

## CANADIAN INITIATIVES AT ENVIRONMENT CONFERENCE

In a report to the House of Commons on the United Nations Conference on the Human Environment on June 21, Mr. Jack Davis, Minister of the Environment, stated that delegates from 112 countries had agreed, "often unanimously to a set of principles, an action plan and an organizational structure which will help mankind to fight pollution on land, in the sea and in the air".

Mr. Davis said that the success of the conference had, to a large extent, been due to Canada's leadership, since much of the groundwork had been laid by Mr. Maurice Strong, a Canadian, Secretary-General of the conference, and many of the recommendations and resolutions had emanated from representatives of the Canadian provinces and Canadian industry. The Canadian delegation had, he said, "operated like a team at all stages in the conference's deliberations".

Passages from the Minister's statement follow:

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Our collective accomplishments cover a broad front. They range from the identification of atmospheric pollutants of global concern to the dumping of toxic substances on the high seas. Provisions were made for the protection of endangered species, of wildlife and for the payment of compensation when the effects of pollution originating in one country were felt in another country.

A world registry of clean rivers is to be set up and the harvesting of renewable resources, including fish, must be placed on an optimum, sustained yield basis.

More specifically, in the area of marine pollution Canada deliberately set out to utilize the Stockholm Conference as a means to the further advancement of international law. We tabled a set of marine pollution principles, all 23 of which were endorsed by the conference.

A statement of objectives was also agreed upon, stressing the need to manage ocean space and the special interests of the coastal state in that management process.

The Stockholm Conference referred to a conference to be held in London later this year, draft articles for an ocean-dumping convention, which

provides not only for effective control from an environmental point of view but also for enforcement by all parties, including coastal nations, against "ships under their jurisdiction".

With regard to the special rights of coastal states, the Stockholm Conference took note of them and "referred these principles to the 1973 IMCO Conference for information and to the 1973 Law of the Sea Conference for action".

Canada also tabled, well before the conference, a declaration on the human environment consisting of legal principles analogous to the UN declarations of principles on outer space and human rights. We were the first country to do so. Some states opposed the introduction of legal principles into the Stockholm declaration, but we persisted.

The declaration on the human environment approved at Stockholm last Friday contained the principles introduced by Canada, based on the Trail Smelter case, namely, the duty of every state not to pollute the environment of other states, the duty not to pollute the sea, the air and outer space beyond the jurisdiction of any state, and the duty to develop the law concerning liability and compensation in respect of such damage.

A further consequential principle flowing from these three, the duty of states to consult with or notify states of activities which may have an environmental impact on them, received close to unanimous support but was referred to the twenty-seventh United Nations General Assembly for further consideration.

If I had to identify the area in which I believe our delegation made the greatest contribution, it would have to be on the marine side. Freedom of the high seas must not include the freedom to pollute. That freedom, or licence if you like, has been shaken by the Stockholm Conference. Further deliberations at the international level, including the Law of the Sea Conference in 1973, will be necessary in order to spell this principle out in some detail. But the basic theme is there. Thanks to Canadians, it has been expressed in legal language. Its elaboration in actual practice now only seems to be a matter of time.

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## BOOK ON CANADIAN ENVIRONMENT

In a book reporting the status of the Canadian environment in 1972, Environment Minister Jack Davis says he believes Canada can have both planned economic growth and environmental quality. He stresses, however, that Canada needs "new attitudes, and new laws to protect our fragile environment". The book is *Canada and the Human Environ-*

*ment*, prepared in response to a request by the United Nations that each participating nation provide an "information" document prior to the recent Conference on the Human Environment.

The 92-page book describes Canada's vast and diverse natural endowment, and identifies a number of the pollutants that threaten it - oil-spills, untreated sewage, industrial air-pollution, harmful