

The draft declaration on the human environment approved by the Stockholm Conference contains a number of legal principles based on those embodied in Canada's original draft declaration, principally the duty of states not to carry out activities within their jurisdiction that degrade the environment of other states or the environment beyond any state's jurisdiction, and the duty to develop further the law of liability and compensation for such damage. Thus the first objective in Canada's three-pronged approach has been achieved. Needless to say, much still remains to be done.

One closing comment may be in order. The impression is sometimes created that Canada is attempting to assert its claims in ways that ignore the interests of other countries. An examination of the action taken by Canada and the statements made by Canadian representatives in a series of UN and other forums (going back to the 1969 Brussels IMCO Conference) indicates the contrary to be the case. Canada has attempted to work out the basis for an accommodation between coastal states and

maritime powers, between coastal fishing states and distant-water fishing states. Canada has suggested that these issues be approached conceptually as matters in which maritime — distant-water fishing states — agree that coastal states exercise certain management and conservation and environmental preservation powers on behalf of the international community as a whole, subject to strict treaty rules and subject to third-party arbitration as to the manner in which such authority is applied. The concepts that Canada has been suggesting are "delegation of powers" by the international community to coastal states and the acceptance of the duties of "custodianship" by coastal states in the interests of the international community as a whole. Whether these concepts eventually find general support, it is worth noting that they were reflected in the third Canadian principle just referred by the Stockholm Conference to the Seabed Committee.

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