

Pollution

THE POSITIVE PROBLEMS of the sea involve the division of wealth, the negative ones the protection of life. Pollution is the most immediate problem and oil pollution is the most significant. Most spills occur when tankers collide or run aground. Today any vessel carrying any cargo, flying any flag, may sail anywhere on the "high" seas, and it has the right of "innocent passage" through territorial waters. (Until recently, territorial waters were those within three miles of a coast, the distance a seventeenth-century cannon ball could be shot; in recent years Canada and most other nations have extended the distance to twelve miles.)

A ship is, up to a point, under the sole jurisdiction of the state whose flag it flies but the connection is often a tenuous one; shipowners avoiding high taxes or restrictive labour and safety regulations often register vessels in nations which have lax maritime laws and low maritime taxes. When a ship collides or runs aground and spills its oil the responsibility of the flag state may be abruptly disclaimed and the nearest coastal state is left to clean up the mess. When the tanker

Arrow, registered in Liberia, ran aground in Chedabucto Bay, Nova Scotia, in February, 1970, it dumped millions of gallons of oil, killed some 4,800 birds and coated beaches with oil a hundred miles away. It cost Canada \$3,100,000 to clean it up partially. The *Arrow* was a small, old-fashioned tanker. Modern super-tankers need seven miles to stop and carry enough oil to pollute an entire coastline.

A less conspicuous form of pollution is caused by the increasing presence of mercury (though no one knows where it is coming from) and man-made chemicals such as DDT. It is difficult to even guess the damage these could do to sea life.

Canada believes that stringent appropriate international standards must be set to minimize marine pollution. It believes that in waters beyond the jurisdiction of coastal states, the flag state should have the authority and be responsible for enforcing such standards. It also believes that coastal states should be empowered to prescribe and enforce necessary anti-pollution standards even beyond the internationally agreed upon rules in all its areas of jurisdiction.

Canada already has applied such standards in its Arctic region. The Arctic ice pack has been described as the most significant surface area of the globe for it controls the temperature of much of the northern hemisphere. Its continued existence in unspoiled form is vital to all mankind. If there were an oil spill in the Arctic the oil would spread immediately beneath ice many feet thick and it would congeal and block the breathing holes of sea mammals. It would destroy the primary source of food for Eskimos and carnivorous wildlife throughout areas of thousands of square miles and it would foul and destroy the

only known nesting places of several species of wild birds. In 1970 Canada passed the Arctic Waters Pollution Prevention Act. It requires that ships navigating the Arctic meet high standards of design and construction, that they be manned by qualified officers and men and that their owners be financially responsible for cleaning up any damage to the environment.

Anyone wishing further information on Canada's views on the Law of the Sea may write to the Legal Operations Division, Department of External Affairs, Lester B. Pearson Building, Ottawa, Ontario K1A 0G2, Canada.

Maritime Cooperation

[A BORDERLINE CASE]

IT IS REASONABLE to assume that cooperative nations can share the seas. The United States and Canada have shared international waters for years.

There are 2,342 miles of natural waterways between the Atlantic Ocean and the Great Lakes and man has been improving them for almost a century and a half. In 1829 the first schooners moved across the border from Lake Ontario to Lake Erie through the Welland Canal.

In 1959 the present St. Lawrence Seaway was

completed, linking 56 ports and opening the heart of North America to ships from all major maritime nations. It is operated by three agencies, two American, one Canadian. The largest, Canada's St. Lawrence Seaway Authority, operates five locks on the lower St. Lawrence, the Welland Canal and the Canadian lock at Sault Ste. Marie, Ontario. The St. Lawrence Seaway Development Corporation of the United States manages the Wiley-Dondero Canal and the Snell and Eisen-

