

ENVIRONMENTAL LAW

There have been a number of significant developments in the past year regarding the protection of the environment. The following paragraphs briefly describe some of the developments that have a special importance for Canada.

Convention for the Protection of the Ozone layer

On March 22, 1985 the Convention for the Protection of the Ozone Layer was adopted at a diplomatic conference in Vienna. The Convention commits participating nations to protect human health and the environment against adverse effects resulting from modifications to the ozone layer. It also provides for international cooperation and research, monitoring, scientific assessment, and exchange of information on matters relating to the status of the ozone layer. In addition, the diplomatic conference requested the United Nations Environment Programme to continue work on a protocol to the Convention which would provide internationally agreed measures to control global production, emissions and use of chlorofluorocarbons (CFCs). Recognizing that it would be several years before agreement could be reached on such a protocol, the diplomatic conference urged all States in the meantime to control their emissions of CFCs by any means at their disposal.

The Convention is an important achievement in the development of international environmental law in that it is truly global in nature and represents an attempt to tackle a problem before the damage has occurred. However, the long-term value of the Convention will only be proven if, through additional protocols, it can effectively control the use of ozone depleting substances. Canada has signed the Convention.

London Dumping Convention

Two issues that continue to dominate the deliberations of the Contracting Parties to the London Dumping Convention (LDC) are the ocean dumping of low-level radioactive wastes and disposal into the sea-bed of high-level radioactive wastes.

In 1983, at the 7th Consultative Meeting of the Contracting Parties to the LDC, some delegations tabled proposals to amend the annexes of the Convention so as to impose a complete ban on the ocean dumping of all radioactive wastes, including low-level wastes which is currently allowed. The debate on these proposals resulted in the adoption of a Spanish resolution calling for a moratorium on the ocean dumping of such radioactive wastes, pending submission of a report on the scientific and technical considerations relevant to these proposals. Canada was among the 19 countries