

graphical regions and from the EC, the Executive Director of UNEP and the chairman of its "working group of experts" on environmental law. The November meeting agreed that marine pollution from land-based sources, protection of the ozone layer and disposal of hazardous wastes were subject areas which could be considered by the senior level meeting for priority at the global level.

The UNEP "working group of experts" on environmental law met in February, in June-July, and again in October, continuing its study of the legal aspects of offshore mining and drilling carried out within the limits of national jurisdiction. In addition to its regular work program, the Governing Council has assigned the working group the task of reviewing documentation and acting as a preparatory committee for the senior level meeting.

Also at the multilateral level, Canada participated actively in the Legal Committee of the Intergovernmental Maritime Consultative Organization (IMCO) which continued its work on draft articles for a convention on liability and compensation in connection with the carriage of noxious and hazardous substances by sea.

On August 6, 1980 Canada and the United States signed a memorandum of intent concerning transboundary air pollution. The memorandum pledges the governments to negotiate an agreement to combat transboundary air pollution and establishes a committee structure to undertake preparatory work to be followed by formal negotiations. It also pledges the governments to take interim action, including vigorous enforcement of existing laws and regulations, advance notification and consultation on activities and on changes in policy, laws, regulations or practices which may affect the transboundary flow of pollutants, including acid rain, and increased co-operation in scientific studies.

Further discussions were held with the United States regarding a migratory caribou agreement after extensive consultations involving territorial governments, native peoples, interested groups and individuals. Final negotiations are expected to take place in the near future.

In August 1980, the province of British Columbia submitted to the International Joint Commission a further request challenging the legal validity of an order issued by the Commission in 1942 authorizing the raising of the Ross Dam in the state of Washington which would have the effect of flooding the Skagit Valley in British Columbia. A similar application submitted by British Columbia in 1974 had been dismissed without prejudice by the Commission pending further discussions between the province and the city of Seattle. The request raises a number of significant issues relating to the jurisdiction of the Commission to vary or rescind previous orders.

Two rounds of discussions were held with Denmark during 1980 on a draft agreement on co-operation relating to the marine environment. The draft agreement covers waters between Canada and Greenland and provides *inter alia* for notification and consultation prior to the initiation of works or undertakings which may result in pollution incidents, as well as

for the exchange of scientific and other information relating to the marine environment. Although the draft agreement was refined and brought nearer to completion, further discussions will be held in 1981 to resolve remaining issues, including the question of routing of vessels.

Fisheries law

During the course of 1980, Canada virtually completed a process begun in 1977 with the extension of its fishing zones to 200 miles. With the signature of an agreement with Denmark, on behalf of the Faroe Islands, most Canadian bilateral fisheries relations, other than those with the USA, are now regulated by agreements reflecting the new 200-mile fisheries regime. While an interim agreement with the EC was signed in 1979, and later extended to December 31, 1980, negotiations continue toward a long-term agreement.

In October 1980, Canada and France concluded an agreement on the maximum annual cod catches French vessels will be permitted to take in the Gulf of St. Lawrence until 1986, pursuant to the 1972 France-Canada fisheries agreement. The 1972 agreement, which antedates the extension of Canadian fisheries jurisdiction to 200 miles, provides for the phasing out by 1986 of fishing in the Gulf of St. Lawrence by vessels registered in metropolitan France, but recognizes certain continuing fishing rights by vessels registered in St. Pierre and Miquelon. The agreement signed in Ottawa on October 3, 1980, while quantifying French fishing rights in the Gulf, makes provision for a proportional reduction of the French allocations should Canada lower the total allowable catch limits for the Gulf fish stocks below current levels.

Canada and France also discussed a further extension of the interim fisheries arrangements in the area off St. Pierre and Miquelon pending delimitation of the maritime boundary in that area. Negotiations on the boundary will take place in 1981.

Consultations aiming at the conclusion of an agreement on the conservation of Atlantic salmon also took place during 1980. The original trilateral discussions among Canada, the EC and the USA were enlarged to include Norway. The 1980 discussions centred on further refinement of the draft Canadian text based on the anadromous species principles developed at the third LOS conference. The four participants also agreed to invite Sweden and the Faroe Islands to join the talks planned for 1981.

While awaiting US ratification of the 1979 *East Coast fishery resource agreement* and the *Gulf of Maine maritime boundary delimitation agreement*, the main emphasis in Canada-US fisheries relations was on the settlement of West Coast problems. Agreement was reached in August 1980 on interim arrangements providing for reciprocal fishing of albacore tuna off the Pacific coasts of the two countries. Accordingly, each government permitted vessels of the other country to fish for albacore tuna in its waters under its fisheries jurisdiction and to have access to its ports for the purpose of fuelling, repairs and purchase of supplies. The interim agreement also provided for the negotiation of a longer term agreement, which is intended to come into force by June 1981.