

Third United Nations Conference on the Law of the Sea

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27th meeting of the Third Committee

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27th meeting

Wednesday, 28 April 1976, at 3.20 p.m.

Chairman: Mr. A. YANKOV (Bulgaria).

Convention for the Protection of the Mediterranean Sea against Pollution

1. Mr. YTURRIAGA BARBERÁN (Spain) said the Conference of Plenipotentiaries of the Coastal States of the Mediterranean Region for the Protection of the Mediterranean Sea had been held at Barcelona in February 1976 under the auspices of the United Nations Environment Programme (UNEP). Apart from a number of resolutions, the Conference had adopted by consensus a framework convention and two protocols, namely, the Convention for the Protection of the Mediterranean Sea against Pollution, the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft and the Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency. The texts of those instruments had been distributed by the Spanish Government, acting as the depository.
2. In view of the fact that the Mediterranean Sea was especially prone to pollution, the coastal States in recent years intensified their efforts to combat pollution at a regional level. Such efforts had culminated in an Action Plan adopted at an intergovernmental meeting held at Barcelona early in 1975 under the auspices of UNEP, which sought to co-ordinate the efforts of the coastal States in combating pollution of the Mediterranean Sea. That meeting had also considered three draft instruments prepared by the Food and Agriculture Organization of the United Nations, the Intergovernmental Maritime Consultative Organization and the Spanish Government respectively.
3. After revision, those texts had been submitted to the Barcelona Plenipotentiary Conference, also convened by UNEP, for which the Spanish Government had acted as host. It had been attended by representatives of 16 of the 18 Mediterranean States invited, namely, Cyprus, Egypt, France, Greece, Israel, Italy, Lebanon, Libyan Arab Republic, Malta, Monaco, Morocco, Spain, Syrian Arab Republic, Tunisia, Turkey and Yugoslavia. The United States of America, the United Kingdom and the Soviet Union, as well as a number of international organizations, had sent observers.
4. The Conference, acting on the basis of consensus, had taken unanimous decisions and, on the very day of its adoption, the Convention had been signed by 12 of the 16 participating States, namely, Cyprus, Egypt, France, Greece, Israel, Italy, Lebanon, Malta, Monaco, Morocco, Spain and Turkey. Those 12 States had also signed the Protocol on Co-operation, while 11 States had signed the Protocol on Dumping.
5. The Convention laid down the fundamental obligations of the parties with regard to the various sources of pollution and to co-operation in the struggle against them. It established an institutional system of periodic meetings, for which UNEP would carry out secretariat functions, and laid down the procedure for supplementing the Convention by means of protocols and related technical annexes. The Convention was open for signature or accession by any participating State and by any regional economic grouping, such as the European Economic Community, at least one member of which was a Mediterranean coastal State. An annex provided for the settlement of disputes by arbitration.
6. The Protocol on dumping was based upon the 1972 Oslo¹ and London² Conventions, although the special characteristics of the Mediterranean Sea had necessitated an even stricter régime. The other Protocol laid down the obligations of the parties with regard to co-operation in combating pollution by oil and other harmful substances in cases of emergency. In cases of grave danger to the marine environment, the coast or related interests, the Protocol provided for constant monitoring, emergency plans, a communications system and joint action to combat pollution. The Conference had also adopted a series of resolutions, one of which related to the establishment in Malta of a regional centre for combating oil pollution.
7. New protocols were envisaged for other sources of pollution. In that connexion, the Conference had requested the Executive Director of UNEP to continue preparatory work for a protocol on land-based pollution; to continue convening groups of governmental experts for the preparation of additional protocols; and, once the Convention had entered into force, to establish an expert committee to study the possibility of setting up a guarantee fund for the area. Finally, as proof of the will of the Mediterranean States to maintain and accelerate the momentum, the Conference had decided to hold an intergovernmental meeting in Monaco in 1977 for the purpose of informing the Mediterranean coastal States on the measures taken and the progress achieved.
8. As the Executive Director of UNEP had indicated, the Conference had been an enormous success. In the context of the Conference on the Law of the Sea, the Barcelona Convention translated into reality the regional approach in combating pollution. For the first time in such a Convention, both developed and developing countries were grouped together. He hoped that the Convention would serve as a good omen for the adoption at the current Conference of a world-wide body of rules for the protection of the marine environment.
9. Mr. HOOR TEMPIS LIVI (Italy) emphasized the importance that his country and the other members of the European Economic Community—itsself a signatory of those instruments—attached to the Convention and Protocols, which were an outstanding example of regional co-operation in protecting the marine environment. The Italian delegation had played a very active part in the negotiations that had taken place in Barcelona, and was deeply appreciative to the secretariat of UNEP for its very competent help. In the case of dumping, the agreements were a good example of regional co-operation which his delegation was convinced would be followed by all non-Mediterranean coastal States interested in protecting their marine environment. Marine pollution was a notable field in which UNEP could play an important role and serve as a very efficient means of helping all countries strengthen peaceful regional relations.
10. Mr. TIMAGENIS (Greece) welcomed the Spanish Government's initiative in distributing the texts of the Bar-

¹ Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft, signed at Oslo on 15 February 1972.

² Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters, signed at London on 29 December 1972.

celona Convention and Protocols. His country had participated actively in the preparatory work for the Convention and was one of the signatories. The Convention would eventually form a regional agreement in the context of the future convention on the law of the sea. In the framework of the UNEP Action Plan for the Mediterranean, Greece had offered to establish and finance a subregional oil-combating centre for the eastern Mediterranean on the island of Crete, and to place the country's whole telecommunications system at its disposal. It had also offered to assist developing Mediterranean countries in the training of personnel for combating pollution.

11. The activities undertaken in the Mediterranean Sea area gave practical expression to the spirit of the United Nations Conference on the Human Environment. They effectively contributed to the protection of the marine environment, and his delegation trusted that the example of the coastal States of the North Sea, the Baltic Sea and the Mediterranean Sea would be followed by States in other regions.

12. Mr. CRACH (France) supported the views expressed by the representative of Italy.

13. Mr. DAHMOUCHE (Algeria), welcoming the information supplied by the representative of Spain, explained that Algeria had refrained from participating in the Barcelona Conference because it believed that, during the Conference on the Law of the Sea, general principles should be formulated before more specific arrangements were made. In his delegation's view, the Barcelona Conference might have been convened too hastily.

14. Mr. JACOVIDES (Cyprus) said that, as a signatory of the Barcelona Convention, his country wished to express appreciation to Spain for its initiative. He fully supported the views expressed by previous speakers.

15. Mr. LAYACHI (Morocco) paid a tribute to Spain for the success of the Conference, and thanked the Spanish delegation for the information supplied to the Committee.

The meeting rose at 3.55 p.m.
