



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟΝ

ΤΗΣ ΕΠΙΣΗΜΟΥ ΕΦΗΜΕΡΙΔΟΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ

ὕπ' Ἀρ. 1524 τῆς 8ης 10ΥΝ1ΟΥ 1979

ΝΟΜΟΘΕΣΙΑ

Ὁ περί τῆς Συμβάσεως διὰ τὴν Προστασίαν τῆς Μεσογείου Θαλάσσης κατὰ τῆς Ρυπάνσεως καὶ περί Συναφῶν Πρωτοκόλλων (Κυρωτικός) Νόμος τοῦ 1979 ἐκδίδεται διὰ δημοσιεύσεως εἰς τὴν ἐπίσημον ἐφημερίδα τῆς Κυπριακῆς Δημοκρατίας συμφώνως τῷ ἄρθρῳ 52 τοῦ Συντάγματος.

Ἀριθμὸς 51 τοῦ 1979

ΝΟΜΟΣ ΚΥΡΩΝ ΤΗΝ ΣΥΜΒΑΣΙΝ ΔΙΑ ΤΗΝ ΠΡΟΣΤΑΣΙΑΝ ΤΗΣ ΜΕΣΟΓΕΙΟΥ ΘΑΛΑΣΣΗΣ ΚΑΤΑ ΤΗΣ ΡΥΠΑΝΣΕΩΣ ΚΑΙ ΤΑ ΣΥΝΑΦΗ ΠΡΩΤΟΚΟΛΛΑ

Ἡ Βουλὴ τῶν Ἀντιπροσώπων ψηφίζει ὡς ἀκολούθως :

1. Ὁ παρῶν Νόμος θὰ ἀναφέρηται ὡς ὁ περί τῆς Συμβάσεως διὰ τὴν Προστασίαν τῆς Μεσογείου Θαλάσσης κατὰ τῆς Ρυπάνσεως καὶ περί Συναφῶν Πρωτοκόλλων (Κυρωτικός) Νόμος τοῦ 1979. Συνοπτικός τίτλος

2. Ἐν τῷ παρόντι Νόμῳ, ἐκτὸς ἐὰν ἐκ τοῦ κειμένου προκύπτῃ διάφορος ἔννοια «Σύμβασις» σημαίνει τὴν Σύμβασιν διὰ τὴν Προστασίαν τῆς Μεσογείου Θαλάσσης κατὰ τῆς Ρυπάνσεως, τὸ Πρωτόκολλον διὰ τὴν Παρεμπόδισιν τῆς Ρυπάνσεως τῆς Μεσογείου Θαλάσσης συνεπεῖα Ἀπορρίψεων ὑπὸ Πλοίων καὶ Ἀεροσκαφῶν καὶ τὸ Πρωτόκολλον περί τῆς Συνεργασίας ἐν τῇ Καταπολεμήσει τῆς Ρυπάνσεως τῆς Μεσογείου Θαλάσσης ὑπὸ Πειτρελευσιεῖδων καὶ Ἐτέρων Ἐπιπλαθῶν Οὐσιῶν εἰς Περιπτώσεις Ἐπειγούσης Ἀνάγκης, ἀπάντων γενομένων τὴν 16ην Φεβρουαρίου, 1976, ἐν Βαρκελώνῃ καὶ τῶν ὁποίων τὸ κείμενον ἐν τῷ ἀγγλικῷ πρωτοτύπῳ ἐκτίθεται εἰς τὸ Πρῶτον Μῆρος τοῦ Πίνακος καὶ ἐν μεταφράσει εἰς τὴν ἑλληνικὴν Πίνακ. εἰς τὸ Δεύτερον Μῆρος τοῦ Πίνακος :

Νοεῖται ὅτι ἐν περιπτώσει ἀντιθέσεως μεταξύ τῶν δύο κειμένων ὑπερισχίει τὸ εἰς τὸ Πρῶτον Μῆρος τοῦ Πίνακος ἐκτιθέμενον κείμενον.

3. Ἡ Σύμβασις τὴν ὁποίαν ἡ Κυπριακὴ Δημοκρατία ὑπέγραψε τὴν 16ην Φεβρουαρίου, 1976, δυνάμει τῆς ὑπ' ἀριθμὸν 14.629 καὶ ἡμερομηνίαν 29ην Ἰανουαρίου, 1976 Ἀποφάσεως τοῦ Ὑπουργικοῦ Συμβουλίου, διὰ τοῦ παρόντος Νόμου κυροῦται. Κύρωσις Συμβάσεως.

ΠΙΝΑΚ
(Άρθρον 2)
ΠΡΩΤΟΝ ΜΕΡΟΣ

CONVENTION FOR THE PROTECTION OF THE
MEDITERRANEAN SEA AGAINST POLLUTION

THE CONTRACTING PARTIES,

Conscious of the economic, social, health and cultural value of the marine environment of the Mediterranean Sea Area,

Fully aware of their responsibility to preserve this common heritage for the benefit and enjoyment of present and future generations,

Recognizing the threat posed by pollution to the marine environment, its ecological equilibrium, resources and legitimate uses,

Mindful of the special hydrographic and ecological characteristics of the Mediterranean Sea Area and its particular vulnerability to pollution,

Noting that existing international conventions on the subject do not cover, in spite of the progress achieved, all aspects and sources of marine pollution and do not entirely meet the special requirements of the Mediterranean Sea Area,

Realizing fully the need for close co-operation among the States and international organizations concerned in a co-ordinated and comprehensive regional approach for the protection and enhancement of the marine environment in the Mediterranean Sea Area,

HAVE AGREED AS FOLLOWS :

Article 1

Geographical coverage

1. For the purposes of this Convention, the Mediterranean Sea Area shall mean the maritime waters of the Mediterranean Sea proper, including its gulfs and seas, bounded to the West by the meridian passing through Cape Spartel lighthouse, at the entrance of the Straits of Gibraltar, and to the East by the southern limits of the Straits of the Dardanelles between Mehmetcik and Kumkale lighthouses.

2. Except as may be otherwise provided in any protocol to this Convention, the Mediterranean Sea Area shall not include internal waters of the Contracting Parties.

Article 2

Definitions

For the purposes of this Convention :

(a) "pollution" means the introduction by man, directly or indirectly, of substances or energy into the marine environment resulting in such deleterious effects as harm to living resources, hazards to human health, hindrance to marine activities including fishing, impairment of quality for use of sea water and reduction of amenities.

(b) "Organization" means the body designated as responsible for carrying out secretariat functions pursuant to article 13 of this Convention.

Article 3

General provisions

1. The Contracting Parties may enter into bilateral or multilateral agreements, including regional or sub-regional agreements, for the protection of the marine environment of the Mediterranean Sea against pollution, provided that such agreements are consistent with this Convention and conform to international law. Copies of such agreements between Contracting Parties to this Convention shall be communicated to the Organization.

2. Nothing in this Convention shall prejudice the codification and development of the Law of the Sea by the United Nations Conference on the Law of the Sea convened pursuant to resolution 2750 C (XXV) of the General Assembly of the United Nations, nor the present or future claims and legal views of any State concerning the Law of the Sea and the nature and extent of coastal and flag State jurisdiction.

Article 4

General undertaking

1. The Contracting Parties shall individually or jointly take all appropriate measures in accordance with the provisions of this Convention and those protocols in force to which they are party, to prevent, abate and combat pollution of the Mediterranean Sea Area and to protect and enhance the marine environment in that Area.

2. The Contracting Parties shall co-operate in the formulation and adoption of protocols, in addition to the protocols opened for signature at the same time as this Convention, prescribing agreed measures, procedures and standards for the implementation of this Convention.

3. The Contracting Parties further pledge themselves to promote, within the international bodies considered to be competent by the Contracting Parties, measures concerning the protection of the marine environment in the Mediterranean Sea Area from all types and sources of pollution.

Article 5

Pollution caused by dumping from ships and aircraft

The Contracting Parties shall take all appropriate measures to prevent and abate pollution of the Mediterranean Sea Area caused by dumping from ships and aircraft.

Article 6

Pollution from ships

The Contracting Parties shall take all measures in conformity with international law to prevent, abate and combat pollution of the Mediterranean Sea Area caused by discharges from ships and to ensure the effective implementation in that Area of the rules which are generally recognised at the international level relating to the control of this type of pollution.

Article 7

Pollution resulting from exploration and exploitation of the continental shelf and the seabed and its subsoil

The Contracting Parties shall take all appropriate measures to prevent, abate and combat pollution of the Mediterranean Sea Area resulting from exploration and exploitation of the continental shelf and the seabed and its subsoil.

Article 8**Pollution from land-based sources**

The Contracting Parties shall take all appropriate measures to prevent, abate and combat pollution of the Mediterranean Sea Area caused by discharges from rivers, coastal establishments or outfalls, or emanating from any other land-based sources within their territories.

Article 9**Co-operation in dealing with pollution emergencies**

1. The Contracting Parties shall co-operate in taking the necessary measures for dealing with pollution emergencies in the Mediterranean Sea Area, whatever the causes of such emergencies and reducing or eliminating damage resulting therefrom.

2. Any Contracting Party which becomes aware of any pollution emergency in the Mediterranean Sea Area shall without delay notify the Organisation and, either through the Organization or directly, any Contracting Party likely to be affected by such emergency.

Article 10**Monitoring**

1. The Contracting Parties shall endeavour to establish, in close co-operation with the international bodies which they consider competent, complementary or joint programmes, including, as appropriate, programmes at the bilateral or multilateral levels, for pollution monitoring in the Mediterranean Sea Area and shall endeavour to establish a pollution monitoring system for that Area.

2. For this purpose, the Contracting Parties shall designate the competent authorities responsible for pollution monitoring within areas under their national jurisdiction and shall participate as far as practicable in international arrangements for pollution monitoring in areas beyond national jurisdiction.

3. The Contracting Parties undertake to co-operate in the formulation, adoption and implementation of such annexes to this Convention as may be required to prescribe common procedures and standards for pollution monitoring.

Article 11**Scientific and technological co-operation**

1. The Contracting Parties undertake as far as possible to co-operate directly, or when appropriate through competent regional or other international organizations, in the field of science and technology, and to exchange data as well as other scientific information for the purpose of this Convention.

2. The Contracting Parties undertake as far as possible to develop and co-ordinate their national research programmes relating to all types of marine pollution in the Mediterranean Sea Area and to co-operate in the establishment and implementation of regional and other international research programmes for the purposes of this Convention.

3. The Contracting Parties undertake to co-operate in the provision of technical and other possible assistance in fields relating to marine pollution, with priority to be given to the special needs of developing countries in the Mediterranean region.

Article 12

Liability and compensation

The Contracting Parties undertake to co-operate as soon as possible in the formulation and adoption of appropriate procedures for the determination of liability and compensation for damage resulting from the pollution of the marine environment deriving from violations of the provisions of this Convention and applicable protocols.

Article 13

Institutional arrangements

The Contracting Parties designate the United Nations Environment Programme as responsible for carrying out the following secretariat functions:

- (i) To convene and prepare the meetings of Contracting Parties and conferences provided for in article 14, 15 and 16;
- (ii) To transmit to the Contracting Parties notifications, reports and other information received in accordance with articles 3, 9 and 20;
- (iii) To consider inquiries by, and information from the Contracting Parties, and to consult with them on questions relating to this Convention and the protocols and annexes thereto;
- (iv) To perform the functions assigned to it by the protocols to this Convention;
- (v) To perform such other functions as may be assigned to it by the Contracting Parties;
- (vi) To ensure the necessary co-ordination with other international bodies which the Contracting Parties consider competent, and in particular, to enter into such administrative arrangements as may be required for the effective discharge of the secretariat functions.

Article 14

Meetings of the Contracting Parties

1. The Contracting Parties shall hold ordinary meetings once every two years and extraordinary meetings at any other time deemed necessary, upon the request of the Organization or at the request of any Contracting Party, provided that such requests are supported by at least two Contracting Parties.

2. It shall be the function of the meetings of the Contracting Parties to keep under review the implementation of this Convention and the protocols and, in particular:

- (i) To review generally the inventories carried out by Contracting Parties and competent international organizations on the state of marine pollution and its effects in the Mediterranean Sea Area;
- (ii) To consider reports submitted by the Contracting Parties under article 20;
- (iii) To adopt, review and amend as required the annexes to this Convention and to the protocols, in accordance with the procedure established in article 17;
- (iv) To make recommendations regarding the adoption of any additional protocols or any amendments to this Convention or the protocols in accordance with the provisions of articles 15 and 16;