

CONVENTION ON THE PREVENTION OF
MARINE POLLUTION

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THE CONVENTION ON THE PREVENTION OF MARINE
POLLUTION BY DUMPING OF WASTES AND OTHER
MATTER, OPENED FOR SIGNATURE AT WASHINGTON,
LONDON, MEXICO CITY, AND MOSCOW ON DECEMBER 29,
1972



FEBRUARY 28, 1973.—Convention was read the first time and, together
with the accompanying papers, referred to the Committee
on Foreign Relations and ordered to be printed
for use of the Senate

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WASHINGTON : 1973

LETTER OF TRANSMITTAL

THE WHITE HOUSE, *February 28, 1973.*

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, opened for signature at Washington, London, Mexico City and Moscow on December 29, 1972. The report of the Department of State is enclosed for the information of the Senate.

This Convention is designed to establish in each country which is a party to this Convention, a national system for regulating the ocean disposal of wastes comparable to the system for this country provided by Title I of Public Law 92-532 enacted October 23, 1972, the Marine Protection, Research, and Sanctuaries Act of 1972.

International concern for the protection and effective management of our oceans has been growing in recent years. We expect this Convention to come into force in a relatively short period of time and to provide a significant and successful step in the international control of marine pollution. I recommend that the Senate give prompt consideration to this Convention and consent to its ratification.

RICHARD NIXON.

LETTER OF SUBMITTAL

DEPARTMENT OF STATE,
Washington, D.C., February 13, 1973.

THE PRESIDENT:

I have the honor to submit to you the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. I recommend that the Convention be transmitted to the Senate for its advice and consent to ratification.

The text of the Convention was agreed upon November 13, 1972 by a conference of representatives of ninety-two nations meeting at London. On December 29, 1972 the Convention was opened for signature at Washington, London, Mexico City and Moscow. The Convention will remain open for signature until December 31, 1973 and thereafter be open for accession by all states; it will enter into force thirty days after the deposit of the fifteenth instrument of ratification or accession.

The objective of the Convention is to establish in all states similar regulations controlling the disposal of wastes and other matter at sea. This Convention will be a significant early step in the international control of marine pollution.

In your February 8, 1971 Message on Environment to the Congress you recommended enactment of domestic legislation banning unregulated ocean dumping and instructed the Department of State, in coordination with the Council on Environmental Quality, to develop and pursue international initiatives directed toward this objective. In June 1971, the United States tabled a draft convention at an intergovernmental working group meeting at London. Further intergovernmental meetings at Ottawa in November 1971, at Reykjavik in April 1972 and at London in May 1972 produced draft articles which were the basis for the recommendation by the 1972 United Nations Conference on the Human Environment that a Conference of Governments be convened by the Government of the United Kingdom before November 1972 for further consideration of the draft articles with a view to opening the proposed convention for signature before the end of 1972. The London conference concluded on November 13, 1972 recommending that the Convention be opened for signature on December 29, 1972. The terms of the Convention are consistent with U.S. domestic legislation enacted on October 23, 1972 (Title I of PL 92-532, the Marine Protection, Research and Sanctuaries Act of 1972).

The Preamble to this Convention states that the marine environment is of vital importance to all people and that the best practicable means should be taken to cope with marine pollution originating from a wide variety of sources. While taking action without delay on controlling ocean pollution caused by dumping of wastes, including moving ahead with regional agreements, action in other areas of ma-

rine pollution control should be discussed. In Article I Parties pledge to promote effective marine pollution control especially through taking all practicable steps to prevent pollution of the sea caused by dumping. Under Article II, Parties will act individually according to their various capabilities and collectively in regulating ocean dumping.

Article III defines dumping as the deliberate disposal at sea of wastes or other matter except: (1) that derived from the normal operation (not dumping) of ships, which is now and will be dealt with in the Inter-Governmental Maritime Consultative Organization conventions; (2) that placed in the ocean for purposes other than disposal; and (3) that related to seabed exploration or exploitation, which is expected to be covered in agreements arising from the proposed Law of the Sea Conference. The sea is defined as all marine waters other than internal waters. Special and general permits are defined as permission granted in advance, with special permits requiring a specific application.

Article IV prohibits the dumping of any wastes listed in Annex I, requires a prior special permit for the dumping of matter listed in Annex II, and a prior general permit for the dumping of any other matter. Permits may be issued only after careful consideration of all factors listed in Annex III. Article V permits dumping of any substance when the safety of human life or of vessels at sea is endangered and, in emergencies, the issuance, after consultation with other countries likely to be affected, of a special permit for the dumping of Annex I substances when alternative disposal poses unacceptable risk relating to human health.

Each Party, under Article VI, will designate an appropriate authority to issue permits, keep records of matter dumped, and monitor, in collaboration with others, the condition of the seas for the purposes of this Convention. Permits will be issued for any matter intended for dumping loaded within the Party's territory and loaded anywhere by vessels flying a Party's flag. The organization performing the secretariat duties for the Convention will be appropriately advised by each Party of that Party's activities pursuant to the terms of the Convention.

Enforcement is the responsibility of each Party. Under Article VII, each Party shall apply required measures to its flag vessels and aircraft, all vessels and aircraft loading matter in its territory for dumping, and those under its jurisdiction engaged in dumping; each Party is to take in its territory appropriate measures to prevent and punish conduct contrary to the Convention. Naval vessels and military aircraft are exempt from the provisions of the Convention; however, each Party is to ensure the adoption of measures for these vessels that accomplish the objectives of the Convention.

Article VIII promotes regional dumping agreements consistent with this Convention and Article IX encourages support for training of personnel and for supplying necessary equipment.

The Parties agree in Article X to undertake to develop procedures for the assessment of liability and the settlement of disputes regarding dumping and in Article XI to consider at their first consultative meeting procedures for settlement of disputes concerning this Con-

vention. In Article XII, Parties pledge to promote international measures to protect the marine environment from oil and other noxious substances, wastes from operating vessels, radioactive pollutants, chemical and biological warfare agents, and seabed activity wastes. Article XIII states that this Convention does not prejudice the law of the sea positions of any Party or the work in the United Nations Law of the Sea Conference.

Article XIV provides for the United Kingdom to call a meeting of the Parties within three months after the Convention enters into force (thirty days after the deposit of the fifteenth instrument of ratification or accession), at which time the Parties will select an existing competent organization to perform the secretariat duties under this Convention and take other appropriate action. Consultative meetings of the Parties are to be convened at least every two years. Under Article XV, amendments to this Convention become effective for Parties accepting them sixty days after two-thirds of the Parties have deposited instruments of acceptance. An amendment to an annex becomes effective for any Party immediately on notification of its acceptance, and one hundred days after approval for all other Parties except for those which before that time declare they are not able to accept the amendment at that time.

Annex I lists substances prohibited from dumping: organohalogen compounds, mercury and cadmium and their compounds; persistent plastics under certain conditions; specified oils; high-level radioactive wastes; and chemical and biological warfare agents. The list does not extend to substances rendered harmless when put in the sea or which contain only trace quantities of these substances, such as sewage sludge or dredged spoils.

Annex II lists substances requiring a special permit to be dumped: wastes containing significant amounts of certain chemicals, such as arsenic, cyanides and pesticides, acids or alkalis of beryllium or vanadium; bulky wastes which may be a serious obstacle to fishing or navigation; and medium and low-level radioactive wastes.

Regarding radioactive wastes in Annex I and II, the International Atomic Energy Agency is called upon to make appropriate recommendations available for use by the Parties.

Annex III lists factors to be considered in issuing permits: the characteristics and composition of the matter; characteristics of the dumping site and method of deposit; and certain other general considerations and conditions.

This Convention requires some minor amendments to United States domestic legislation on ocean dumping, the Marine Protection, Research, and Sanctuaries Act of 1972. A draft bill with supporting papers will be sent by this Department in the very near future.

In the preparatory work on this Convention the Department of State has followed its implementing guidelines for environmental impact statements covered under Section 102(2)(c) of PL 91-190, the National Environmental Policy Act. A draft statement was prepared and its availability was made known in the October 11, 1972 Federal Register. Comments were directly solicited from all concerned Federal agencies and from appropriate offices of the Governments of the coastal States of this country. Early drafts of the Con-

vention were discussed in public hearings held on July 28 and 29, 1971 at Miami, Florida, at Houston, Texas on March 16 and 17, 1972, and at Washington, D.C. on March 21 and 22, 1972, and again on October 26, 1972. The final impact statement was completed and notice of its availability appeared in the February 9, 1973 Federal Register.

A copy of the Report of the United States Delegation to the London Conference of October 30–November 13, 1972 is enclosed to provide further background information on the Convention and its development.

All interested agencies in the Executive Branch favor the ratification of the Convention.

It is hoped that the Senate at an early date will give its advice and consent to ratification of the Convention.

Respectfully submitted.

WILLIAM P. ROGERS.

Enclosures:

1. Copy of Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter.
2. Copy of the Report of the United States Delegation to the London Conference.

CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING
OF WASTES AND OTHER MATTER

The Contracting Parties to this Convention,

Recognizing that the marine environment and the living organisms which it supports are of vital importance to humanity, and all people have an interest in assuring that it is so managed that its quality and resources are not impaired;

Recognizing that the capacity of the sea to assimilate wastes and render them harmless, and its ability to regenerate natural resources, is not unlimited;

Recognizing that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction;

Recalling Resolution 2749 (XXV) of the General Assembly of the United Nations on the principles governing the sea-bed and the ocean floor and the subsoil thereof, beyond the limits of national jurisdiction;

Noting that marine pollution originates in many sources, such as dumping and discharges through the atmosphere, rivers, estuaries, outfalls and pipelines, and that it is important that States use the best practicable means to prevent such pollution and develop products and processes which will reduce the amount of harmful wastes to be disposed of;

Being convinced that international action to control the pollution of the sea by dumping can and must be taken without delay but that this action should not preclude discussion of measures to control other sources of marine pollution as soon as possible; and

Wishing to improve protection of the marine environment by encouraging States with a common interest in particular geographical areas to enter into appropriate agreements supplementary to this Convention;

Have agreed as follows:

ARTICLE I

Contracting Parties shall individually and collectively promote the effective control of all sources of pollution of the marine environment, and pledge themselves especially to take all practicable steps to prevent the pollution of the sea by the dumping of waste and other matter that is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea.

(1)

ARTICLE II

Contracting Parties shall, as provided for in the following Articles, take effective measures individually, according to their scientific, technical and economic capabilities, and collectively, to prevent marine pollution caused by dumping and shall harmonize their policies in this regard.

ARTICLE III

For the purposes of this Convention:

1. (a) "Dumping" means:
 - (i) any deliberate disposal at sea of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea;
 - (ii) any deliberate disposal at sea of vessels, aircraft, platforms or other man-made structures at sea.
 - (b) "Dumping" does not include:
 - (i) the disposal at sea of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or structures;
 - (ii) placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this Convention.
 - (c) The disposal of wastes or other matter directly arising from, or related to the exploration, exploitation and associated off-shore processing of sea-bed mineral resources will not be covered by the provisions of this Convention.
2. "Vessels and aircraft" means waterborne or airborne craft of any type whatsoever. This expression includes air cushioned craft and floating craft, whether self-propelled or not.
 3. "Sea" means all marine waters other than the internal waters of States.
 4. "Wastes or other matter" means material and substance of any kind, form or description.
 5. "Special permit" means permission granted specifically on application in advance and in accordance with Annex II and Annex III.
 6. "General permit" means permission granted in advance and in accordance with Annex III.
 7. "The Organisation" means the Organisation designated by the Contracting Parties in accordance with Article XIV (2).

ARTICLE IV

1. In accordance with the provisions of this Convention Contracting Parties shall prohibit the dumping of any wastes or other matter in whatever form or condition except as otherwise specified below:
 - (a) the dumping of wastes or other matter listed in Annex I is prohibited;

(b) the dumping of wastes or other matter listed in Annex II requires a prior special permit;

(c) the dumping of all other wastes or matter requires a prior general permit.

2. Any permit shall be issued only after careful consideration of all the factors set forth in Annex III, including prior studies of the characteristics of the dumping site, as set forth in Sections B and C of that Annex.

3. No provision of this Convention is to be interpreted as preventing a Contracting Party from prohibiting, insofar as that Party is concerned, the dumping of wastes or other matter not mentioned in Annex I. That Party shall notify such measures to the Organisation.

ARTICLE V

1. The provisions of Article IV shall not apply when it is necessary to secure the safety of human life or of vessels, aircraft, platforms or other man-made structures at sea in cases of *force majeure* caused by stress of weather, or in any case which constitutes a danger to human life or a real threat to vessels, aircraft, platforms or other man-made structures at sea, if dumping appears to be the only way of averting the threat and if there is every probability that the damage consequent upon such dumping will be less than would otherwise occur. Such dumping shall be so conducted as to minimise the likelihood of damage to human or marine life and shall be reported forthwith to the Organisation.

2. A Contracting Party may issue a special permit as an exception to Article IV (1) (a), in emergencies, posing unacceptable risk relating to human health and admitting no other feasible solution. Before doing so the Party shall consult any other country or countries that are likely to be affected and the Organisation which, after consulting other Parties, and international organisations as appropriate, shall in accordance with Article XIV promptly recommend to the Party the most appropriate procedures to adopt. The Party shall follow these recommendations to the maximum extent feasible consistent with the time within which action must be taken and with the general obligation to avoid damage to the marine environment and shall inform the Organisation of the action it takes. The Parties pledge themselves to assist one another in such situations.

3. Any Contracting Party may waive its rights under paragraph (2) at the time of, or subsequent to ratification of, or accession to this Convention.

ARTICLE VI

1. Each Contracting Party shall designate an appropriate authority or authorities to:

(a) issue special permits which shall be required prior to, and for, the dumping of matter listed in Annex II and in the circumstances provided for in Article V (2);

(b) issue general permits which shall be required prior to, and for, the dumping of all other matter;

(c) keep records of the nature and quantities of all matter permitted to be dumped and the location, time and method of dumping;

- (d) monitor individually, or in collaboration with other Parties and competent International Organisations, the condition of the seas for the purposes of this Convention.
2. The appropriate authority or authorities of a Contracting Party shall issue prior special or general permits in accordance with paragraph (1) in respect of matter intended for dumping:
- (a) loaded in its territory;
 - (b) loaded by a vessel or aircraft registered in its territory or flying its flag, when the loading occurs in the territory of a State not party to this Convention.
3. In issuing permits under sub-paragraphs (1) (a) and (b) above, the appropriate authority or authorities shall comply with Annex III, together with such additional criteria, measures and requirements as they may consider relevant.
4. Each Contracting Party, directly or through a Secretariat established under a regional agreement, shall report to the Organisation, and where appropriate to other Parties, the information specified in sub-paragraphs (c) and (d) of paragraph (1) above, and the criteria, measures and requirements it adopts in accordance with paragraph (3) above. The procedure to be followed and the nature of such reports shall be agreed by the Parties in consultation.

ARTICLE VII

1. Each Contracting Party shall apply the measures required to implement the present Convention to all:
- (a) vessels and aircraft registered in its territory or flying its flag;
 - (b) vessels and aircraft loading in its territory or territorial seas matter which is to be dumped;
 - (c) vessels and aircraft and fixed or floating platforms under its jurisdiction believed to be engaged in dumping.
2. Each Party shall take in its territory appropriate measures to prevent and punish conduct in contravention of the provisions of this Convention.
3. The Parties agree to co-operate in the development of procedures for the effective application of this Convention particularly on the high seas, including procedures for the reporting of vessels and aircraft observed dumping in contravention of the Convention.
4. This Convention shall not apply to those vessels and aircraft entitled to sovereign immunity under international law. However each Party shall ensure by the adoption of appropriate measures that such vessels and aircraft owned or operated by it act in a manner consistent with the object and purpose of this Convention, and shall inform the Organisation accordingly.
5. Nothing in this Convention shall affect the right of each Party to adopt other measures, in accordance with the principles of international law, to prevent dumping at sea.

ARTICLE VIII

In order to further the objectives of this Convention, the Contracting Parties with common interests to protect in the marine environ-

ment in a given geographical area shall endeavour, taking into account characteristic regional features, to enter into regional agreements consistent with this Convention for the prevention of pollution, especially by dumping. The Contracting Parties to the present Convention shall endeavour to act consistently with the objectives and provisions of such regional agreements, which shall be notified to them by the Organisation. Contracting Parties shall seek to co-operate with the parties to regional agreements in order to develop harmonized procedures to be followed by Contracting Parties to the different conventions concerned. Special attention shall be given to co-operation in the field of monitoring and scientific research.

ARTICLE IX

The Contracting Parties shall promote, through collaboration within the Organisation and other international bodies, support for those Parties which request it for :

- (a) the training of scientific and technical personnel ;
 - (b) the supply of necessary equipment and facilities for research and monitoring ;
 - (c) the disposal and treatment of waste and other measures to prevent or mitigate pollution caused by dumping ;
- preferably within the countries concerned, so furthering the aims and purposes of this Convention.

ARTICLE X

In accordance with the principles of international law regarding State responsibility for damage to the environment of other States or to any other area of the environment, caused by dumping of wastes and other matter of all kinds, the Contracting Parties undertake to develop procedures for the assessment of liability and the settlement of disputes regarding dumping.

ARTICLE XI

The Contracting Parties shall at their first consultative meeting consider procedures for the settlement of disputes concerning the interpretation and application of this Convention.

ARTICLE XII

The Contracting Parties pledge themselves to promote, within the competent specialised agencies and other international bodies, measures to protect the marine environment against pollution caused by :

- (a) hydrocarbons, including oil, and their wastes ;
- (b) other noxious or hazardous matter transported by vessels for purposes other than dumping ;
- (c) wastes generated in the course of operation of vessels, aircraft, platforms and other man-made structures at sea ;
- (d) radio-active pollutants from all sources, including vessels ;
- (e) agents of chemical and biological warfare ;

(f) wastes or other matter directly arising from, or related to the exploration, exploitation and associated off-shore processing of sea-bed mineral resources.

The Parties will also promote, within the appropriate international organisation, the codification of signals to be used by vessels engaged in dumping.

ARTICLE XIII

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. The Contracting Parties agree to consult at a meeting to be convened by the Organisation after the Law of the Sea Conference, and in any case not later than 1976, with a view to defining the nature and extent of the right and the responsibility of a coastal State to apply the Convention in a zone adjacent to its coast.

ARTICLE XIV

1. The Government of the United Kingdom of Great Britain and Northern Ireland as a depositary shall call a meeting of the Contracting Parties not later than three months after the entry into force of this Convention to decide on organisational matters.

2. The Contracting Parties shall designate a competent Organisation existing at the time of that meeting to be responsible for Secretariat duties in relation to this Convention. Any Party to this Convention not being a member of this Organisation shall make an appropriate contribution to the expenses incurred by the Organisation in performing these duties.

3. The Secretariat duties of the Organisation shall include:

(a) the convening of consultative meetings of the Contracting Parties not less frequently than once every two years and of special meetings of the Parties at any time on the request of two-thirds of the Parties;

(b) preparing and assisting, in consultation with the Contracting Parties and appropriate International Organisations, in the development and implementation of procedures referred to in sub-paragraph (4) (e) of this Article;

(c) considering enquiries by, and information from the Contracting Parties, consulting with them and with the appropriate International Organisations, and providing recommendations to the Parties on questions related to, but not specifically covered by the Convention;

(d) conveying to the Parties concerned all notifications received by the Organisation in accordance with Articles IV(3), V(1) and (2), VI(4), XV, XX and XXI.

Prior to the designation of the Organisation these functions shall, as necessary, be performed by the depositary, who for this purpose shall be the Government of the United Kingdom of Great Britain and Northern Ireland.

4. Consultative or special meetings of the Contracting Parties shall keep under continuing review the implementation of this Convention and may, *inter alia*:

(a) review and adopt amendments to this Convention and its Annexes in accordance with Article XV;

(b) invite the appropriate scientific body or bodies to collaborate with and to advise the Parties or the Organisation on any scientific or technical aspect relevant to this Convention, including particularly the content of the Annexes;

(c) receive and consider reports made pursuant to Article VI(4);

(d) promote co-operation with and between regional organisations concerned with the prevention of marine pollution;

(e) develop or adopt, in consultation with appropriate International Organisations, procedures referred to in Article V(2), including basic criteria for determining exceptional and emergency situations, and procedures for consultative advice and the safe disposal of matter in such circumstances, including the designation of appropriate dumping areas, and recommend accordingly;

(f) Consider any additional action that may be required.

5. The Contracting Parties at their first consultative meeting shall establish rules of procedure as necessary.

ARTICLE XV

1. (a) At meetings of the Contracting Parties called in accordance with Article XIV amendments to this Convention may be adopted by a two-thirds majority of those present. An amendment shall enter into force for the Parties which have accepted it on the sixtieth day after two-thirds of the Parties shall have deposited an instrument of acceptance of the amendment with the Organisation. Thereafter the amendment shall enter into force for any other Party 30 days after that Party deposits its instrument of acceptance of the amendment.

(b) The Organisation shall inform all Contracting Parties of any request made for a special meeting under Article XIV and of any amendments adopted at meetings of the Parties and of the date on which each such amendment enters into force for each Party.

2. Amendments to the Annexes will be based on scientific or technical considerations. Amendments to the Annexes approved by a two-thirds majority of those present at a meeting called in accordance with Article XIV shall enter into force for each Contracting Party immediately on notification of its acceptance to the Organisation and 100 days after approval by the meeting for all other Parties except for those which before the end of the 100 days make a declaration that they are not able to accept the amendment at that time. Parties should endeavour to signify their acceptance of an amendment to the Organisation as soon as possible after approval at a meeting. A Party may at any time substitute an acceptance for a previous declaration of objection and the amendment previously objected to shall thereupon enter into force for that Party.

3. An acceptance or declaration of objection under this Article shall be made by the deposit of an instrument with the Organisation. The

Organisation shall notify all Contracting Parties of the receipt of such instruments.

4. Prior to the designation of the Organisation, the Secretarial functions herein attributed to it, shall be performed temporarily by the Government of the United Kingdom of Great Britain and Northern Ireland, as one of the depositaries of this Convention.

ARTICLE XVI

This Convention shall be open for signature by any State at London, Mexico City, Moscow and Washington from 29 December 1972 until 31 December 1973.

ARTICLE XVII

This Convention shall be subject to ratification. The instruments of ratification shall be deposited with the Governments of Mexico, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

ARTICLE XVIII

After 31 December 1973, this Convention shall be open for accession by any State. The instruments of accession shall be deposited with the Governments of Mexico, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

ARTICLE XIX

1. This Convention shall enter into force on the thirtieth day following the date of deposit of the fifteenth instrument of ratification or accession.

2. For each Contracting Party ratifying or acceding to the Convention after the deposit of the fifteenth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such Party of its instrument of ratification or accession.

ARTICLE XX

The depositaries shall inform Contracting Parties:

(a) of signatures to this Convention and of the deposit of instruments of ratification, accession or withdrawal, in accordance with Articles XVI, XVII, XVIII and XXI, and

(b) of the date on which this Convention will enter into force, in accordance with Article XIX.

ARTICLE XXI

Any Contracting Party may withdraw from this Convention by giving six months' notice in writing to a depositary, which shall promptly inform all Parties of such notice.

ARTICLE XXII

The original of this Convention of which the English, French, Russian and Spanish texts are equally authentic, shall be deposited with

the Governments of Mexico, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America who shall send certified copies thereof to all States.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorised thereto by their respective Governments have signed the present Convention.

DONE in quadruplicate at London, Mexico City, Moscow and Washington, this twenty-ninth day of December, 1972.

ANNEXES

ANNEX I

1. Organohalogen compounds.
2. Mercury and mercury compounds.
3. Cadmium and cadmium compounds.
4. Persistent plastics and other persistent synthetic materials, for example, netting and ropes, which may float or may remain in suspension in the sea in such a manner as to interfere materially with fishing, navigation or other legitimate uses of the sea.
5. Crude oil, fuel oil, heavy diesel oil, and lubricating oils, hydraulic fluids, and any mixtures containing any of these, taken on board for the purpose of dumping.
6. High-level radio-active wastes or other high-level radio-active matter, defined on public health, biological or other grounds, by the competent international body in this field, at present the International Atomic Energy Agency, as unsuitable for dumping at sea.
7. Materials in whatever form (e.g. solids, liquids, semi-liquids, gases or in a living state) produced for biological and chemical warfare.
8. The preceding paragraphs of this Annex do not apply to substances which are rapidly rendered harmless by physical, chemical or biological processes in the sea provided they do not:
 - (i) make edible marine organisms unpalatable, or
 - (ii) endanger human health or that of domestic animals.The consultative procedure provided for under Article XIV should be followed by a Party if there is doubt about the harmlessness of the substance.
9. This Annex does not apply to wastes or other materials (e.g. sewage sludges and dredged spoils) containing the matters referred to in paragraphs 1-5 above as trace contaminants. Such wastes shall be subject to the provisions of Annexes II and III as appropriate.

ANNEX II

The following substances and materials requiring special care are listed for the purposes of Article VI(1) (a).

A Wastes containing significant amounts of the matters listed below :

arsenic
lead
copper
zinc

} and their compounds

organosilicon compounds

cyanides

fluorides

pesticides and their by-products not covered in Annex I.

B. In the issue of permits for the dumping of large quantities of acids and alkalis, consideration shall be given to the possible presence in such wastes of the substances listed in paragraph A and to the following additional substances:

beryllium	} and their compounds
chromium	
nickel	
vanadium	

C. Containers, scrap metal and other bulky wastes liable to sink to the sea bottom which may present a serious obstacle to fishing or navigation.

D. Radio-active wastes or other radio-active matter not included in Annex I. In the issue of permits for the dumping of this matter, the Contracting Parties should take full account of the recommendations of the competent international body in this field, at present the International Atomic Energy Agency.

ANNEX III

Provisions to be considered in establishing criteria governing the issue of permits for the dumping of matter at sea, taking into account Article IV (2), include:

A. Characteristics and composition of the matter

1. Total amount and average composition of matter dumped (e.g. per year).
2. Form, e.g. solid, sludge, liquid, or gaseous.
3. Properties: physical (e.g. solubility and density), chemical and biochemical (e.g. oxygen demand, nutrients) and biological (e.g. presence of viruses, bacteria, yeasts, parasites).
4. Toxicity.
5. Persistence: physical, chemical and biological.
6. Accumulation and biotransformation in biological materials or sediments.
7. Susceptibility to physical, chemical and biochemical changes and interaction in the aquatic environment with other dissolved organic and inorganic materials.
8. Probability of production of taints or other changes reducing marketability or resources (fish, shellfish, etc.).

B. Characteristics of dumping site and method of deposit

1. Location (e.g. co-ordinates of the dumping area, depth and distance from the coast), location in relation to other areas (e.g. amenity areas, spawning, nursery and fishing areas and exploitable resources).
2. Rate of disposal per specific period (e.g. quantity per day, per week, per month).
3. Methods of packaging and containment, if any.
4. Initial dilution achieved by proposed method of release.
5. Dispersal characteristics (e.g. effects of currents, tides and wind on horizontal transport and vertical mixing).
6. Water characteristics (e.g. temperature, pH, salinity, stratification, oxygen indices of pollution-dissolved oxygen (DO), chemical

oxygen demand (COD), biochemical oxygen demand (BOD)—nitrogen present in organic and mineral form including ammonia, suspended matter, other nutrients and productivity).

7. Bottom characteristics (e.g. topography, geochemical and geological characteristics and biological productivity).

8. Existence and effects of other dumpings which have been made in the dumping area (e.g. heavy metal background reading and organic carbon content).

9. In issuing a permit for dumping, Contracting Parties should consider whether an adequate scientific basis exists for assessing the consequences of such dumping, as outlined in this Annex, taking into account seasonal variations.

C. General considerations and conditions

1. Possible effects on amenities (e.g. presence of floating or stranded material, turbidity, objectionable odour discoloration and foaming).

2. Possible effects on marine life, fish and shellfish culture; fish stocks and fisheries, seaweed harvesting and culture.

3. Possible effects on other uses of the sea (e.g. impairment of water quality for industrial use, underwater corrosion of structures, interference with ship operations from floating materials, interference with fishing or navigation through deposit of waste or solid objects on the sea floor and protection of areas of special importance for scientific or conservation purposes).

4. The practical availability of alternative land-based methods of treatment, disposal or elimination, or of treatment to render the matter less harmful for dumping at sea.

REPORT OF THE UNITED STATES DELEGATION TO THE INTERGOVERNMENTAL CONFERENCE ON THE CONVENTION ON THE DUMPING OF WASTES AT SEA HELD AT LONDON OCTOBER 30–NOVEMBER 13, 1972

WHICH PRODUCED THE CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING OF WASTES AND OTHER MATTER

(Prepared by the Delegation)

Submitted to the Secretary of State, January 31, 1973.

RUSSELL E. TRAIN,
Chairman, Council on Environmental Quality, U.S. Representative.

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SUMMARY

The Government of the United Kingdom invited all governments that had been invited to the Stockholm 1972 United Nations Conference on the Human Environment, to attend the Intergovernmental Conference on the Convention on the Dumping of Wastes at Sea, which was held at London, October 30 to November 13, 1972. The calling of the meeting was recommended by the Stockholm Conference for the purpose of completing the text of the Convention and opening it for signature before the end of 1972.

Representatives of ninety-two governments, including twelve observer delegations, participated in the meeting. The Conference adopted the text of the Convention, a separate technical memorandum concerned with the Japanese problem of mercury and cadmium wastes and a resolution on support for parties requesting assistance in order to fulfill their obligations under the Convention. The Conference resolved to open the Convention for signature from 29 December 1972 to 31 December 1973.

The title of the treaty became the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. The text

of the Convention does not conflict with existing U.S. legislation on ocean dumping (PL 92-532, enacted October 23, 1972). Minor additional legislation is required to extend the regulation to all U.S. flag vessels transporting wastes for dumping from ports of non-party states.

The delegation recommends that the Convention be ratified at the earliest possible date to ensure U.S. participation in the adoption of the operating procedures of the treaty. The first meeting of the parties, which could be as early as May 1973, is required to be held within four months after the deposit of the 15th instrument of ratification.

PARTICIPATION

Representatives of the Governments of Afghanistan, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bolivia, Brazil, Byelorussian SSR, Cameroon, Canada, Chile, Denmark, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, The Gambia, Federal Republic of Germany, Ghana, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Ireland, Italy, The Ivory Coast, Jamaica, Japan, Jordan, Kenya, Korea, Kuwait, Liberia, Malaysia, Mexico, Monaco, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Philippines, Portugal, San Marino, Saudi Arabia, Senegal, Somali Democratic Republic, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Tonga, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, People's Democratic Republic of Yemen, and Zambia; Observers from the Governments of Burma, Colombia, Czechoslovakia, Guyana, Khmer Republic, Malta, Sierra Leone, Tanzania, Turkey, Viet-Nam, Yugoslavia and Zaire; and Observers of the Commission of the European Communities, the International Atomic Energy Agency, the International Bank for Reconstruction and Development, the International Labor Organization, the Intergovernmental Maritime Consultative Organization, the United Nations Educational Scientific and Cultural Organization, the International Oceanographic Commission, and the World Meteorological Organization participated in the Intergovernmental Conference. The Secretary-General of the United Nations was also represented at the Conference.

UNITED STATES DELEGATION

The Honorable Russell E. Train, Chairman, Council on Environmental Quality (Leader of Delegation).
 Mr. Christian A. Herter, Jr., Special Assistant to the Secretary of State for Environmental Affairs (Representative).
 Mr. William C. Salmon, Deputy Director, Office of Environmental Affairs, Department of State (Alternate Representative).

ADVISERS

Mr. A. Lowell Doud, Assistant Legal Adviser for Environment, Department of State.

Mr. Otho Eskin, Office of UN Political Affairs, Department of State.
Colonel Frank Fedele USAF, Office of Ocean Affairs, Department of Defense.

Mr. William J. Ford, Shipping Attaché, American Embassy, London.

Mr. Stuart P. French, Principal Assistant for International Security Affairs, Department of Defense.

Mr. Robert J. Lakey, Office of Merchant Marine Safety, United States Coast Guard.

Mr. J. Lankhorst, Office of the General Counsel, Corps of Engineers.

Mr. Terry L. Leitzell, Office of the Legal Adviser, Department of State.

Mr. Charles F. Lettow, Counsel, Council on Environmental Quality.

Mr. Robert J. McManus, Office of the General Counsel, Environmental Protection Agency.

Mr. Raymond Peck, Office of the General Counsel, Department of Commerce.

BACKGROUND

Early Development of the Convention

National concern for ocean pollution was cited by President Nixon in his April 1970¹ message on waste disposal to the Congress wherein he stated that he had directed the Council on Environmental Quality to develop a comprehensive study of ocean dumping. The Council's report of October 1970² noted that international cooperation is essential to the preservation of the oceans, and that the United States should take the initiative to achieve international cooperation in this area. In his environmental message to Congress of February 8, 1971,³ the President recommended domestic legislation which would ban unregulated ocean dumping and provide a permit system to be administered by the Environmental Protection Agency and instructed the Secretary of State, in coordination with the Council on Environmental Quality, to develop and pursue international initiatives directed toward this objective.

Preparations for the 1972 United Nations Conference on the Human Environment included the creation of several Intergovernmental Working Groups (IWG), one of which dealt with marine pollution. The IWG on Marine Pollution held its first meeting at London during June 1971. At this session, the United States tabled a draft convention on the regulation of the transportation of wastes for ocean dumping. A revised draft of the convention was considered at the second session of the IWG on Marine Pollution held at Ottawa, November 8-12, 1971. The draft articles produced were to serve as the core of a convention. As no further IWG meetings were scheduled, the Government of Iceland invited interested States to a meeting at Reykjavik in April 1972 to develop further the draft convention on ocean dumping. Agreement on a final text was not possible at this meeting, and it was agreed to forward the draft articles⁴ to the 1972

¹ Appendix A of CEQ's Ocean Dumping Report, "A National Policy", October 1970.

² Ibid.

³ Appendix F of CEQ's Annual Report of 1971.

⁴ Annex I of U.S. Department of State Environmental Impact Statement on Ocean Dumping Convention, No. EIS-AA-72-5377D.

United Nations Conference on the Human Environment for further consideration and appropriate action. In an effort to resolve the few remaining disagreements on the text of the convention prior to the Stockholm meeting, the United Kingdom hosted a technical meeting in late May 1972 which reported to the Stockholm Conference certain agreed alternative sections⁵ of the convention.

The Stockholm Conference recommended⁶ that governments refer the draft articles as developed at the April Reykjavik and the May London meetings to a Conference of Governments to be convened by the Government of the United Kingdom in consultation with the Secretary-General of the United Nations before November 1972 for further consideration with a view to opening the proposed convention for signature at a place to be decided by that Conference, preferably before the end of 1972. This conference of governments was held at London, October 30 to November 13. A text was adopted and submitted to governments with the recommendation that it be opened for signature beginning December 29, 1972.

Conference Activities

All governments that had been invited to the United Nations Conference at Stockholm were invited to participate in the London Conference. The meeting was scheduled for October 30 to November 10 and governments were asked to provide full powers for their representatives.

The Intergovernmental Conference on the Convention on the Dumping of Wastes at Sea, the title of the meeting, began at Lancaster House on October 30. Eighty countries participated and, in addition, 12 governments sent observers and 9 intergovernmental organizations sent representatives. The Secretary-General of the United Nations was also represented at the Conference.

As provided in the resolution of the Stockholm Conference, the working documents for this Conference consisted of the draft articles prepared at Reykjavik in April and the additional language developed at London in May. Simultaneous translation into English, French, Spanish, and Russian was available throughout the Conference.

The Conference began with a speech by Peter Walker, the UK Minister for Environment. Dr. Martin Holdgate of the UK Department of the Environment was nominated by Canada, and unanimously agreed, as Chairman of the Conference. Vice chairmen were elected: the first Vice Chairman, nominated by Argentina, was the Mexican Ambassador to London, Señor Don Vicente Sánchez Gavito; a second Vice Chairman was elected on the fourth day: Mr. N. N. Jha, leader of the Indian delegation; Dr. D. L. Simms, also of the UK Department of the Environment, served as Secretary-General. It was agreed that the Conference would make every effort to work on the basis of consensus and should it become necessary to vote, that a two-thirds majority would be required on substantive issues, with procedural questions requiring a simple majority. The question of a credentials committee, raised by Spain, was disposed of by the Secretary-General

⁵ Annex II, *Ibid.*

⁶ Stockholm Conference Recommendation 233.

of the conference, who stated that the United Kingdom had invited delegations and would resolve any questions regarding their authority to represent their respective governments. It was also agreed that the Conference would proceed through the articles in numerical order, dealing with the Preamble as a near-final item. It was also agreed that a Technical Working Group would be created to review the three annexes. The Drafting Committee was chaired by the delegate from Norway and composed of representatives of Canada, France, Indonesia, Kenya, Mexico, Spain, Tunisia, the USSR, United Kingdom, and the United States. It was understood that other issues could be dealt with by sub-groups appointed by the Chairman on an ad hoc basis.

Early in the conference, the delegation of the USSR submitted a formal statement noting the arbitrary exclusion of some States concerned with ocean dumping from this conference, and made particular note of the absence of the German Democratic Republic.

The Conference met each day during the period October 30 to November 12 with the exception of Saturday, November 4. Many sessions extended into the late evening hours. November 13 consisted of the ceremony of signing the Final Act (Appendix V contains the list of 61 signatories as of December 6, 1972).

RESULTS OF CONFERENCE

The product of the Conference is known as the Final Act which contains a resolution to the effect that the convention as prepared by the Conference should be opened for signature in depositary capitals for one year beginning December 29, 1972. Annexed to the Final Act is the text of the convention, a technical memorandum of agreement of the conference and a resolution of the conference on assistance for training of personnel, supplying of equipment and other measures of assistance.

Text of Convention

The Convention authorized the Government of the United Kingdom to collate any comments of a linguistic character before 10 December 1972 and in collaboration with France, Spain, and the USSR to prepare and distribute authoritative texts of the Convention in the four languages. In keeping with the recommendation of the Stockholm Conference, the Conference agreed that the Convention should be opened for signature for one year beginning December 29, 1972. The United Kingdom agreed to assume the task among the depositaries of coordinating various secretariat administrative duties until such time as a competent intergovernmental organization was selected by the parties to take over the secretariat duties for the Convention. Later portions of this report deal more specifically with various articles and paragraphs of the Convention.

Technical Memorandum of Agreement (Japanese Proposal)

The Technical Memorandum of Agreement briefly described below was agreed by the Conference specifically as a separate document and not as a part of the Convention. It was agreed that this document would be annexed to the Final Act.

In the preparatory work for this Convention, during the early discussions regarding the annexes, Japan made a specific plea that it be permitted to dump wastes containing small quantities (greater than trace amounts) of mercury and cadmium into the ocean in a carefully controlled manner. Japanese representatives explained that the quantities of mercury and cadmium in these wastes far exceeded quantities known to exist in normal harbor-dredged soils. They stated that this exception would be required for approximately five years during which time the industries responsible for the production of these inorganic wastes would be changing production processes which would mean that these wastes would no longer be produced. It was agreed at Reykjavik that this situation would be treated as a footnote to Annex I which would indicate that for five years such wastes containing small quantities of mercury and cadmium compounds could be dumped at sea in depths not less than 4,000 meters in such a way as not to harm the marine environment or seabed resources. At the Conference, the Russian delegate objected to inclusion of this footnote and, despite extensive negotiating efforts by the Japanese, it was not possible to reach agreement on treating this matter in any other manner within the Convention. The result was a Technical Memorandum of Agreement as an annex to the Final Act. The substance of the Memorandum was thoroughly discussed at the Conference and there was full agreement that the Government of Japan should be permitted to dispose of such wastes in the manner proposed for a period of five years.

Resolution Concerning Assistance

As a third annex to the Final Act, the Conference agreed to a resolution concerning assistance to parties to the Convention in the training of scientific and technical personnel, in supplying necessary equipment and facilities for research and monitoring, and in the disposal and treatment of wastes and other measures to prevent or mitigate pollution caused by dumping. This assistance to the parties requesting it would be done in collaboration with other appropriate international bodies and carried out within the countries concerned—all for the basic purpose of furthering the aims and objectives of the Convention.

The resolution grew out of discussions regarding a pledge parties to the Convention would make to promote within competent specialized agencies and other international bodies certain measures, in addition to the Convention, aimed at protecting the marine environment. These measures were to deal with pollution caused by oil and oily wastes, other noxious or hazardous cargo, radioactive materials and biological and chemical warfare agents. In negotiating the definition of dumping (Article III, 1b and c), the United States as well as other delegations, presented the view that this Convention should not overlap the pollution control aspects of IMCO conventions which dealt with the normal operations of vessels, nor should this Convention overlap with the expected scope of the Law of the Sea negotiations that would probably include the marine pollution aspects of seabed mineral resource development. To meet the objections of a number of delegations to completely omitting these other sources of marine pollution, it was agreed to include as Article XII the pledge to promote in the competent agencies and bodies appropriate measures to protect the marine environment from pollutants from a number of sources. In the midst

of this debate, the delegation of Ghana submitted an amendment proposing the establishment of an international compensation fund designed to assist requesting parties in developing the capability and in taking the measures to prevent or mitigate marine pollution caused by dumping. Further negotiation on the separate concept of the fund resulted in the resolution attached as Annex III to the Final Act.

RECOMMENDATION AND ASSESSMENT

In simple terms, the treaty requires each party to establish its own national system for controlling at its ports the shipment of wastes and other matter to sea for the purpose of dumping. Each party is expected to establish procedures required to implement the terms of the Convention to cover: (1) all vehicles loading in its territory; and (2) vehicles registered in its territory or flying its flag loading and transporting wastes for dumping from ports of non-party states. Annexes to this Convention include a list of prohibited substances, a list of substances requiring particular care and a prior special permit, and a list of provisions to be considered in issuing permits. Military vessels are exempt from the provisions of the treaty, and in emergency situations, parties may dump prohibited substances after following a sequence of consultative procedures with other parties.

A competent intergovernmental organization is to be selected to perform secretariat duties covered by the Convention. The parties agree to meet periodically for the purpose of maintaining annexes reflecting the most current technological judgment regarding substances and methods of ocean disposal. The Convention will come into force thirty days after fifteen instruments of ratification have been received. A meeting of the parties will be held within three months after entry into force.

Recommendation

It is strongly recommended that the United States Government ratify this Convention at the earliest possible date. The provisions of the treaty are consistent with those of our domestic legislation. One additional provision will be necessary: domestic legislation will need to be amended to specifically apply to American flag vessels loading and transporting wastes from ports of non-party countries for the purpose of dumping on the high seas.

It is expected that the other governments will move quickly to sign and ratify the Convention so that they may have a voice in the operation of the treaty to protect their interests in preserving the world's oceans.

The first action required of the United States after the Conference was, in cooperation with the other depositary governments, to formally open the treaty for signature on December 29. With appropriate ceremonies held in each depositary capital, twenty-nine countries⁷ for-

⁷ Signatories of the Convention on December 29, 1972 were: at *Washington*: Chad, Denmark, Finland, Italy, Lebanon, Liberia, Mexico, Norway, Panama, Portugal, Republic of China, Senegal, Sweden, Russia, United Kingdom, and United States; at *Mexico City*: Bolivia, Columbia, Canada, Costa Rica, Denmark, Finland, Haiti, Honduras, Italy, Mexico, Norway, Portugal, Sweden, Russia, United Kingdom, United States, and Uruguay; at *London*: Denmark, Finland, Iceland, Italy, Luxembourg, Mexico, Norway, Philippines, Portugal, Sweden, Russia, United Kingdom, and United States (January 1—Liberia, Nepal; January 2—Khmer Republic); at *Moscow*: Byelorussia, Denmark, Finland, Italy, Mexico, Norway, Poland, Sweden, Ukraine, Russia, United Kingdom, and United States.

mally signed the Convention on the first day. Several other governments indicated intention to sign in the near future.

Future Action

In addition to securing ratification, a number of efforts must be undertaken in the near future relating to our participation in the operation of this treaty. The treaty provides for the Government of the United Kingdom to call a meeting of the parties within four months after the deposit of the 15th instrument of ratification. In preparation for that meeting, the United States must establish its position regarding the designation of a competent, existing organization to be responsible for the secretariat duties of the Convention. At this first meeting, procedures will be initiated to detail the labyrinth of consultations that a party should follow when it desires to invoke the emergency dumping provision. Also at the first meeting, decisions will be made on various administrative arrangements, including the form and frequency of reporting to the organization certain information on national legislation, implementing regulations and the substances covered by special and general permits. This first meeting will also set out an agenda for involving appropriate scientific bodies in a program of continuous review and updating of the contents of the annexes.

Assessment

The regulation of ocean dumping offers at best the management of approximately 10% of the pollutants entering the world's ocean. This treaty is, therefore, a first step in the direction of international management of this common global resource. It is the first time a large number of governments on a worldwide basis have agreed to control their daily actions for the benefit of the world environment.

Additional steps will be needed to achieve more complete control of ocean pollution. These steps must take into account available alternatives for disposal of wastes including the practicability and potential impact on other parts of the environment of each alternative.

SUBSTANTIVE ISSUES OF NEGOTIATION

Scientific and Technical Issues (Article IV, Annexes I, II, and III)

The first draft of the Convention tabled by the United States at the June 1971 London meeting did not contain any annexes. At that meeting, several delegations expressed interest in including in the Convention the prohibition of some substances now known to be harmful and seldom, if ever, dumped at sea. Later that summer, the Oslo Convention was developed and it included a black list, a gray list, and a list of factors to be used in preparing criteria to govern the issuance of permits. By the April 1972 Reykjavik meeting, it was generally accepted that the Convention would have three similar annexes.

All nations at the Conference accepted the principle that the ocean dumping of certain extremely harmful wastes should be banned; paragraph 1(a) of Article IV provides for Annex I, which lists the banned substances (the black list). Other materials were deemed to require particular attention before dumping at sea was sanctioned by a permit; paragraph 1(b) of Article IV authorizes Annex II, which lists the substances subject to a special permit (the gray list). All other

matter may not be dumped without at least a general permit (see Article IV, 1(c)) granted with careful consideration given to all the factors set forth in Annex III (Article IV, 2).

Annex I

Annex I's "black list" contains seven banned substances or classes of substances. The first paragraph, "organohalogen compounds" encompasses diverse materials ranging from molecularly complex pesticides to relatively simple compounds, such as carbon tetrachloride and methyl chloride. Many of the organohalogen compounds have been shown to be biologically accumulative and to have toxic or mutagenic effects. Examples of such harmful substances are polyhalogenated biphenyls and pesticides such as DDT, endrin and toxaphene. Other substances, such as methyl chloride, are not now considered harmful in the marine environment. Paragraph 8 of Annex I was included to ensure that non-harmful substances do not fall within the broad ban of paragraph 1, or within the bans of other similarly broad classes in paragraphs 2 through 7.

"Mercury and mercury compounds", in paragraph 2, were included because of the possibility that even the inert compounds of mercury can be transformed by bacterial action into methyl mercury. Methyl mercury is biologically accumulative and can lead to human sensory disorders and also to genetic damage through chromosome breakage and disturbances in cell division mechanism.

Paragraph 3 incorporates cadmium and cadmium compounds, primarily because of some evidence that even low levels of cadmium could produce hypertension and cardiovascular disease in humans. Cadmium does not appear to be absorbed into living tissue at a high rate. In humans, the accumulation occurs in the kidneys and the liver. There is some evidence that cadmium chloride may be toxic at low levels to marine life.

Paragraph 4 deals with persistent plastics and other persistent synthetic materials such as plastic netting and plastic ropes. The paragraph includes in the black list only those persistent substances "which may float or may remain in suspension in the sea in such a manner as to interfere materially with fishing, navigation or other legitimate uses of the sea." The paragraph was inserted at the insistence of the Icelandic and Norwegian delegations, among others, because discarded plastic fish nets and ropes have fouled the rudders and screws of a number of vessels, particularly in the North Atlantic. Such fouling is especially dangerous for small single-screw ships such as fishing and research vessels.

Paragraph 5 includes certain oils, if such oils were taken on board for the purpose of dumping. While such oils are subject to paragraph 8's "harmlessness" exclusion, there is considerable danger that oil coating or ingestion may taint the flesh of fish and shellfish, rendering them unfit for human consumption, even if no toxic effects are apparent. Thus, paragraph 8 includes subparagraph (i) concerning the palatability of edible marine organisms.

Paragraph 6 places high-level radioactive wastes or other high-level radioactive matter on the list, as such matter is now or may hereafter be defined by the International Atomic Energy Agency (IAEA). The IAEA's definition must be in terms of the matter's unsuitability for

dumping at sea and must be based on public health, biological, and other grounds. The IAEA has not yet defined high-level radioactive wastes or other high-level radioactive matter, and as a result, the United States delegation submitted the following interpretative statement to the Conference:

"With reference to Item 6 on Annex I, the United States wishes to note that there is no internationally accepted definition of high-level radioactive wastes. The United States defines high-level radioactive wastes as aqueous wastes resulting from the operation of the first cycle solvent extraction system, or equivalent, and the concentrated wastes from subsequent extraction cycles, or equivalent, in a facility for re-processing irradiated reactor fuels. Until an internationally acceptable definition is negotiated under the auspices of the International Atomic Energy Agency, the United States plans to govern its activities on the basis of the definition stated herein."

One delegation (the USSR) initially opposed the designation of the IAEA as the body to define high-level wastes, probably because its membership does not include East Germany. There was, however, agreement that at present the IAEA is the competent international body in this area and, thus, this formulation is used in paragraph 6.

Paragraph 9 excludes from the annex wastes containing as trace contaminants materials listed in paragraphs 1 through 5 with specific examples given: dredged spoils and sewage sludges. Other examples might include building debris, garbage, and some industrial acid wastes. The report of the Technical Working Party of the Convention contains a description of "trace contaminants"; they do not occur in such amounts, or forms, that the dumping of them into the sea would cause significant undesirable effects, or create the possibility of harm associated with bio-accumulation of marine organisms (especially food species).

United States domestic ocean dumping legislation prohibits without exception the dumping of chemical and biological warfare agents and high-level radioactive wastes. Annex I includes those substances and several others. It will be necessary for the United States domestic regulations to exclude the granting of permits for the additional substances. In emergency situations under Article V, 2 a special permit can be given after certain procedures have been followed for any item on Annex I. However, due to current United States domestic ocean dumping law, an emergency exception could not be granted for chemical and biological warfare agents or high-level radioactive wastes.

Annex II

Materials listed on the "gray list" of Annex II require special permits, i.e. permission granted specifically on application in advance. Materials listed on Annex II in many cases can be dumped more safely in specially selected areas than in other sensitive locations, such as estuarine spawning and feeding grounds. Paragraph A of Annex II is taken from the Oslo Convention and requires special consideration of wastes containing significant amounts of four heavy metals and of cyanides, fluorides, pesticides not covered by Annex I, and organosilicon compounds. At the request of the United States, paragraph B adds four other heavy metals to the substances requiring special attention: beryllium, chromium, nickel, and vanadium.

Discussion under Annex I regarding high-level radioactive wastes prompted Spain to propose that Annex II include medium- and low-level radioactive wastes as requiring a special permit. The Conference accepted the concept that radioactive wastes (other than high-level wastes which are covered by Annex I) above some reasonable floor should be included in Annex II as requiring a special permit. Paragraph D was thus added to Annex II. The lack of internationally agreed definitions of low- and medium-level radioactive wastes led the Technical Working Group simply to refer generally to "radioactive wastes or other radioactive matter not included in Annex I" and to cite IAEA (in a manner similar to paragraph 6 in Annex I) as the source of recommendations on the "issue of permits for the dumping of this matter". The United States delegation understands the paragraph to mean that pertinent existing IAEA recommendations are to be taken into full account as to the method by which radioactive wastes and matter may be dumped, the areas in which dumping might best be carried out, and which wastes warrant coverage by special permit. In the future, the IAEA is expected after appropriate study, to make recommendations which deal specifically with the issuance of special permits for ocean dumping. The paragraph does not apply to radioactive wastes or matter which would not, under existing or future IAEA recommendations, be found to warrant special permits, but such wastes and matter would be covered by general permits. As the CEQ Ocean Dumping Report indicates, the United States does not now have particular needs for ocean dumping of radioactive materials. Nonetheless, experts from the United States have recently participated in IAEA efforts concerned with radioactive waste management and it is expected that United States experts will participate fully in the forthcoming IAEA activities called for by the Ocean Dumping Convention.

Annex III

Annex III, which lists provisions to be considered in establishing criteria governing the issue of all dumping permits, was the subject of considerable discussion in the Technical Working Group. A number of delegations advocated writing Annex III in a very detailed fashion to provide all nations, especially those with limited marine pollution expertise, with as much guidance as possible. Other delegations asserted that only general guides were necessary, that the Convention should not include a primitive marine pollution primer, and that generally accepted scientific considerations could be easily taken from standard reference texts. The technical committee chose to include in the annex a rather expansive list of items and examples.

Portugal was quite concerned that a proposed dumping site be studied carefully before a permit for dumping at that site was issued. Although several delegations noted that Annex III, part B covered this aspect, Article IV, 2 and subparagraph B, 9 of Annex III were inserted into the Convention's text and the annex to account for Portugal's concern.

A number of delegations were also interested in emphasizing the effect of dumping on fishery resources and other similar marine resources such as shellfish and seaweed. Subparagraph C, 2 was written

to emphasize the importance of considering these living resources before permitting any dumping.

In summation, the delegates to the Conference had relatively little difficulty in reaching agreement on the scientific and technical aspects of the Convention. Most delegations recognized that the annexes would soon require change as further information on the effects of certain pollutants became available, and that a scientific and technical group could best evaluate this information and propose changes to the annexes. With strong United States and Canadian support, Article XIV, 4(b) was included in the Convention to provide for scientific review of the annexes and for scientific assistance in resolving problems associated with disposal of troublesome wastes. As a further means of providing for rapid response to changing scientific knowledge, the Conference adopted Article XV, 2 which calls for rapid amendment procedures for the annexes. In the opinion of the United States delegation, these provisions should effectively complement the annexes to the Convention.

Emergency Exception (Article V, 2)

The working papers for the London Conference did not contain any mention of an emergency exception clause—a provision permitting the dumping of a “black listed” substance (Annex I) should extenuating circumstances justify such disposal under carefully controlled procedures. The Oslo Convention, however, does contain an emergency clause, i.e. in an emergency where land disposal poses unacceptable danger or damage, a party shall consult the Commission (secretariat for the Oslo Convention) and thereafter inform the Commission of the steps taken.

The United States delegation proposed that the Convention contain an exception clause, one that permitted each party to carefully review proposed dumpings of prohibited substances to ensure that due consideration could be given to all benefits, risks and effects of a particular disposal. The prohibited list was accepted by the United States delegation as representing the best knowledge today for all foreseeable situations involving the listed substances. New knowledge and unforeseen circumstances could present a situation where the best balanced judgment would favor ocean disposal of a prohibited substance under prescribed conditions.

After some debate, it was clear that the concept of an emergency clause—with proper safeguards—was acceptable to most delegations. The majority of the Conference clearly wished that the word “emergency” be predominant and did not want a second category of semi-emergency situations. The United States accepted this formulation with the understanding that situations would be covered by the clause which did not necessarily require immediate action. For the record, the United States stated:

“The United States understands that the word ‘emergency’ as used in Article V, 2(b) refers to situations requiring action with a marked degree of urgency, but is not limited in its application to circumstances requiring immediate action.”

The Conference also clearly wanted the Organization and, either through it or directly, other parties to be consulted before the emergency dumping took place. Consultation in this case implies more than

advising or informing; it includes at least a two-way exchange. It was agreed that such consulting could be done by telephone or telegram if time was very limited. It was accepted that the recommendations of the Organization should be followed to the extent practicable.

A great deal of time was spent on the conditions prerequisite to dumping Annex I substances. It was understood that "relating to" human health would include all those aspects of the environment which could affect the health of present or future generations. It was agreed that alternative means of disposal to ocean dumping should be within some bounds of reason regarding costs; the phrase "admitting no other feasible solution" was accepted as reflecting that agreement. However, concern was expressed several times that this economic criterion could be exploited beyond reason, making the Convention useless. The consultation with the Organization and with other parties was accepted as a practical means of limiting unreasonable use of this clause.

Paragraph 3 of Article V resulted from a proposal by the Canadian delegation that the emergency clause be the subject of a separate protocol. The paragraph offers each party the option of waiving its right under the emergency exception clause to grant special permits for the dumping of Annex I substances.

Jurisdiction (Articles VII, 1(c), and XIII)

The United States' objective was to obtain a jurisdictional base sufficient to control all or most ocean dumping while avoiding controversial Law of the Sea issues. The United States believed that control by States Party to the Convention over vessels loading in their ports and over their flag vessels would be sufficient to regulate almost all ocean dumping and that Law of the Sea problems could be avoided by limiting coastal States to their present rights of control under international law. However, although many other delegations also indicated a preference to avoid Law of the Sea issues, it became obvious after a few days of negotiations that the question of jurisdiction would raise these issues and would be contentious and controversial.

At the end of the first week of the Conference, Chairman Holdgate formed a small working group of 12 countries (later expanded to almost 35) to attempt to deal with the jurisdictional problems. The group met for three days under the chairmanship of Canadian Legal Adviser Alan Beesley. The working group discussed a full range of problems concerning coastal State controls that could be included in the Convention in addition to the port State and flag State regulations which all countries agreed were necessary. The proposals included coastal State pollution zones, coastal State control over dumping in the territorial sea and above the continental shelf, coastal State control over dumping only in the territorial sea and contiguous zone, and no coastal State control under the Convention.

At the end of the working group sessions, a group of 34 nations was formed, made up mostly of developing coastal States but also including others such as Canada, New Zealand, Iceland, Australia and Spain, which proposed a formulation allowing coastal State control over vessels under its jurisdiction and a savings clause formulation that was intended to preserve the positions of all parties with regard to future Law of the Sea negotiations. The package as proposed by the group of 34 was not acceptable to most of the developed nations

since it was slanted in favor of broad coastal control and was opposed by the Western Europeans, the United States, Japan, and the Soviet Union. The discussions in plenary continued intermittently during the entire second week of the Conference and it seemed possible at several points that the Conference might fail on this issue. The question finally was resolved late in the evening of the last day of substantive discussions.

The basic difference between the group of 34 and the developed nations centered on interpretations of the language of the article on jurisdiction and the savings clause. Canada indicated in one speech that it was determined that this Conference should be the first step toward the coastal State pollution controls which Canada hopes to achieve in the Law of the Sea Conference. Other members of the group of 34, in particular certain African States, indicated their desire to make even more definite progress in this Convention in favor of broad coastal State controls. Other States such as Indonesia, Spain, and certain Latin Americans, all of whom strongly favor broad coastal State jurisdiction in the negotiations leading to the Law of the Sea Conference, did not play a strong role in pushing these positions at the London meeting and actually worked for a solution which would not thereafter prejudice States' positions. Several landlocked States, the Western Europeans, the United States, the Soviet Union, and Japan preferred any formula that would not expand coastal State jurisdiction. Although the final agreed formulation is less specific than the United States would have preferred on the issue of coastal State control, the United States is adequately protected by the savings clause.

Military Exemption (Article VII, 4)

The working papers of the Conference contained three alternative clauses concerning the applicability of the Convention to naval vessels and military aircraft; the first two providing sovereign immunity and the third specifically exempting such vessels and aircraft.

Under a sovereign immunity clause the provisions of the international Convention would apply to all vessels, including all naval vessels and military aircraft. However, enforcement would be limited to the flag State; naval vessels and military aircraft would continue to enjoy their existing rights and privileges under international law of immunity from enforcement by other governments while on the high seas. If the United States Government did not enforce the full terms of the Convention on its own naval vessels and military aircraft, it would be in violation of the Convention.

Under an exemption clause, certain vessels and aircraft would be specifically excluded from the terms of the Convention and therefore expected to comply only with their flag State's regulations and, thus, subject to its enforcement. Under this clause, pollution control practices identical with those of the Convention could be maintained without subjecting U.S. naval vessels and military aircraft to international control or placing the United States Government in the position of violating the Convention if its naval vessels or military aircraft did not fully meet the terms of the Convention.

The first alternative in the working paper was a sovereign immunity clause which stated that nothing in the Convention would abridge the

sovereign immunity to which certain vessels are entitled under international law: immunity from enforcement, but subject to the terms of the Convention. This alternative, which was adopted at the Reykjavik meeting in April 1972 over United States objection, was modeled after identical language contained in the regional Oslo Ocean Dumping Convention.

The second alternative clause was developed at the Reykjavik meeting. The language in effect would subject public vessels used on government non-commercial service to the standards of the Convention by obliging each State party to adopt equivalent measures for such vessels and aircraft. Mexico and others opposed this clause and the United States reserved its position.

At the London meeting in May 1972, the United States sought an express military exemption clause—specific exclusion of military aircraft and naval vessels from all terms of the Convention. After extensive debate, the meeting unanimously adopted such an exemption clause, which became the third alternative for the Conference. This clause did require each party to adopt appropriate measures consistent with the objectives of the Convention.

Debate on this issue was among the least heated of any of the substantive issues in the Convention. The matter was discussed in plenary twice, and on each occasion, the interventions were minimal, brief, and void of polemics. During the first discussion, Spain supported the third alternative. Argentina made the point that by opposing military exemption, there was no intent to control or monitor military activities. Of the various views expressed, the balance was in favor of the second alternative; the United States, the United Kingdom, FRG, and Spain favored the third alternative. When the matter was discussed in plenary the second time, the USSR and Byelorussia supported the third alternative. After the United States delegation stated that it required an explicit military exemption clause, the Conference agreed to the third alternative.

The second sentence of the military exemption clause requires information from each party of the measures it adopts to cover its naval vessels and military aircraft exempted from the Convention. As United States domestic ocean dumping legislation does apply to such exempted vessels and aircraft, the United States delegation recommends that as early as possible after the United States deposits its instrument of ratification, a communication be addressed to the Organization forwarding a copy of Public Law 92-532, 23 October 1972 (Marine Protection, Research, and Sanctuaries Act of 1972), with a statement to the effect that such transmission is pursuant to the requirements of Article VII, 4 to the inform the Organization of the measures the United States has adopted with respect to exempted vessels and aircraft.

Accession (Article XVI and XVIII)

The United Kingdom proposed the "all-States" accession clause with Moscow, Washington and London as depositaries. Mexico was proposed as a fourth depositary and was accepted by consensus. The West German delegation stated that it would have preferred the Vienna formula but were willing to accept the "all-States", four depositary system.

CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING
OF WASTES AND OTHER MATTER

The Contracting Parties to this Convention,

Recognizing that the marine environment and the living organisms which it supports are of vital importance to humanity, and all people have an interest in assuring that it is so managed that its quality and resources are not impaired;

Recognizing that the capacity of the sea to assimilate wastes and render them harmless, and its ability to regenerate natural resources, is not unlimited;

Recognizing that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control to not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction;

Recalling Resolution 2749 (XXV) of the General Assembly of the United Nations on the principles governing the sea-bed and the ocean floor and the subsoil thereof, beyond the limits of national jurisdiction;

Noting that marine pollution originates in many sources, such as dumping and discharges through the atmosphere, rivers, estuaries, outfalls and pipelines, and that it is important that States use the best practicable means to prevent such pollution and develop products and processes which will reduce the amount of harmful wastes to be disposed of;

Being convinced that international action to control the pollution of the sea by dumping can and must be taken without delay but that this action should not preclude discussion of measures to control other sources of marine pollution as soon as possible; and

Wishing to improve protection of the marine environment by encouraging States with a common interest in particular geographical areas to enter into appropriate agreements supplementary to this Convention;

Have agreed as follows:

ARTICLE I

Contracting Parties shall individually and collectively promote the effective control of all sources of pollution of the marine environment, and pledge themselves especially to take all practicable steps to prevent the pollution of the sea by the dumping of waste and other matter that is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea.

ARTICLE II

Contracting Parties shall, as provided for in the following Articles, take effective measures individually, according to their scientific, technical and economic capabilities, and collectively, to prevent marine pollution caused by dumping and shall harmonize their policies in this regard.

ARTICLE III

For the purposes of this Convention:

1. (a) "Dumping" means:

(i) any deliberate disposal at sea of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea;

(ii) any deliberate disposal at sea of vessels, aircraft, platforms or other man-made structures at sea.

(b) "Dumping" does not include:

(i) the disposal at sea of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or structures;

(ii) placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this Convention.

(c) The disposal of wastes or other matter directly arising from, or related to the exploration, exploitation and associated off-shore processing of sea-bed mineral resources will not be covered by the provisions of this Convention.

2. "Vessels and aircraft" means waterborne or airborne craft of any type whatsoever. This expression includes air cushioned craft and floating craft, whether self-propelled or not.

3. "Sea" means all marine waters other than the internal waters of States.

4. "Wastes or other matter" means material and substance of any kind, form or description.

5. "Special permit" means permission granted specifically on application in advance and in accordance with Annex II and Annex III.

6. "General permit" means permission granted in advance and in accordance with Annex III.

7. "The Organisation" means the Organisation designated by the Contracting Parties in accordance with Article XIV(2).

ARTICLE IV

1. In accordance with the provisions of this Convention Contracting Parties shall prohibit the dumping of any wastes or other matter in whatever form or condition except as otherwise specified below:

(a) the dumping of wastes or other matter listed in Annex I is prohibited;

(b) the dumping of wastes or other matter listed in Annex II requires a prior special permit;

(c) the dumping of all other wastes or matter requires a prior general permit.

2. Any permit shall be issued only after careful consideration of all the factors set forth in Annex III, including prior studies of the characteristics of the dumping site, as set forth in Sections B and C of that Annex.

3. No provision of this Convention is to be interpreted as preventing a Contracting Party from prohibiting, insofar as that Party is concerned, the dumping of wastes or other matter not mentioned in Annex I. That Party shall notify such measures to the Organisation.

ARTICLE V

1. The provisions of Article IV shall not apply when it is necessary to secure the safety of human life or of vessels, aircraft, platforms or other man-made structures at sea in cases of *force majeure* caused by stress of weather, or in any case which constitutes a danger to human life or a real threat to vessels, aircraft, platforms or other man-made structures at sea, if dumping appears to be the only way of averting the threat and if there is every probability that the damage consequent upon such dumping will be less than would otherwise occur. Such dumping shall be so conducted as to minimise the likelihood of damage to human or marine life and shall be reported forthwith to the Organisation.

2. A Contracting Party may issue a special permit as an exception to Article IV(1)(a), in emergencies, posing unacceptable risk relating to human health and admitting no other feasible solution. Before doing so the Party shall consult any other country or countries that are likely to be affected and the Organisation which, after consulting other Parties, and international organisations as appropriate, shall in accordance with Article XIV promptly recommend to the Party the most appropriate procedures to adopt. The Party shall follow these recommendations to the maximum extent feasible consistent with the time within which action must be taken and with the general obligation to avoid damage to the marine environment and shall inform the Organisation of the action it takes. The Parties pledge themselves to assist one another in such situations.

3. Any Contracting Party may waive its rights under paragraph (2) at the time of, or subsequent to ratification of, or accession to this Convention.

ARTICLE VI

1. Each Contracting Party shall designate an appropriate authority or authorities to:

(a) issue special permits which shall be required prior to, and for, the dumping of matter listed in Annex II and in the circumstances provided for in Article V(2);

(b) issue general permits which shall be required prior to, and for, the dumping of all other matter;

(c) keep records of the nature and quantities of all matter permitted to be dumped and the location, time and method of dumping;

(d) monitor individually, or in collaboration with other Parties and competent International Organisations, the condition of the seas for the purposes of this Convention.

2. The appropriate authority or authorities of a Contracting Party shall issue prior special or general permits in accordance with paragraph (1) in respect of matter intended for dumping:

(a) loaded in its territory;

(b) loaded by a vessel or aircraft registered in its territory or flying its flag, when the loading occurs in the territory of a State not party to this Convention.

3. In issuing permits under sub-paragraphs (1) (a) and (b) above, the appropriate authority or authorities shall comply with Annex III, together with such additional criteria, measures and requirements as they may consider relevant.

4. Each Contracting Party, directly or through a Secretariat established under a regional agreement, shall report to the Organisation, and where appropriate to other Parties, the information specified in sub-paragraphs (c) and (d) of paragraph (1) above, and the criteria, measures and requirements it adopts in accordance with paragraph (3) above. The procedure to be followed and the nature of such reports shall be agreed by the Parties in consultation.

ARTICLE VII

1. Each Contracting Party shall apply the measures required to implement the present Convention to all:

(a) vessels and aircraft registered in its territory or flying its flag;

(b) vessels and aircraft loading in its territory or territorial seas matter which is to be dumped;

(c) vessels and aircraft and fixed or floating platforms under its jurisdiction believed to be engaged in dumping.

2. Each Party shall take in its territory appropriate measures to prevent and punish conduct in contravention of the provisions of this Convention.

3. The Parties agree to co-operate in the development of procedures for the effective application of this Convention particularly on the high seas, including procedures for the reporting of vessels and aircraft observed dumping in contravention of the Convention.

4. This Convention shall not apply to those vessels and aircraft entitled to sovereign immunity under international law. However each Party shall ensure by the adoption of appropriate measures that such vessels and aircraft owned or operated by it act in a manner consistent with the object and purpose of this Convention, and shall inform the Organisation accordingly.

5. Nothing in this Convention shall affect the right of each Party to adopt other measures, in accordance with the principles of international law, to prevent dumping at sea.

ARTICLE VIII

In order to further the objectives of this Convention, the Contracting Parties with common interests to protect in the marine environment in a given geographical area shall endeavour, taking into account characteristic regional features, to enter into regional agreements consistent with this Convention for the prevention of pollution, espe-

cially by dumping. The Contracting Parties to the present Convention shall endeavour to act consistently with the objectives and provisions of such regional agreements, which shall be notified to them by the Organisation. Contracting Parties shall seek to co-operate with the Parties to regional agreements in order to develop harmonized procedures to be followed by Contracting Parties to the different conventions concerned. Special attention shall be given to co-operation in the field of monitoring and scientific research.

ARTICLE IX

The Contracting Parties shall promote, through collaboration within the Organisation and other international bodies, support for those Parties which request it for :

- (a) the training of scientific and technical personnel;
 - (b) the supply of necessary equipment and facilities for research and monitoring;
 - (c) the disposal and treatment of waste and other measures to prevent or mitigate pollution caused by dumping;
- preferably within the countries concerned, so furthering the aims and purposes of this Convention.

ARTICLE X

In accordance with the principles of international law regarding State responsibility for damage to the environment of other States or to any other area of the environment, caused by dumping of wastes and other matter of all kinds, the Contracting Parties undertake to develop procedures for the assessment of liability and the settlement of disputes regarding dumping.

ARTICLE XI

The Contracting Parties shall at their first consultative meeting consider procedures for the settlement of disputes concerning the interpretation and application of this Convention.

ARTICLE XII

The Contracting Parties pledge themselves to promote, within the competent specialised agencies and other international bodies, measures to protect the marine environment against pollution caused by :

- (a) hydrocarbons, including oil, and their wastes;
- (b) other noxious or hazardous matter transported by vessels for purposes other than dumping;
- (c) wastes generated in the course of operation of vessels, aircraft, platforms and other man-made structures at sea;
- (d) radio-active pollutants from all sources, including vessels;
- (e) agents of chemical and biological warfare;
- (f) wastes or other matter directly arising from, or related to the exploration, exploitation and associated off-shore processing of sea-bed mineral resources.

The Parties will also promote, within the appropriate international organisation, the codification of signals to be used by vessels engaged in dumping.

ARTICLE XIII

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. The Contracting Parties agree to consult at a meeting to be convened by the Organisation after the Law of the Sea Conference, and in any case not later than 1976, with a view to defining the nature and extent of the right and the responsibility of a coastal State to apply the Convention in a zone adjacent to its coast.

ARTICLE XIV

1. The Government of the United Kingdom of Great Britain and Northern Ireland as a depositary shall call a meeting of the Contracting Parties not later than three months after the entry into force of this Convention to decide on organisational matters.

2. The Contracting Parties shall designate a competent Organisation existing at the time of that meeting to be responsible for Secretariat duties in relation to this Convention. Any Party to this Convention not being a member of this Organisation shall make an appropriate contribution to the expenses incurred by the Organisation in performing these duties.

3. The Secretariat duties of the Organisation shall include:

(a) the convening of consultative meetings of the Contracting Parties not less frequently than once every two years and of special meetings of the Parties at any time on the request of two-thirds of the Parties;

(b) preparing and assisting, in consultation with the Contracting Parties and appropriate International Organisations, in the development and implementation of procedures referred to in subparagraph (4) (e) of this Article;

(c) considering enquiries by, and information from the Contracting Parties, consulting with them and with the appropriate International Organisations, and providing recommendations to the Parties on questions related to, but not specifically covered by the Convention;

(d) conveying to the Parties concerned all notifications received by the Organisation in accordance with Articles IV(3), V (1) and (2), VI(4), XV, XX and XXI.

Prior to the designation of the Organisation these functions shall, as necessary, be performed by the depositary, who for this purpose shall be the Government of the United Kingdom of Great Britain and Northern Ireland.

4. Consultative or special meetings of the Contracting Parties shall keep under continuing review the implementation of this Convention and may, *inter alia*:

(a) review and adopt amendments to this Convention and its Annexes in accordance with Article XV;

(b) invite the appropriate scientific body or bodies to collaborate with and to advise the Parties or the Organisation on any scientific or technical aspect relevant to this Convention, including particularly the content of the Annexes;

(c) receive and consider reports made pursuant to Article VI (4);

(d) promote co-operation with and between regional organisations concerned with the prevention of marine pollution;

(e) develop or adopt, in consultation with appropriate International Organisations, procedures referred to in Article V(2), including basic criteria for determining exceptional and emergency situations, and procedures for consultative advice and the safe disposal of matter in such circumstances, including the designation of appropriate dumping areas, and recommend accordingly;

(f) consider any additional action that may be required.

5. The Contracting Parties at their first consultative meeting shall establish rules of procedure as necessary.

ARTICLE XV

1. (a) At meetings of the Contracting Parties called in accordance with Article XIV amendments to this Convention may be adopted by a two-thirds majority of those present. An amendment shall enter into force for the Parties which have accepted it on the sixtieth day after two-thirds of the Parties shall have deposited an instrument of acceptance of the amendment with the Organisation. Thereafter the amendment shall enter into force for any other Party 30 days after that Party deposits its instrument of acceptance of the amendment.

(b) The Organisation shall inform all Contracting Parties of any request made for a special meeting under Article XIV and of any amendments adopted at meetings of the Parties and of the date on which each such amendment enters into force for each Party.

2. Amendments to the Annexes will be based on scientific or technical considerations. Amendments to the Annexes approved by a two-thirds majority of those present at a meeting called in accordance with Article XIV shall enter into force for each Contracting Party immediately on notification of its acceptance to the Organisation and 100 days after approval by the meeting for all other Parties except for those which before the end of the 100 days make a declaration that they are not able to accept the amendment at that time. Parties should endeavour to signify their acceptance of an amendment to the Organisation as soon as possible after approval at a meeting. A Party may at any time substitute an acceptance for a previous declaration of objection and the amendment previously objected to shall thereupon enter into force for that Party.

3. An acceptance or declaration of objection under this Article shall be made by the deposit of an instrument with the Organisation. The Organisation shall notify all Contracting Parties of the receipt of such instruments.

4. Prior to the designation of the Organisation, the Secretarial functions herein attributed to it, shall be performed temporarily by the Government of the United Kingdom of Great Britain and Northern Ireland, as one of the depositaries of this Convention.

ARTICLE XVI

This Convention shall be open for signature by any State at London, Mexico City, Moscow and Washington from 29 December 1972 until 31 December 1973.

ARTICLE XVII

This Convention shall be subject to ratification. The instruments of ratification shall be deposited with the Governments of Mexico, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

ARTICLE XVIII

After 31 December 1973, this Convention shall be open for accession by any State. The instruments of accession shall be deposited with the Governments of Mexico, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

ARTICLE XIX

1. This Convention shall enter into force on the thirtieth day following the date of deposit of the fifteenth instrument of ratification or accession.

2. For each Contracting Party ratifying or acceding to the Convention after the deposit of the fifteenth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such Party of its instrument of ratification or accession.

ARTICLE XX

The depositaries shall inform Contracting Parties:

(a) of signatures to this Convention and of the deposit of instruments of ratification, accession or withdrawal, in accordance with Articles XVI, XVII, XVIII and XXI, and

(b) of the date on which this Convention will enter into force, in accordance with Article XIX.

ARTICLE XXI

Any Contracting Party may withdraw from this Convention by giving six months' notice in writing to a depositary, which shall promptly inform all Parties of such notice.

ARTICLE XXII

The original of this Convention of which the English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Governments of Mexico, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America who shall send certified copies thereof to all States.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorised thereto by their respective Governments have signed the present Convention.

DONE in quadruplicate at London, Mexico City, Moscow and Washington, this twenty-ninth day of December, 1972.

ANNEXES

ANNEX I

1. Organohalogen compounds.
2. Mercury and mercury compounds.
3. Cadmium and cadmium compounds.
4. Persistent plastics and other persistent synthetic materials, for example, netting and ropes, which may float or may remain in suspension in the sea in such a manner as to interfere materially with fishing, navigation or other legitimate uses of the sea.
5. Crude oil, fuel oil, heavy diesel oil, and lubricating oils, hydraulic fluids, and any mixtures containing any of these, taken on board for the purpose of dumping.
6. High-level radio-active wastes or other high-level radio-active matter, defined on public health, biological or other grounds, by the competent international body in this field, at present the International Atomic Energy Agency, as unsuitable for dumping at sea.
7. Materials in whatever form (e.g. solids, liquids, semi-liquids, gases or in a living state) produced for biological and chemical warfare.
8. The preceding paragraphs of this Annex do not apply to substances which are rapidly rendered harmless by physical, chemical or biological processes in the sea provided they do not:
 - (i) make edible marine organisms unpalatable, or
 - (ii) endanger human health or that of domestic animals.The consultative procedure provided for under Article XIV should be followed by a Party if there is doubt about the harmlessness of the substance.
9. This Annex does not apply to wastes or other materials (e.g. sewage sludges and dredged spoils) containing the matters referred to in paragraphs 1-5 above as trace contaminants. Such wastes shall be subject to the provisions of Annexes II and III as appropriate.

ANNEX II

The following substances and materials requiring special care are listed for the purposes of Article VI(1)(a).

A. Wastes containing significant amounts of the matters listed below:

arsenic	} and their compounds
lead	
copper	
zinc	

organosilicon compounds

cyanides

fluorides

pesticides and their by-products not covered in Annex I.

B. In the issue of permits for the dumping of large quantities of acids and alkalis, consideration shall be given to the possible presence in such wastes of the substances listed in paragraph A and to the following additional substances:

beryllium

chromium and their compounds

nickel

vanadium

C. Containers, scrap metal and other bulky wastes liable to sink to the sea bottom which may present a serious obstacle to fishing or navigation.

D. Radio-active wastes or other radio-active matter not included in Annex I. In the issue of permits for the dumping of this matter, the Contracting Parties should take full account of the recommendations of the competent international body in this field, at present the International Atomic Energy Agency.

ANNEX III

Provisions to be considered in establishing criteria governing the issue of permits for the dumping of matter at sea, taking into account Article IV (2), include:

A. Characteristics and composition of the matter

1. Total amount and average composition of matter dumped (e.g. per year).

2. Form, e.g. solid, sludge, liquid, or gaseous.

3. Properties: physical (e.g. solubility and density), chemical and biochemical (e.g. oxygen demand, nutrients) and biological (e.g. presence of viruses, bacteria, yeasts, parasites).

4. Toxicity.

5. Persistence: physical, chemical and biological.

6. Accumulation and biotransformation in biological materials or sediments.

7. Susceptibility to physical, chemical and biochemical changes and interaction in the aquatic environment with other dissolved organic and inorganic materials.

8. Probability of production of taints or other changes reducing marketability of resources (fish, shellfish, etc.).

B. Characteristics of dumping site and method of deposit

1. Location (e.g. co-ordinates of the dumping area, depth and distance from the coast), location in relation to other areas (e.g. amenity areas, spawning, nursery and fishing areas and exploitable resources).

2. Rate of disposal per specific period (e.g. quantity per day, per week, per month).

3. Methods of packaging and containment, if any.
4. Initial dilution achieved by proposed method of release.
5. Dispersal characteristics (e.g. effects of currents, tides and wind on horizontal transport and vertical mixing).
6. Water characteristics (e.g. temperature, pH, salinity, stratification, oxygen indices of pollution—dissolved oxygen (DO), chemical oxygen demand (COD), biochemical oxygen demand (BOD)—nitrogen present in organic and mineral form including ammonia, suspended matter, other nutrients and productivity).
7. Bottom characteristics (e.g. topography, geochemical and geological characteristics and biological productivity).
8. Existence and effects of other dumpings which have been made in the dumping area (e.g. heavy metal background reading and organic carbon content).
9. In issuing a permit for dumping, contracting Parties should consider whether an adequate scientific basis exists for assessing the consequences of such dumping, as outlined in this Annex, taking into account seasonal variations.

C. General considerations and conditions

1. Possible effects on amenities (e.g. presence of floating or stranded material, turbidity, objectionable odour, discolouration and foaming).
2. Possible effects on marine life, fish and shellfish culture, fish stocks and fisheries, seaweed harvesting and culture.
3. Possible effects on other uses of the sea (e.g. impairment of water quality for industrial use, underwater corrosion of structures, interference with ship operations from floating materials, interference with fishing or navigation through deposit of waste or solid objects on the sea floor and protection of areas of special importance for scientific or conservation purposes).
4. The practical availability of alternative land-based methods of treatment, disposal or elimination, or of treatment to render the matter less harmful for dumping at sea.

APPENDIX II

TECHNICAL MEMORANDUM OF AGREEMENT OF THE CONFERENCE

(Annex 2 of Final Act)

The Conference agreed, on the advice of the Technical Working Party, that for a period of five years from the date when the present Convention comes into effect, wastes containing small quantities of inorganic compounds of mercury and cadmium, solidified by integration into concrete, may be approximately classified as wastes containing these substances as trace contaminants as mentioned in paragraph 9 of Annex I to the Convention but in these circumstances such wastes may be dumped only in depths of not less than 3,500 metres in conditions which would cause no harm to the marine environment and its living resources. When the Convention comes into effect, this method of disposal, which will be used for not longer than five years, will be subject to the relevant provisions of Article XIV 4.

APPENDIX III

RESOLUTION OF THE INTERGOVERNMENTAL CONFERENCE ON THE CONVENTION ON THE DUMPING OF WASTES AT SEA ON ASSISTANCE IN ACCORDANCE WITH ARTICLE IX

(Annex 3 of Final Act)

The participants at this Conference *having agreed* to promote support for scientific and technical co-operation in the prevention and control of marine pollution caused by dumping and having *noted* the need to assist Contracting Parties who may request support for this purpose in accordance with Article IX of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, *requests* the Secretary-General of the United Nations to report this resolution to the appropriate bodies for early consideration.

APPENDIX IV

GOVERNMENTAL STATEMENTS FOR THE RECORD¹*Argentina*

The Argentine Delegation stated that, in agreement with the view maintained by other delegations and the recommendation of the Chairman, which the Conference accepted, it did not consider it necessary at the present time to add anything more to what had already been said by that Delegation during the discussion of each article of the draft, in regard to which the provisions of the Convention affirmed the right of coastal states to exercise their respective jurisdictions in the areas adjacent to their coasts.

Australia and New Zealand

It is the understanding of the delegations of Australia and New Zealand that this Convention in no way detracts from the rights of a coastal state to take action in areas under its jurisdiction and in particular from the right of a coastal state to take action for the purpose of protecting the resources of its continental shelf.

Bangladesh

The Final Act of the Conference is being signed by the Bangladesh Delegation without any commitment of the Government of the People's Republic of Bangladesh to the signing of the Convention which is still under consideration of the said Government.

Belgium, France, Federal Republic of Germany, Italy and Monaco

The delegations of the Federal Republic of Germany, Belgium, France, Italy and Monaco consider that in the present state of International Law and in view of work in progress in this field, certain provisions of the Convention cannot be interpreted as conferring on a coastal State rights of control over acts of immersion beyond the limits generally accepted under International Law.

They also consider that the present Convention cannot be interpreted as modifying in any way whatsoever the present position of International Law on the question of responsibility.

¹ All statements except that by the Government of the United Kingdom were made at or shortly after the Conference. The United Kingdom statement was made on December 29, 1972 in connection with its signing of the Convention.

Brazil

The Brazilian Delegation interprets Article VIII 1(c) as giving each State the right and responsibility to apply the measures required to implement the present Convention to all vessels, aircraft and the platforms under its jurisdiction believed to be engaged in dumping and that such vessels, aircraft and platforms are under the sole jurisdiction of that State for the purposes of this Convention, and that as a consequence the national authority or authorities referred to in Article VI may not issue permits for dumping in waters under the national jurisdiction of another State.

Byelorussian Soviet Socialist Republic

1. Areas, under the jurisdiction of a coastal state, as applied to this Convention, are considered by us to be the areas which include territorial sea, as well as continental shelf, where a coastal state exercises its jurisdiction in accordance with the Geneva Conventions of 1958.

2. The insertion into the Convention of Article V, paragraph 2, of the so-called *force majeure* clause is unwarranted since no definition of this term was produced at the Conference, neither were there any clear-cut criteria worked out giving sufficient reason for a declaration of such a situation. This, together with the absence of co-ordinated procedures for action in such circumstances, including monitoring, makes it possible for contracting parties to this Convention to declare at their own discretion, a state of emergency which is not always justifiable, and which may lead to substantial pollution of the marine environment with substances listed in Annex I.

Cameroon

The delegate of the Cameroon made an interpretative statement on Article XIII.

Chile

The Chilean Delegation stated during the Conference that coastal States could and should exercise authority in areas of the sea adjacent to their territorial waters to effectively prevent all pollution which could damage the land or marine environment under their exclusive or sovereign jurisdiction. This right is now specifically contained in Article VII of the Convention on the Dumping of the Wastes at Sea, whose number 1(c) assigns to each State responsibility for its application to all vessels, aircraft and platforms under its jurisdiction, and whose number 5 states that nothing in this Convention shall affect the right of each party to adopt other measures to prevent dumping at sea.

Greece

The understanding of the Greek Delegation in respect of the negotiations and compromise on Article (VII, 1(c)) is that:

1. Article (VII, 1(c)) was negotiated as a package with Article XIII and the former should be only read subject to the provisions of the latter;

2. The words "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" in Article XIII have been chosen as a neutral expression and each Contracting Party reserved its position in respect of the precise way it understands this expression.

Iceland

From the outset of this Conference the Icelandic Delegation has presented the view, that nothing in the Convention on Dumping should prejudice the work of the coming Law of the Sea Conference. In view of the different statements presented here today however, the Icelandic Government reserves its right to make a declaration, if considered appropriate, at the time of the ratification of this Convention.

India

The repetition of the obvious by certain delegations compels my delegation to reaffirm here that, consistent with the aims and purposes of this Convention, nothing in it prevents any government from exercising its attribution of sovereignty in keeping with its national interests.

The question of acceding to the Convention will be examined in the normal manner, within my government and affixing my signature to the Final Act does not, in any way, commit my government in any manner.

I would be grateful if this is reflected in the record of the Conference.

Korea

1. The Korean Delegation wishes to state that, without prejudicing the principle of sovereign immunity under international law, non-military vessels owned or operated by a party should be subject to the requirements under Article VII.

2. The Korean Delegation reserves its position on Article VIII as it believes that due considerations should be given to different economic, scientific and technological capabilities of countries in the region concerned.

3. Regarding Articles XVI and XVIII, the Korean Delegation wishes to state its position that the signing of the Final Act by them does not mean or imply recognition of any state or regime which the Government of the Republic of Korea has not recognized officially and expressly.

Norway

I listened with great interest to the statement made by the distinguished delegate of France on behalf also of several other delegations. With a view to avoiding any possible misunderstanding which might arise from silence I would like to make a brief interpretative statement. And that statement, Mr. Chairman, is that in the view of my delegation nothing in the draft Convention which is the outcome of this Conference alters in any way the situation under existing international law as far as the extent of coastal state jurisdiction is concerned.

The delegates from Sweden and Denmark wished to be associated with the statement of the delegate of Norway.

Senegal

The Senegalese Delegation interprets Article VII, 1(c) as conferring on each coastal State (and on that State only) the right and the responsibility of applying the measures called for in the present Convention to all ships, aircraft and fixed or floating platforms that are located within its area of jurisdiction.

Spain

The Spanish Delegation considers that the term "jurisdiction" has been used in the Convention in a neutral and objective sense, and consequently does not prejudice in any way the position of its Government on the concept of jurisdiction or the scope of it.

Ukrainian Soviet Socialist Republic

1. Areas, under the jurisdiction of a coastal state, as applied to this Convention, are considered by us to be the areas which include territorial sea, as well as continental shelf, where a coastal state exercises its jurisdiction in accordance with the Geneva Conventions of 1958.

2. The insertion into the Convention of Article V, paragraph 2, of the so-called *force majeure* clause is unwarranted since no definition of this term was produced at the Conference, neither were there any clear-cut criteria worked out giving sufficient reason for a declaration of such a situation. This, together with the absence of co-ordinated procedures for action in such circumstances, including monitoring, makes it possible for contracting parties to this Convention to declare at their own discretion, a state of emergency which is not always justifiable, and which may lead to substantial pollution of the marine environment with substances listed in Annex I.

Union of Soviet Socialist Republics

1. The Soviet Union consider the arbitrary exclusion of a number of States concerned from participation in the Conference, to be an act of discrimination with respect to such sovereign states and, in particular, with respect to the German Democratic Republic which has repeatedly declared its desire to take part on an equal basis in elaborating international measures on the prevention of the sea-pollution and in their subsequent implementation.

2. (1) Areas, under the jurisdiction of a coastal state, as applied to this Convention, are considered by us to be the areas which include territorial sea, as well as continental shelf, where a coastal state exercises its jurisdiction in accordance with the Geneva Convention of 1958.

(2) The insertion into the Convention of Article V, paragraph 2, of the so-called *force majeure* clause is unwarranted since no definition of this term was produced at the Conference, neither were there any clear-cut criteria worked out giving sufficient reason for a declaration of such a situation. This, together with the absence of co-ordinated procedures for action in such circumstances, including monitoring, makes it possible for contracting parties to this Convention to declare at their own discretion, a state of emergency which is not always justifiable, and which may lead to substantial pollution of the marine environment with substances listed in Annex I.

*United Kingdom*²

The United Kingdom Government considers that in the light of existing international law and taking into account the work being prepared in this field, the provisions of the present Convention cannot be interpreted as recognizing any right in a coastal state to control dumping beyond that which it has under generally accepted principles of international law.

² Made on December 29, 1972 in connection with the signing of the Convention.

United States of America

The United States understands that the word "emergency" as used in Article V, 2 refers to situations requiring action with a marked degree of urgency, but is not limited in its application to circumstances requiring immediate action.

With reference to Item 6 of Annex I, the United States wishes to note that there is no internationally accepted definition of "high-level radioactive wastes". The United States defines high-level radioactive wastes as aqueous wastes resulting from the operation of the first cycle solvent extraction system, or equivalent, and the concentrated wastes from subsequent extraction cycles, or equivalent, in a facility for re-processing irradiated reactor fuels. Until an internationally acceptable definition is negotiated under the auspices of the International Atomic Energy Agency, the United States plans to govern its activities on the basis of the definition stated herein.

LIST OF SIGNATURES OF FINAL ACT AS AT DECEMBER 6, 1972

Afghanistan	Finland
Abdullah Habib Tarzi	Esko Rajakoski
Argentina	France
R. Gowland	Jean-Pierre Cabouat
Australia	The Gambia
Paul Eccles	B. O. Semega Janneh
Austria	Federal Republic of Germany
Albert Rohan	Dr. Breuer
Bahrain	Greece
W. Nimer	A. Chronopoulos
Bangladesh	Guatemala
Syed Abdus Sultan	R. Montes
Belgium	Haiti
J. van den Bosch	Louis Mars
M. Vancraeynest	Iceland
Brazil	Hjalmar R. Bardarson
Francisco de Assis Grieco	India
Byelorussian SSR	N. N. Jha
B. V. Kudryavtsev	Indonesia
Cameroon	Mochtar K.
P. T. Biloa	Iran
Canada	A. Farid
J. Alan Beesley	Ireland
Chile	T. Gorman
Jorge Berguno	Italy
Denmark	C. Calenda
Gunnar Seidenfaden	The Ivory Coast
Dominican Republic	Agoussi
Alfredo A. Ricart	Japan
Egypt	S. Takahashi
Sami Draz	Korea
El Salvador	Keun Park
A. Quinonez Meza	Kuwait
Fiji	B Al Awadi
K. R. Bain	

- Malaysia
 Zakaria M. Yatim
 Mexico
 Sanchez Gavito
 J. G. Fuentesvilla
 Monaco
 Falaize
 Morocco
 A. Srairi
 Nepal
 U. B. Basnyat
 Netherlands
 R. J. Van Schaik
 New Zealand
 Alan C. Doyle
 Norway
 Helge Vindenes
 Panama
 A. Bissot Jnr
 Paraguay
 N. A. Mallorquin
 Philippines
 Pablo A. Araque
 Jose M. Morales
 Portugal
 Jose Emilio Estiveira
 Senegal
 M. Baye
 South Africa
 P. A. Grobbelaar
- Spain
 Rafael Pastor
 Sri Lanka
 S.C.A. Nanayakkara
 Sweden
 Arne Engstrom
 Switzerland
 Roger Bar
 Trinidad and Tobago
 Premchand J. Dass
 Tunisia
 S. Ettaba
 Ukrainian SSR
 N. Skrypnik
 United Kingdom of Great
 Britain and Northern Ireland
 Martin Holdgate; H. A.
 Cole
 USSR
 S. S. Khodkin
 United States of America
 William C. Salmon
 Uruguay
 R. Nitrosso
 Venezuela
 Carlos Perez de la Cova
 G. Altuve Williams
 People's Democratic
 Republic of Yemen
 A. K. Mohammed