

ENVIRONMENTAL LAW

During 1978 the need for a more effective environmental law at the multilateral level was emphasized by the foundering of the 220,000-ton oil tanker "Amoco Cadiz" which resulted in severe damage to the Brittany coast of France. Bilaterally, Canada and the United States undertook several activities which build upon already well-established principles of environmental management in border regions.

Following the March 1978 "Amoco Cadiz" disaster, initiatives were taken at both the Inter-Governmental Marine Consultative Organization (IMCO) and the Law of the Sea Conference to enhance marine environmental protection. At IMCO Canada supported French efforts to prepare new international regulations governing assistance and rescue at sea. Canada was involved in preparations by IMCO's Legal Committee for the drafting of a Convention on Liability and Compensation for Pollution Damage from the Carriage of Noxious and Hazardous Substances by Sea. Officials from the Department of External Affairs participated in a meeting of legal experts concerned with the drafting of a settlement of disputes protocol for the 1972 Ocean Dumping Convention, as well as at the Tanker Safety Conference in London which prepared Protocols to the 1973 MARPOL Convention and the 1974 Safety of Life at Sea Convention.

At the Law of the Sea Conference Canada submitted comprehensive proposals providing for broad coastal state powers to enforce international environmental rules within the 200-mile economic zone and to apply national standards to foreign vessels in the territorial sea and in ice-infested waters of the Canadian Arctic. Considerable progress has been made at the seventh session of the Conference which ended September 15, 1978, although more work remains to be done in future sessions of the Conference. The Secretary of State for External Affairs, the Honourable Don Jamieson, noted in his 1978 speech to the United Nations General Assembly that although improvements to the LOS Informal Composite Negotiating Text (ICNT) on the prevention and control of vessel source pollution do not yet fully meet the Canadian Government's objectives, nevertheless, they reflect an increasing international awareness of the need for a more balanced sharing of coastal and flag state rights and duties.

In July 1978 an inter-governmental meeting took place in Copenhagen to lay the groundwork for renegotiation of the International Whaling Convention to include not only whales, but also dolphins and porpoises. Canada's general position on whaling is a conservationist one. In keeping with this position, Canada supported the continued application of selective moratoria on whale hunting and the provision of a better data base on which to determine whale stocks.