

No. 26842. CONVENTION FOR THE PREVENTION OF MARINE POLLUTION FROM LAND-BASED SOURCES. CONCLUDED AT PARIS ON 4 JUNE 1974<sup>1</sup>

PROTOCOL<sup>2</sup> AMENDING THE ABOVE-MENTIONED CONVENTION (WITH FINAL ACT). CONCLUDED AT PARIS ON 26 MARCH 1986

*Authentic texts: French and English.*

*Registered by France on 29 January 1990.*

The Contracting Parties to the Convention for the Prevention of Marine Pollution from Land-Based Sources, done at Paris on 4 June 1974<sup>1</sup> (hereinafter referred to as “the Convention”);

Recalling Article 1 of the Convention, in which Contracting Parties pledge themselves to take all possible steps to prevent pollution of the sea;

Recognizing that the Convention does not contain provisions referring to the prevention of pollution of the maritime area through the atmosphere;

Desiring to extend the scope of the Convention to such pollution;

Have agreed as follows:

*Article I*

The following clause shall be inserted in Article 3 of the Convention after iii of sub-paragraph c:

“iv. by emissions into the atmosphere from land or from man-made structures as defined in sub-paragraph iii above.”

*Article II*

The first sentence of Article 4, paragraph 3, shall be amended by inserting the words “and emissions into the atmosphere”, after the words “discharges into watercourses”.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1546, No. I-26842.

<sup>2</sup> Came into force on 1 September 1989, i.e., the first day of the second month following the date on which the last of the Contracting Parties to the Convention, on the date of the opening for signature of this Protocol, deposited its instrument of ratification, acceptance, approval or accession with the Government of France, in accordance with article VI (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification, approval (AA) or accession (a)</i>	
Belgium . . . . .	19 June	1989
Denmark . . . . .	22 June	1989 AA
European Economic Community . . . . .	9 February	1987 AA
Germany, Federal Republic of . . . . .	21 June	1989
Iceland . . . . .	26 August	1987
Ireland . . . . .	16 September	1988
Netherlands . . . . .	24 April	1987 a
Norway . . . . .	1 June	1988
Portugal . . . . .	25 July	1989
Spain . . . . .	20 January	1988
Sweden . . . . .	18 June	1988
United Kingdom of Great Britain and Northern Ireland . . . . .	14 October	1987

*Article III*

The following clause shall be inserted at the beginning of Article 16 *d* of the Convention: “to examine the feasibility of and, as appropriate,”.

*Article IV*

1. This Protocol shall be open for signature at Paris from March 26th, 1986, until June 30th, 1986, by the States which are Parties to the Convention on the date of the opening for signature of this Protocol, and by the European Economic Community.

2. This Protocol shall be subject to ratification, acceptance or approval.

*Article V*

After 30th of June 1986 this Protocol shall be open for accession by any State referred to in Article 24 of the Convention and by the European Economic Community.

*Article VI*

1. This Protocol shall enter into force on the first day of the second month following the date on which the last of the Contracting Parties referred to in Article IV of this Protocol has deposited its instrument of ratification, acceptance, approval or accession.

2. For any other State becoming Party to this Protocol after its entry into force, this Protocol shall enter into force on the first day of the second month following the date on which that State has deposited its instrument of accession.

3. Any State which becomes a Contracting Party to this Protocol without being a Contracting Party to the Convention shall be considered as a Contracting Party to the Convention as amended by this Protocol as of the date of entry into force of this Protocol for that State.

4. Any State which becomes a Contracting Party to the Convention after the entry into force of this Protocol shall be considered as a Contracting Party to the Convention as amended by this Protocol.

5. The instruments of ratification, acceptance, approval or accession shall be deposited with the Government of the French Republic.

*Article VII*

The Depository Government shall inform the Contracting Parties and those States referred to in Article 22 of the Convention of signatures of this Protocol, of the deposit of instruments of ratification, acceptance, approval or accession, made pursuant to Articles IV, V and VI, and of the date of entry into force of this Protocol.

*Article VIII*

The original of this Protocol, of which the English and French texts shall be equally authentic, shall be deposited with the Government of the French Republic.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective Governments, have signed this Protocol.

DONE in Paris, this March 26th, 1986.

[For the signatures, see p. 499 of this volume.]

Pour le Gouvernement du Royaume de Belgique :  
[For the Government of the Kingdom of Belgium:]<sup>1</sup>

[RITTVEGER DE MOOR]<sup>2</sup>

Pour le Gouvernement du Royaume de Danemark :  
[For the Government of the Kingdom of Denmark:]

[KLAUS DAHLGAARD]

Pour le Gouvernement du Royaume d'Espagne :  
[For the Government of the Kingdom of Spain:]

[CARMEN DE ANDRÉS CONDE]

Pour le Gouvernement de la République Française :  
[For the Government of the French Republic:]

[MICHEL DE BONNECORSE]

Pour le Gouvernement de la République Irlandaise :  
[For the Government of the Irish Republic:]

[THOMAS D. LYONS]

Pour le Gouvernement de la République Islandaise :  
[For the Government of the Icelandic Republic:]

[HARALDUR KRÖYER]

Pour le Gouvernement du Royaume de Norvège :  
[For the Government of the Kingdom of Norway:]

[JENS BREIVIK]

Pour le Gouvernement du Royaume des Pays-Bas :  
[For the Government of the Kingdom of the Netherlands:]

[VEGELIN VAN CLAERBERGEN]

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<sup>1</sup> Le texte entre crochets a été traduit par le Secrétariat de l'Organisation des Nations Unies — The text within brackets was translated by the Secretariat of the United Nations.

<sup>2</sup> Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par le Gouvernement français — Names of signatories appearing between brackets were not legible and have been supplied by the French Government.

Pour le Gouvernement de la République Portugaise :  
[For the Government of the Portuguese Republic:]

[LUIS GASPARD DA SILVA]

30 juin 1986

Pour le Gouvernement de la République Fédérale d'Allemagne :  
[For the Government of the Federal Republic of Germany:]

[FRANZ JOACHIM SCHOELLER]

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne  
et d'Irlande du Nord :

[For the Government of the United Kingdom of Great Britain  
and Northern Ireland:]

[PHILIP JOHN WESTON]

Pour le Gouvernement du Royaume de Suède :  
[For the Government of the Kingdom of Sweden:]

[CARL LIDBOM]

Pour la Communauté Economique Européenne :  
[For the European Economic Community:]

[VEGELIN VAN CLAERBERGEN]

30 juin 1986

Pour le Gouvernement d'Irlande :  
[For the Government of Ireland:]

[THOMAS D. LYONS]

27.06.86

## FINAL ACT

## I

Representatives of the Governments of Federal Republic of Germany, Belgium, Denmark, Spain, France, Ireland, Iceland, Norway, the Netherlands, Portugal, the United Kingdom of Great Britain and Northern Ireland, Sweden; representatives of the European Economic Community, the observer of Luxembourg participated, at the invitation of the French Government, in a Diplomatic Conference entrusted with completing the text of a Protocol amending the Convention for the Prevention of Marine Pollution from Land-Based Sources.

The Conference met at the Centre de Conférences Internationales, Paris, on March 26th, 1986.

Mr. de Bonnecorse, leader of the French Delegation, was elected Chairman.

Mr. Jonkheer Max Vegelin van Claerbergen, leader of the Netherlands Delegation, was elected Vice-Chairman.

As a result of its deliberations, the Conference adopted, a Protocol amending the Convention for the Prevention of Marine Pollution from Land-Based Sources, which is annexed to this Final Act.

So far as the signature or accession of the European Economic Community is concerned, the Conference took note that in the European Economic Community the necessary competence for implementing the Protocol may be vested either in its member States or in the Community itself, for whom it was to decide the attribution of such competences in accordance with its internal procedures.

Regarding this, the Conference took note of the declaration made by representatives of the Federal Republic of Germany, France, Ireland, the Kingdom of Belgium, Kingdom of Denmark, Kingdom of Spain, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland according to which they have signed the present Final Act and have signed or will sign the Protocol amending the Paris Convention of 1974 without prejudice to the competences that the European Economic Community has in the matters covered by this protocol.

The Conference took note of the declaration made by the representative of Denmark who stated that the local Governments of the Faeroe islands and of Greenland had not yet determined their final position on the amendment. Consequently, the Danish signature would be of a provisional nature as to the application of the Convention to the Faeroe islands and to Greenland.

## II

The Diplomatic Conference on the Protocol amending the Convention for the Prevention of Marine Pollution from Land-Based Sources

Resolves

To open the Protocol for signature from 26th of March 1986.

To authorize the Government of the French Republic to publish the Final Act and the text of this Protocol in its French and English versions.

IN WITNESS WHEREOF the following Representatives have signed this Final Act.

DONE at Paris this 26th day of March 1986 in a single original copy to each of the two working languages of the Conference to be deposited in the archives of the Government of the French Republic which shall transmit a certified copy thereof to all the other Governments and International Organisations and Institutions participating in the Conference.

*[For the signatures, see p. 503 of this volume.]*

Pour le Gouvernement du Royaume de Belgique :  
[For the Government of the Kingdom of Belgium:]<sup>1</sup>

[RITTWEGER DE MOOR]<sup>2</sup>

Pour le Gouvernement du Royaume de Danemark :  
[For the Government of the Kingdom of Denmark:]

[KLAUS DAHLGAARD]

Pour le Gouvernement du Royaume d'Espagne :  
[For the Government of the Kingdom of Spain:]

[CARMEN DE ANDRÉS CONDE]

Pour le Gouvernement de la République Française :  
[For the Government of the French Republic:]

[MICHEL DE BONNECORSE]

Pour le Gouvernement de la République Irlandaise :  
[For the Government of the Irish Republic:]

[THOMAS D. LYONS]

Pour le Gouvernement de la République Islandaise :  
[For the Government of the Icelandic Republic:]

[HARALDUR KRÖYER]

Pour le Gouvernement du Royaume de Norvège :  
[For the Government of the Kingdom of Norway:]

[JENS BREIVIK]

Pour le Gouvernement du Royaume des Pays-Bas :  
[For the Government of the Kingdom of the Netherlands:]

[VEGELIN VAN CLAERBERGEN]

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<sup>1</sup> Le texte entre crochets a été traduit par le Secrétariat de l'Organisation des Nations Unies — The text within brackets was translated by the Secretariat of the United Nations.

<sup>2</sup> Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par le Gouvernement français — Names of signatories appearing between brackets were not legible and have been supplied by the French Government.

Pour le Gouvernement de la République Portugaise :  
[For the Government of the Portuguese Republic:]

[MANUEL DOS SANTOS MOREIRA DE ANDRADE]

Sans pouvoirs et donc sans réserve<sup>1</sup>

Pour le Gouvernement de la République Fédérale d'Allemagne :  
[For the Government of the Federal Republic of Germany:]

[*Illisible — Illegible*]

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne  
et d'Irlande du Nord :  
[For the Government of the United Kingdom of Great Britain  
and Northern Ireland:]

[PHILIP JOHN WESTON]

Pour le Gouvernement du Royaume de Suède :  
[For the Kingdom of Sweden:]

[CARL LIDBOM]

Pour la Communauté Economique Européenne :  
[For the European Economic Community:]

[*Illisible — Illegible*]

Pour le Grand Duché de Luxembourg :  
[For the Grand Duchy of Luxembourg:]

[G. SAUTER]

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<sup>1</sup> Without powers and therefore subject to reservation.