

Both Governments have also supported Principle 21 of the 1972 Stockholm Declaration on the Human Environment, which proclaims that

"... States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction."

A number of cooperative steps have been taken to deal with transboundary air pollution. In the 1978 Great Lakes Water Quality Agreement, both Governments committed themselves to develop and implement

"programs to identify pollutant sources and relative source contributions . . . for those substances which may have significant adverse effects on environmental quality including indirect effects of impairment of tributary water quality through atmospheric deposition in drainage basins. In cases where significant contributions to Great Lakes pollution from atmospheric sources are identified, the Parties agree to consult on remedial measures".

Both Governments have sought to implement the principles of notification and consultation on activities and projects with potential transboundary impact, and to promote exchanges of scientific and technical information. In 1978 the two Governments established a Bilateral Research Consultation Group on the Long Range Transport of Air Pollutants to coordinate research efforts in both countries. Both Governments have also engaged the International Joint Commission in some aspects of transboundary air pollution. This has been done through References under the Boundary Waters Treaty establishing the Michigan/Ontario Air Pollution Board and the International Air Pollution Advisory Board and through the Great Lakes Water Quality Agreement of 1978.

Having regard to these and other relevant principles and practices recognized by them, both Canada and the United States share a common determination to reduce or prevent transboundary air pollution which injures health and property on the other side of the boundary. Recognizing the importance and urgency of the problem, and believing that a basis exists for the development of a cooperative bilateral agreement on air quality, the Government of the United States and the Government of Canada therefore intend to move their discussions beyond the informal stage to develop such an agreement. Both sides agree that the following further principles and practices should be addressed in the development of a bilateral agreement on transboundary air quality:

1. Prevention and reduction of transboundary air pollution which results in deleterious effects of such a nature as to endanger human health, harm living resources and ecosystems, and impair or interfere with amenities and other legitimate uses of the environment.
2. Control strategies aimed at preventing and reducing transboundary air pollution including the limitation of emissions by the use of control technologies for new, substantially modified, and as appropriate, existing facilities.
3. Expanded notification and consultation on matters involving a risk or potential risk of transboundary air pollution.