries. (We assume by this that various distant-water fishing states would be willing to give up their own rights to establish economic zones in return for the maintenance of their distant-water fishing practices. We can see some logic in such an approach insofar as distant-water fishing countries are concerned. The delegations of Norway and Denmark have pointed out, however, that certain developed countries have coastal areas highly dependant on fishing. Canada is such a country.) The Canadian delegation is amongst the many which will take these proposals home to capitals to give them very serious consideration. For the moment I wish only to emphasize the importance of this new and hopeful trend in the work of our Committee. It is true that serious difficulties remain with respect to the precise definition of the forms of coastal state jurisdiction and of the extent of

the area or areas in which they are to be exercised. Nevertheless, the broad outlines are apparent. What is needed is the political will to recognise and accept them. The rest would then be a matter for negotiation at the Law of the Sea Conference. Without a consensus on these broad outlines and fundamental concepts, however, and without the political will to implement that consensus in treaty form, no amount of negotiation will avail and the Third Law of the Sea Conference is almost certainly doomed to failure.

I have expressed the view that the resolution of this basic issue of coastal jurisdiction beyond 12 miles is the key to a successful overall accommodation on the problems of the law of the sea. I wish to emphasize, however, that quite clearly it does not of itself provide a solution to the difficult second major issue I mentioned, namely the question of the adequacy of the traditional customary and conventional concept of innocent passage through the territorial sea, particularly international straits. While it would go some way towards resolving this issue, at least in areas not comprising international straits, I must, in all honesty, confess that there is but little reason to be optimistic in the light of the results to date concerning the basis for an accommodation reflecting the widely recognized need for the modernization of the concept of innocent passage. It will be recalled that Resolution 2750C(XXV) of December 17, 1970, the terms of which were very carefully negotiated over a very lengthy period, decided that the propose conference on the law of the sea would deal, *inter alia,* with "the territorial sea (including the question of its breadth and the question of international straits)". It will be noted that this reference to international straits was a neutral one linking it with the question of territorial sea. Nevertheless, no single issue has since proved more controversial in the prolonged negotiations on the list of subjects and issues intended as the tentative agenda for the Third Law of the Sea Conference than the precise formulation for including on the agenda the question of international straits. Some delegations have stoutly insisted on a reference which would reflect the existing legal regime for international straits, namely the right of innocent passage, while others have equally stoutly maintained their right to introduce a new legal concept, namely the right of free transit.

Before turning to the substance of this matter it is perhaps worth noting in the statement which I made on December 17, 1970 introducing Resolution 2750C on behalf of a large group of co-sponsors, the following passages, which were carefully negotiated with all interested groups as one of the essential understandings underlying the resolution:

> "I should now like to state on behalf of the co-sponsors that the general formulations used in operative paragraphs 2 and 6 of this draft resolution in no way prejudice the position of any delegation as regards any proposal for the inclusion of any particular topic on the law of the sea in the preparatory work of the Sea-bed Committee, bearing in mind that operative paragraph 2 does not determine the precise agenda of the conference on the law of the sea, which remains to be determined by the General Assembly in future sessions, in accordance with operative paragraph 3."

At a later point I went on to say, in another part of the negotiated understanding, as follows:

> "On another matter, the draft resolution is also intended to make clear -- and in the view of the co-sponsors it so does -- that with respect to all subjects listed for consideration at the conference, the draft resolution does not prejudge the substance on any issue. Certain drafting changes were introduced in operative paragraph 2 in order to make that intention abundantly clear."

That statement made explicit, Mr. Chairman, our common understanding that every delegation is free to introduce any item it wishes into the Law of the Sea Conference. It should also be noted that care was taken to work out neutral formulations for the main items to be considered at the Law of the Sea Conference. It follows from this, in the view of the Canadian delegation, that any delegation ought to be entitled to determine for itself the language in which it frames the item it wishes to have considered, provided the language is sufficiently neutral. That indeed has been the general policy followed throughout the negotiations on the list of issues on all questions except, seemingly, this fundamental issue of straits. It is the hope of my delegation that

this last remaining problem of the many which have been discussed and negotiated so fully and so effectively can be settled in the same spirit of accommodation which has prevailed thus far so that we may dispose, for the time being, if the problem of the list of issues and subjects on the understanding, of course, that it can be altered or added to at a later stage, as was agreed at the time of the passing of our basic constitutive Resolution 2750C.

Turning to the substance of the straits problem, I have already noted that it is unfortunately not possible to say that the basis for an accommodation is already in existence. The major maritime states continue to attach overriding importance to achieving general agreement on "free transit through international straits", a phrase yet to be fully defined, while some straits countries continue to insist equally strongly on the maintenance of the existing legal regime permitting only innocent passage through international straits. Some of these same delegations, however, emphasize the need to modernize the concept of innocent passage so as to take into account, for example, the imperative need to radically transform the existing law of the sea so as to reflect environmental interests. This is the Canadian view as well. It is encouraging that some of the major maritime powers have gone a long way in acceding to the demand for environmental protection which, understandably some of them support equally strongly. It is encouraging also that the major maritime powers have shown some awareness of the sensitivity of coastal states concerning their vital security interests. Thus even this controversial issue has been significantly clarified as a result of the deliberations within the Seabed Committee. I would suggest that there is at least one point of common ground, namely that the old doctrine of innocent passage must be modernized. Most delegations

perhaps would agree that it must be modernized to protect the interests of the coastal state. We concede, however, that ultimately most delegations will also agree that it must also be modernized to protect the right of sea access from one area of the high seas to another, without which peaceful commerce and communications between the nations of the world could be jeopardized. If one were looking for a form of words on which both extremes and the middle positions could find common ground it would be, I suggest, something along the lines of: "the progressive development of the concept of innocent passage".

I would urge the Committee to begin as soon as possible the process of serious substantive negotiations on this question, bearing in mind that there can be no overall resolution to the other major issues without some accommodation on this important matter.

Mr. Chairman, I have not so far touched on the substantive issues relating to the question of the international regime and machinery for the seabed and ocean floor beyond the limits of national jurisdiction. This is perhaps the most complex of the range of issues under consideration by the Seabed Committee. It is certainly the issue which has been most thoroughly examined and debated. There would appear, in our view, to be at least a consensus that there is an area beyond national jurisdiction that is to be reserved for peaceful purposes for the benefit of mankind, particularly the developing countries, that the resources of the area are the common heritage of mankind, and that the exploration and exploitation of the resources of the seabed and ocean floor beyond the limits of national jurisdiction should be governed by an international regime and regulated by an international machinery with strong and comprehensive powers, including perhaps the power to engage in exploitation activities

through a system of joint ventures with member states. The Working Group of Sub-Committee I has made great progress in blocking out the areas of agreement and disagreement, and has begun the process of reconciling divergent views. Having said this, it would be unrealistic not to recognize that there remain very serious unresolved difficulties as to the scope of the machinery's functions and powers, and in particular the definition of the activities which it is to regulate. Some of these difficulties, however, may not, in our view, fall into place until the essential issues of national jurisdiction have been resolved. If this view is correct, then it enhances the importance of focusing on the broad outlines of a possible solution to the problems of national jurisdiction. In so doing we should leave behind the old fears of certain major maritime powers about what they have termed "creeping jurisdiction," and the opposing fears of many coastal states about the continued consequences of the "roving sovereignty" which comprises, in their view, the essence of the doctrine of exclusive flag state jurisdiction, and move forward on the basis of a new departure from either of the two extreme positions, to the new approach to international law based on the common heritage of mankind.

Mr. Chairman, despite the encouraging trends we have touched upon, it is not easy to prognosticate with confidence about the prospects of a Third Law of the Sea Conference, and even more difficult to express definitive views as to its timing. It is the view of the Canadian delegation, however, taking into account all of the points I have mentioned, as well as the observations of other delegations in this plenary debate today and the known views of other delegations who will be speaking on the same question, that the following suggested timetable is not only feasible and desirable but essential if we are to capitalize

on the momentum we have achieved and grasp what may be our last opportunity to produce an overall resolution of the myriad problems of the law of the sea.

It is obvious that we need at least one more session of the Seabed Committee and probably two. It is equally clear that this cannot occur for a variety of reasons in 1972 or even early in 1973. We would suggest, therefore, along with other delegations, that in the light of the present shift of emphasis within the Seabed Committee away from general debate, and beyond debate on particular issues to concrete work in specialized working groups, that sufficient progress could be achieved in two more sessions of the Seabed Committee of 4 to 5 weeks each to enable us to begin shortly thereafter on the Third Law of the Sea Conference.

Given the range and complexity of the problems we will be considering, it would still not, in our view, be feasible to begin the substantive work of the Law of the Sea Conference in 1973 since there would not have been time for consideration by governments of the results of the final session of the Seabed Committee in July/August 1973. There is no reason, however, why we could not meet our 1973 tentative deadline by something rather more than a token move by meeting in New York for a brief period, say two to three weeks, during the 28th UNGA to hold the first, essentially organizational, meeting of the Law of the Sea Conference. The feasibility of holding a diplomatic conference at the same time and place as a General Assembly session was demonstrated during the 23rd Session, when the Conference on Special Missions was held while the UNGA was in session. The advantages for many delegations, including in particular the developing countries, of being able to make use of some of their experts who would be in New York at that time in any event, are

considerable and I would assume there would also be financial savings on the part of the UN as well as for such delegations.

The Canadian delegation, like many others in the Committee, has instructions to press for a conference in 1973, but not if the preparations are not adequate. The timetable we could envisage, therefore, is as follows:

(1) March/April 1973 - a further session of the Seabed Committee (4 to 5 weeks);

(2) July/August 1973 - final session of the Seabed Committee (4 to 5 weeks);

(3) November/December 1973 - organizational meeting of the Law of the Sea Conference confined to election of officers and other procedural questions including, if possible, consideration of the agenda and allocation of work;

(4) February/March 1974 - first substantive session of the Law of the Sea Conference (8 weeks);

(5) Summer of 1974 or spring of 1975 (preferably the latter) - final session of the Law of the Sea Conference (9 weeks).

As to the possible site of the conference, the Canadian position is generally to favour New York or Geneva for major conferences, principally on grounds of convenience to most countries, and savings of costs to all. We have noted with pleasure, however, the offer of the Government of Chile to host at least the first substantive session of the Conference in Santiago. We are not yet in a position to give a definitive reaction to this offer, but we would like to thank and congratulate the Government of Chile for this extremely constructive and timely offer and to assure them that we will give it very serious consideration. We are aware, of course, of the excellent facilities in Santiago for such a conference, and we are not unmindful of the beneficial

effects for the Conference as a whole of meeting in a country which has consistently endeavoured to work towards a successful outcome of the law of the sea conference. Many delegations have spoken in eloquent terms of the appropriateness of a developing country, and particularly Chile, hosting this conference. We hope to be able to say more on this subject during the forthcoming session of the UNGA. We would like also to express appreciation to the Government of Austria for its offer to host a part of the Law of the Sea Conference, and we can assure the distinguished delegate of Austria that his very helpful offer will receive the most ernest consideration by the Canadian Government. We would hope that these questions might be considered further at the forthcoming 27th session of the UNGA and that a decision can be reached at that time.

Mr. Chairman, may I conclude by expressing the hope that the Committee takes every opportunity, in plenary, in our sub-committees, in our working groups, and in our corridor negotiations to capitalize on the momentum we are developing and increase it to the point where we can be assured of adequate preparation for the Law of the Sea Conference consisting, if not of agreed texts for treaty articles, at least of alternative texts.

Thank you, Mr. Chairman.