

A draft convention (or possibly conventions) under consideration at IMCO in connection with the 1973 Marine Pollution^{Conference} is intended to complete the range of measures required to eliminate intentional ship-generated pollution and to minimize accidental pollution from ships. In the preparatory work for the Conference Canada is proposing the adoption of enforcement measures which would enable coastal as well as flag states to prosecute vessels for the violation of the Convention's discharge standards. This sharing of responsibility is basic to the Canadian position in seeking to bring about an accommodation of interests in dealing with the conflicting uses of the sea.

Canada has adopted a similar position in participating in the preparation of a convention on ocean dumping. With respect to enforcement jurisdiction, the draft articles to be considered at a meeting in London in October/November this year are also based on the concept of enforcement by all parties, both coastal states and flag states, leaving basic jurisdictional questions open for final decision by the forthcoming Conference on the Law of the Sea.

Trans-National Pollution

Consultations are underway with the USA on a range of issues involved in this subject area, such as, for example, state responsibility for the Cherry Point oil spill. Discussions on the development of new law and procedures for the settlement of disputes of an environmental nature will be based upon Principles 21 and 22 of the Declaration on the Human Environment. From the Canadian point of view a desirable next step in the development of International Environmental Law is to now begin giving practical application to the principle of state responsibility for activities which may cause damage to areas beyond national jurisdiction.