

# EDITORIAL

*Our cover picture shows one of the vain attempts to stop the gushing oil at Ekofisk. It was taken before the US specialist, Paul "Red" Adair flew in to cap the blowout. During the blowout, 30,000 barrels a day poured into the North Sea, creating an oil carpet which, at one point, covered 24 square kilometers. As some workers tried to stop the blowout, others tried to clean up the spreading oil. Once dispersed, the oil was much harder to clean up, although some officials played down this problem.*

*With high seas and a lucky wind the oil was kept from causing a massive disaster to the coasts of neighbouring states.*

*Elsewhere in this issue an article on oil tanker safety raises similar environmental policy issues. Who is to pay for the damage? What is to happen when there is overlapping jurisdiction at the site of a disaster, or when one country has stricter laws than another? Will unfair competition result so that states with strict standards find their marine construction programs halted because cheaper tankers can be bought elsewhere? Must the doctrine of free passage be changed so that unsafe tankers no longer have the right to pass close to a State with strict controls?*

*After years of arguing about these questions, some positive steps are being taken. For example, the Convention on Liability for Oil Spills was opened for signature on 1 May 1977 (see Selected Documents, p. 93, and EPL's earlier article at p. 2 of Vol. 2). The US has passed the Water Pollution Control Act which allows the captain of any ship to be arrested and detained if the ship has spilled oil within the US 12 mile limit, unless and until the owners pay for cleaning up the spill.*

*Unless other countries or the Law of the Sea Conference moves quickly to formulate strict laws both for tankers and for offshore oil exploration, the seas may never recover. The Oceanographic Institute at Woods Hole, Mass. has concluded, after long study, that many years are necessary before the sea can recover from each addition of oil.*

*In this issue we report on the preparation for and results of the 5th Governing Council of the United Nations Environment Programme held in Nairobi in April 1977. Too often valuable documents such as those summarized in this issue disappear into the briefcases of the delegates and are not brought to the attention of people who need the information.*

*Reports based on documents and decisions often miss the informal discussions which take place among delegates. For example, EPL's report on the Governing Council does not cover delicate negotiations over UNEP's budget. The Executive Director asked for a budget of \$ 150 million, but the donating countries thought it was both too high and beyond the competence of the Governing Council to decree what each country should contribute. Several delegates noted that they did not have the authority to bind their individual governments to any contribution outside a range previously authorized in preparation for the Council meeting. Finally, the Council agreed a budget of \$ 123 million was realistic. The Council noted the problems created when contributors paid in non-convertible currencies, and asked the Executive Director to try to find additional countries willing to contribute.*

*We report selected decisions of the Governing Council at p. 91. In this issue we also report on the UN Water Conference and have included some of the Conference's resolutions in Selected Documents at p. 92.*

*Environmental Policy and Law, 3 (1977)*

## LETTERS TO THE EDITOR

### Mistaken Identifications

Dear Editor

We received the March, 1977 issue of Environmental Policy and Law. On page 46 the cartoon attributed to Bill Mauldin is *not* his drawing.

Genevieve Domke  
Secretary to Bill Mauldin  
Chicago Sun-Times

Ed. note:

*We regret any inconvenience the mistaken identification may have caused. □*

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(Re: P. Heffernan, "Mexico: A Park for Whales ... and tourists ... and oil?" EPL 3:1 at 17)

Dear Editor

In your article "A Park for Whales..... and Tourists ..... and Oil?" (EPL 3: 1, p. 18) you erroneously refer to me as "IUCN Ex. Governor".

As IUCN does not have Governors I cannot be an Ex. Governor. You may have confused IUCN with ICEL (International Council of Environmental Law) of which I am Executive Governor, but there again, I am not yet an ex-Governor.

Wolfgang E. Burhenne

