
One hundred and forty-one nations participated in the third session of the Third United Nations Conference on the Law of the Sea in Geneva. There has emerged at this point of the Conference an informal single negotiating text of treaty articles on virtually all subjects covered by the three main committees of the Conference. During the hibernation period before the Conference reconvenes next spring, the world's political units will have to assess, evaluate and perhaps reappraise their priorities and interests in light of the plethora of potentially competing divisive issues which are prevalent. Since the informal text does not represent a negotiated text or a consensus, it is intended for use merely as a basis for future negotiations. From this standpoint the book under review can be useful to the reader in demonstrating the positions already taken by countries in the Western Hemisphere through regional multilateral agreement and unilateral practices.

This volume is one product of a successful program involving interchanges among the members of an inter-American research group which met periodically between January 1971 and May 1973 under the auspices of the Carnegie Endowment for International Peace. The eleven essays comprising the book do not reflect a consensus of the group but rather denote each author's scholarship and area of expertise. The editor prefaces one objective of the publication as "analyzing the law and practice of States in a scientific yet pragmatic manner, [and] the authors have attempted to demystify the scope and content of the diverse claims advanced by individual States or groups of States of the hemisphere." In this regard, with the exception of the first two chapters on the practice of Canada and the United States, the authors do not present an analysis of the laws in effect but rather refer to the enacted legislation and supportive policy statements made at international meetings or in justification of legislative or executive action. The editor precedes the individual Latin American state practices with an overview of policy development in this region.

The laws of Canada, the United States, Mexico, Venezuela, Brazil, Uruguay, Argentina, Chile and Peru are outlined individually while a number of Central American and Caribbean states are handled as a whole due to

the appearance of a more regional consensus. Each of the authors has based his investigations on the national stance as regards a number of national jurisdictional belts; that is, the territorial sea, the contiguous zone, the continental shelf, straits, fishing zones and pollution prevention zones.

The reader can easily discern the divergent primary objectives of the states under consideration. Canada, for example, is understandably concerned with possible long term impact due to pollution of its fragile Arctic ecosystems, while the United States is cognizant of security, petroleum and fishing interests. Latin American coastal countries have asserted jurisdiction over vast margins of the sea to maximize future economic wealth.

One of the aims of the inter-American research group is the utilization of these contemporary international legal problems in preparation of "teaching materials, based particularly on the practice of the Latin American and Caribbean States, for use in the universities of the region." As the projected Law of the Sea Treaty awaits the pending resumption of the United Nations Conference, and years might elapse before such Treaty enters into force, the group might well consider in addition to its own excellent work the dovetailing of the recent contributions of Hjertonsson and Garcia-Amador on the Latin American experience, and Hollick concerning the United States and Canadian policy processes.

The brief biographical sketch of each author reflects extensive writings and, for the most part, teaching responsibilities in international law. Each author follows a basic plan in his topical coverage which has been carefully pruned. As a matter of convenience, this reviewer would have preferred footnotes at the bottom of each page rather than at the end of each chapter.

Annexes include the four multilateral Geneva Conventions of 1958; the regional Declarations of Santiago (1952) and its Supplement (1954), Montevideo (1970), Lima (1970) and Santo Domingo (1972); and six bilateral agreements.

Before adjourning the last session of the Conference, the President, Mr. Amerasinghe (Sri Lanka), issues a fervent appeal to all states to refrain from taking any action which might jeopardize the conclusion of a universally acceptable treaty of a just and equitable nature. Any doubting Thomas as to what failure means need only read this book to gauge the variety of self-interest claims which will further restrict use of the seas.

Daniel C. Turack*

---

1 Id. at 4.
5 12 UN MONTHLY CHRONICLE, June 1975, at 18.
6 *Professor of Law, Capital University. B.A., University of Toronto, 1957; LL.B., University of Osgoode Hall, 1960; LL.M. 1961, S.J.D. 1969, University of Michigan.