

The Human Environment Conference also subscribed to 23 marine pollution principles which provide the guidelines and general framework for a comprehensive and interdisciplinary approach to all aspects of the marine pollution problem, including land-based sources. These principles represent the first step towards the application of management concepts, through both national and international measures, to the preservation of the marine environment. They elaborate in some detail the duties of States but do not fully deal with their consequential rights.

Although the three Stockholm statements deal with the human environment, and the marine environment in particular, in a truly comprehensive fashion, it cannot be said that they are declaratory of pre-existing law. They have, therefore, been referred to the Law of the Sea Conference for translation into binding treaty obligations in as much as they concern the marine environment.

The groundwork, therefore, seems to be sufficiently advanced for the Law of the Sea to elaborate a legal instrument pertaining to the whole realm of the marine environment or an "umbrella" treaty which would become the organic link between all other instruments, including those developed by IMCO, aimed at controlling specific sources of pollution of the marine environment. A great majority of states agree on the necessity of an all-embracing treaty which would have as its foundation the basic obligation of all states to protect and preserve the marine environment.

Such an obligation would embrace all sources of pollution, not only pollution from ships which is of primary concern to the Conference but as well pollution caused by seabed activities, pollution carried from land-based sources, through run-offs or through the atmosphere, and pollution arising from the disposal of domestic and industrial wastes.

The Conference will not be expected, however, to spell out the specific obligations and rights of states with respect to land-based sources of pollution as it is recognized that in accordance with existing international law, these sources will remain within the purview of each individual state which unquestionably has primary jurisdiction in respect of these sources.