

No. 26842

MULTILATERAL

Convention for the prevention of marine pollution from land-based sources (with annexes). Concluded at Paris on 4 June 1974

Authentic texts: French and English.

Registered by France on 29 September 1989.

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Convention pour la prévention de la pollution marine d'origine tellurique (avec annexes). Conclue à Paris le 4 juin 1974

Textes authentiques : français et anglais.

Enregistrée par la France le 29 septembre 1989.

CONVENTION¹ FOR THE PREVENTION OF MARINE POLLUTION FROM LAND-BASED SOURCES

The Contracting Parties:

Recognizing that the marine environment and the fauna and flora which it supports are of vital importance to all nations;

Mindful that the ecological equilibrium and the legitimate uses of the sea are increasingly threatened by pollution;

Considering the recommendations of the United Nations Conference on the Human Environment, held in Stockholm in June 1972;²

Recognizing that concerted action at national, regional and global levels is essential to prevent and combat marine pollution;

Convinced that international action to control the pollution of the sea from land-based sources can and should be taken without delay, as part of progressive and coherent measures to protect the marine environment from pollution, what-

¹ Came into force on 6 May 1978, i.e., the thirtieth day following the date of deposit of the seventh instrument of ratification, acceptance, approval or accession with the Government of France, in accordance with article 25 (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification or approval (AA)</i>
Denmark	1 March 1976
European Economic Community	23 June 1975
France	19 January 1977 AA
Netherlands	10 November 1977
Norway	6 April 1977
Sweden	30 July 1976
United Kingdom of Great Britain and Northern Ireland	6 April 1978

Subsequently, the Convention came into force for the following States on the thirtieth day after the date of deposit with the Government of France of their instrument of ratification, acceptance, approval or accession, in accordance with article 25 (2):

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Portugal	10 May 1978
(With effect from 9 June 1978.)	
Spain	17 April 1980
(With effect from 17 May 1980.)	
Iceland	19 June 1981
(With effect from 19 July 1981.)	
Federal Republic of Germany	2 March 1982
(With effect from 1 April 1982. With a declaration of application to Berlin (West).)	
Belgium	12 January 1984
(With effect from 11 February 1984.)	
Ireland	29 August 1984
(With effect from 28 September 1984.)	

In addition, the following notifications of territorial application have been effected with the Government of France by the United Kingdom of Great Britain and Northern Ireland on the dates indicated hereinafter:

- 25 February 1980
(In respect of Guernsey. With effect from 27 March 1980.)
- 27 March 1980
(In respect of Jersey. With effect from 26 April 1980.)

² Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972 (document A/CONF.48/14/Rev.1 or United Nations publication, Sales No. E.73.II.A.14).

ever its origin, including current efforts to combat the pollution of international waterways;

Considering that the common interests of States concerned with the same marine area should induce them to cooperate at regional or sub-regional levels;

Recalling the Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft concluded in Oslo on 15 February 1972,¹

Have agreed as follows:

Article 1

1. The Contracting Parties pledge themselves to take all possible steps to prevent pollution of the sea, by which is meant the introduction by man, directly or indirectly, of substances or energy into the marine environment (including estuaries) resulting in such deleterious effects as hazards to human health, harm to living resources and to marine eco-systems, damage to amenities or interference with other legitimate uses of the sea.

2. The Contracting Parties shall adopt individually and jointly measures to combat marine pollution from land-based sources in accordance with the provisions of the present Convention and shall harmonize their policies in this regard.

Article 2

The present Convention shall apply to the maritime area within the following limits:

a) Those parts of the Atlantic and Arctic Oceans and the dependent seas which lie North of 36° north latitude and between 42° west longitude and 51° east longitude, but excluding:

- i) The Baltic Sea and Belts lying to the south and east of lines drawn from Hasenore Head to Griben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to Kullen, and
- ii) The Mediterranean Sea and its dependent seas as far as the point of intersection of the parallel of 36° north latitude and the meridian of 5°36' west longitude;

b) That part of the Atlantic Ocean north of 59° north latitude and between 44° west longitude and 42° west longitude.

Article 3

For the purpose of the present Convention:

a) "Maritime area" means: the high seas, the territorial seas of Contracting Parties and waters on the landward side of the base lines from which the breadth of the territorial sea is measured and extending in the case of watercourses, unless otherwise decided under article 16 c) of the present Convention, up to the freshwater limit;

b) "Freshwater limit" means: the place in the watercourse where, at low tide and in a period of low freshwater flow, there is an appreciable increase in salinity due to the presence of seawater;

¹ United Nations, *Treaty Series*, vol. 932, p. 3.

c) "Pollution from land-based sources" means: the pollution of the maritime area

- i) Through watercourses,
- ii) From the coast, including introduction through underwater or other pipelines,
- iii) From man-made structures placed under the jurisdiction of a Contracting Party within the limits of the area to which the present Convention applies.

Article 4

1. The Contracting Parties undertake:

a) To eliminate, if necessary by stages, pollution of the maritime area from land-based sources by substances listed in Part I of Annex A to the present Convention;

b) To limit strictly pollution of the maritime area from land-based sources by substances listed in Part II of Annex A to the present Convention.

2. In order to carry out the undertakings in paragraph 1 of this Article, the Contracting Parties, jointly or individually as appropriate, shall implement programmes and measures:

a) For the elimination, as a matter of urgency, of pollution of the maritime area from land-based sources by substances listed in Part I of Annex A to the present Convention;

b) For the reduction or, as appropriate, elimination of pollution of the maritime area from land-based sources by substances listed in Part II of Annex A to the present Convention. These substances shall be discharged only after approval has been granted by the appropriate authorities within each contracting State. Such approval shall be periodically reviewed.

3. The programmes and measures adopted under paragraph 2 of this article shall include, as appropriate, specific regulations or standards governing the quality of the environment, discharges into the maritime area, such discharges into watercourses as affect the maritime area, and the composition and use of substances and products. These programmes and measures shall take into account the latest technical developments.

The programmes shall contain time-limits for their completion.

4. The Contracting Parties may, furthermore, jointly or individually as appropriate, implement programmes or measures to forestall, reduce or eliminate pollution of the maritime area from land-based sources by a substance not then listed in Annex A to the present Convention, if scientific evidence has established that a serious hazard may be created in the maritime area by that substance and if urgent action is necessary.

Article 5

1. The Contracting Parties undertake to adopt measures to forestall and, as appropriate, eliminate pollution of the maritime area from land-based sources by radio-active substances referred to in Part III of Annex A of the present Convention.

2. Without prejudice to their obligations under other treaties and conventions in implementing this undertaking, the Contracting Parties shall:

- a) Take full account of the recommendations of the appropriate international organisations and agencies;
- b) Take account of the monitoring procedures recommended by these international organisations and agencies;
- c) Coordinate their monitoring and study of radioactive substances in accordance with Articles 10 and 11 of the present Convention.

Article 6

1. With a view to preserving and enhancing the quality of the marine environment, the Contracting Parties, without prejudice to the provisions of Article 4, shall endeavour:

- a) To reduce existing pollution from land-based sources;
- b) To forestall any new pollution from land-based sources, including that which derives from new substances.

2. In implementing this undertaking, the Contracting Parties shall take account of:

- a) The nature and quantities of the pollutants under consideration;
- b) The level of existing pollution;
- c) The quality and absorptive capacity of the receiving waters of the maritime area;
- d) The need for an integrated planning policy consistent with the requirement of environmental protection.

Article 7

The Contracting Parties agree to apply the measures they adopt in such a way as to avoid increasing pollution:

- In the seas outside the area to which the present Convention applies;
- In the maritime area covered by the present Convention, originating otherwise than from land-based sources.

Article 8

No provision of the present Convention shall be interpreted as preventing the Contracting Parties from taking more stringent measures to combat marine pollution from land-based sources.

Article 9

1. When pollution from land-based sources originating from the territory of a Contracting Party by substances not listed in Part I of Annex A of the present Convention is likely to prejudice the interests of one or more of the other Parties to the present Convention, the Contracting Parties concerned undertake to enter into consultation, at the request of any one of them, with a view to negotiating a cooperation agreement.

2. At the request of any Contracting Party concerned, the Commission referred to in Article 15 of the present Convention shall consider the question and may make recommendations with a view to reaching a satisfactory solution.