

interest. Only in the field of environmental law on such issues as the duty not to create environmental damage and the responsibility for such damage can we find examples of concepts having at once such serious and yet encouraging implications for the development of a world order based on the rule of law.

One of the most encouraging trends in the process of progressive development of international law is the increasing evidence that, for the first time in 300 years, large numbers of flag states, on the one hand, and coastal states, on the other, are prepared to accept limitations upon their pre-existing rights -- and the acceptance of corresponding duties -- coupled with the recognition of a need to work out accommodations between their respective interests and those of the international community as a whole. While there are those who lament the death of the traditional unrestricted freedoms of the high seas, there are more who rejoice that the traditional concept of freedom of the high seas can no longer be interpreted as a freedom to over-fish, a licence to pollute, a legal pretext for unilateral appropriation of seabed resources beyond national jurisdiction. No one has suggested an end to freedom of navigation on the high seas. No one has suggested an end to an innocent passage through international straits. No one has suggested an end to flag-state jurisdiction. But no one can any longer seriously argue that these traditional rights can remain unrestricted by law and divorced from corresponding duties.

The Canadian delegation has suggested the concepts of "custodianship" by coastal states and of "delegation of powers" by maritime states as the possible basis of the new regime for the Law of the Sea. Whether or not these terms find their way into the emerging doctrines of international law, the conceptual approach they reflect is, in our view, already embodied in such proposals as the "economic zone" and the "patrimonial sea". These proposals illustrate clearly that ocean space will no longer be divided in an arbitrary fashion between two distinct zones, one under national sovereignty, the other belonging to no one. No longer will the Law of the Sea be based solely on conflicting rights. No longer will the high seas be subject only to the roving jurisdiction of flag states. The concept of management of ocean space reflected in the decisions at Stockholm, in the proposals in the Seabed Committee, and the Convention drafted at the London Ocean Dumping Conference are a clear indication of the direction of the future Law of the Sea.

It is worth noting that the Stockholm Conference was in itself a preparatory conference for the proposed IMCO Pollution Conference, the London Ocean Dumping Conference and the Third Law of the Sea Conference. The London Ocean Dumping Conference and the IMCO Pollution Conference will, in turn, each have further contributed to the preparation for the Law of the Sea Conference. A classic example of the way the law is being developed can be seen in the interrelation between these various conferences:

The Stockholm Environmental Conference affirmed the principle, for example, that no state has the right to damage the environment of other states or the area beyond national jurisdiction. The London Ocean Dumping Conference translated this principle into binding treaty law.