

# **Declaration of the International Conference on the Protection of the North Sea**

The Ministers responsible for the protection of the North Sea of the Governments of  
the Kingdom of Belgium  
the Kingdom of Denmark  
the French Republic  
the Federal Republic of Germany  
the Kingdom of the Netherlands  
the Kingdom of Norway  
the Kingdom of Sweden  
the United Kingdom of Great Britain and Northern Ireland as well as  
the Member of the Commission of the European Communities  
responsible for environmental protection  
after careful preparation at the International Conference on the Protection of the North Sea in Bremen on 31  
October and 1 November 1984, have reached agreement on necessary measures for the protection of the  
North Sea. They agreed to take timely preventive measures to maintain the quality of the North Sea and to  
closely cooperate herein.  
To this end they have resolved the following conference results with a comprehensive and measures for the  
North Sea.  
Focal areas of joint action include:

## **1. Reduction of pollution from land-based sources with regard to contamination through rivers and coastal waters**

The Ministers affirmed their strong support for further binding regulations for black and grey list substances which should be adopted within the framework of the EEC, the Paris Commission and the River Commission concerned, if possible as early as 1985. In these regulations the prevention of pollution of sediments shall be taken into account. These regulations should refer to both new and existing installations. Furthermore, with regard to additional regulations which might prove to be necessary, potentially hazardous substances, in particular new synthetic organic compounds, are to be continually examined for deleterious effects on the North Sea.

The coastal states of the North Sea and the EEC(1), taking into account the working programme adopted in the Paris Commission relating to atmospheric inputs and proposals already submitted, will take a joint initiative in the Paris Commission that in 1985 an additional protocol to the Paris Convention, which relates to the prevention, reduction or elimination of marine pollution through the atmosphere, can be adopted; this joint initiative should cover, as far as necessary, the adoption of corresponding joint programmes and measures.

In the Paris Commission, in the River Commissions and in the EEC activities aiming at a phasing out of the use and discharge of polychlorinated biphenyls (PCB's) will be intensified without delay.

The Ministers jointly demand that wastes including sewage sludge, containing such amounts of substances which are or could be harmful to the marine environment will not be dumped into the North Sea.

They stress that increase attention is to be paid in particular to the protection of the Wadden Sea which is important for the whole North Sea.

## **2. Reduction of pollution at sea**

The Ministers will intensify their work towards the prevention of marine pollution due to the operation of ships. They will ensure that the system of reception facilities, in particular for residues and mixtures of oily and noxious liquid wastes which has already been established, will be comprehensive and they will introduce practicable procedures for their use; in addition, the coastal states of the North Sea will do their utmost in 1985 within the International Maritime Organization (IMO) that appropriate International regulations for harmful substances in packaged form and for garbage from ships (Annexes III and V of MARPOL 73/78) will enter into force as soon as possible. The Ministers will pursue the detection, prosecution and punishment of violations against anti-pollution regulations. They will ensure stringent controls on ships entering their ports in accordance with the Memorandum of Understanding on Port State Control.

With a view to a possible initiatives to declare the North Sea a special area, the riparian states of the North Sea will evaluate the effects of MARPOL 73/78 on the quality of the North Sea with the intention to decide upon this question at the next International Conference on the Protection of the North Sea at the latest. The same applies to the mandatory requirement for equipment on board ships and the availability of reception facilities.

The North Sea states request the IMO and other competent bodies to consider the development of a mandatory reporting system for ships, which due to the nature of their cargo pose a potentially grave and imminent threat of marine pollution, including ships carrying radioactive substances.

Cooperation in the long-range airborne surveillance of the North Sea will be strengthened. In order to take immediate and effective action, in particular against violations of anti-pollution regulations and in case of accidents, airborne surveillance equipment which can function even at night and in bad weather should be developed or improved.

Technical equipment used to explore and exploit petroleum in the North Sea (including transportation pipelines) should be constructed and operated in conformity with the best available technology.

Oil pollution from platforms will be prevented by application of the best available technology and subject to considerations of the guiding discharge values agreed to. A responsible person should be appointed on every platform to monitor the pollution prevention equipment.

### **3. Further development of the Joint Monitoring Programme**

The Ministers underline that it is urgent to make more coherent and to intensively develop the Joint Monitoring Programme of the Oslo and Paris Commission, and to examine in this connection the possibilities for the establishment of a joint International Environmental Data Base on the North Sea and the North East Atlantic.

The Ministers agree to hold a second International Conference on the Protection of the North Sea in the United Kingdom.

At this conference the implementation and effectiveness of the decisions taken in Bremen shall be reviewed and further concrete measures necessary for the maintenance of the quality of the North Sea shall be adopted.

Done at Bremen on November 1, 1984

### **Conclusions of the Conference**

The participants at the International Conference on the Protection of the North Sea held in Bremen on 31 October and 1 November 1984, the Ministers responsible for the protection of the North Sea of the Governments of the Kingdom of Belgium, the Kingdom of Denmark, the French Republic, the Federal Republic of Germany, the Kingdom of the Netherlands, the Kingdom of Norway, the Kingdom of Sweden and of the United Kingdom of Great Britain and Northern Ireland as well as the Member of the Commission of the European Communities responsible for environmental protection.

A 1 Aware that the North Sea, and in particular its natural resources contribute an important, irreplaceable environment;

A 2 Recognizing that the North Sea is bordered by densely populated and highly industrialized states and crossed by much frequented shipping routes;

A 3 Conscious that man can alter nature and endanger natural resources as a result of his activities, in particular through pollution and its consequences;

A 4 Convinced that special attention should therefore be given to the conservation of the North Sea as a vital ecosystem, including the Wadden Sea and other highly sensitive coastal areas, especially for the protection of spawning grounds and wild migratory bird species;

A 5 Conscious of the need to conserve for present and future generations this most important marine ecosystem for recreational purposes as well - in view of its importance for fisheries - as a source of wholesome food;

A 6 Recognizing that the environment is best protected against pollution through timely preventive measures;

A 7 Conscious that damage to the marine environment can be irreversible or remediable only at considerable expense and over long periods and that, therefore, coastal states and the EEC must not wait for proof of harmful effects before taking action;

A 8 Aware that the central and northern part of the North Sea on the whole do not seem to be considerably effected, but that pollution has in particular been determined in the estuaries and regions next to the coast, and convinced that many gaps in knowledge are yet to be filled by intensified monitoring and scientific research;

A 9 Aware that the inputs of pollutant loads to the North Sea mainly come from land-based sources via rivers, coastal waters and the atmosphere and that moreover pollutant inputs via direct discharges, dumping and the operation of ships may cause serious local damage to the North Sea;

A 10 Conscious that new synthetic substances the effects of which on the North Sea are hitherto undetermined continue to be discharged into the North Sea;

A 11 Concerned that the marine environment of the North Sea may be endangered to an increasing extent by the input of pollutants through various paths;

A 12 Conscious that the input of pollutants contained in suspended material and sediments into the North Sea via rivers and via dumping of dredged materials may cause damage to parts of the marine environment and therefore considering it important to take these transport routes and their ecological and economic impact into account;

A 13 Recognizing that pollution through rivers and coastal waters needs to be prevented or markedly reduced for the preservation or restoration of the marine environment of the North Sea;

A 14 Convinced that it is important to lay down early priorities in the competent international bodies for reduction measures (in particular setting emission and environmental quality standards) for substances which are or could be harmful to the marine environment;

A 15 Recognizing that considerable importance is to be attached to the maintenance of the quality of sediments;

A 16 Recognizing that the approaches according to uniform emission standards (UES) or according to environmental quality objectives (EQO) aim at the protection, conservation and improvement of the marine environment;

A 17 Aware that the licensing practices and the extent of monitoring of discharges in the coastal states vary;

A 18 Conscious that the contamination of the North Sea also comes via the atmosphere and that because of this there is a need for detailed knowledge concerning atmospheric inputs into the North Sea;

A 19 Aware of the necessity to eliminate intentional pollution from ships completely and noting that the International Maritime Organization (IMO) is the competent body for this international task;

A 20 Expecting that the International Convention for the Prevention of Pollution from Ships, 1973 and the Protocol of 1978 relating to this Convention (MARPOL 73/78) with its Annex I (oil) which entered into force on 2 October 1983 will have an increasing effect as regards the reduction of marine pollution from ships, and noting that these instruments provide the framework for the improvement of existing regulation, the aim being the elimination or further definitive reduction of marine pollution by ships;

A 21 Convinced of the necessity of a comprehensive system of reception facilities in particular for oily residues and mixtures, noxious liquid substances and garbage as well as of practicable and low-cost procedures to prevent pollution from ships;

A 22 Convinced that Annex II of MARPOL 73/78 needs to enter into force speedily and be applied effectively in order to eliminate pollution of the North Sea by noxious liquid substances carried in bulk;

A 23 Emphasizing that rapid accession to MARPOL 73/78 by as many countries as possible is a matter of urgency;

A 24 Conscious of the particular importance of measures for the prevention of marine pollution by harmful substances carried by sea in packaged forms and garbage from ships (Annexes III and V of MARPOL 73/78) for the protection of the North Sea;

A 25 Convinced that besides from the threat of severe penalties, effective detection, prosecution and punishment of violations of anti-pollution regulations are necessary to discourage potential polluters to pollute the environment;

A 25a Conscious that there are considerable risks in the North Sea of pollution caused by accidents which are due to heavy maritime traffic, especially in the narrow straits, and that, in the event of an accident or incident, a rapid exchange of relevant information can be of vital importance for the decisionmaking process in order to cope with the effects of the accident or incident;

A 26 Emphasizing that dumping as well as incineration at sea of wastes which are or could be harmful for the marine environment should be avoided for the protection of the North Sea;

A 27 Recalling the importance attached to the London Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter as well as additional provisions of the International Atomic Energy Agency with regard to radioactive wastes or other radioactive matter;

A 28 Conscious of the particular importance of airborne surveillance independent of visibility in the case of oil spills and for the detection of violations of the provisions on the prevention of marine pollution by ships;

A 29 Confirming the necessity of keeping oil discharges from platforms to a minimum in order to protect the marine environment;

A 30 Noting that requirements on the technical equipment on platforms represent an important instrument for the maintenance of the quality of the marine environment;

A 31 Affirming that the coastal states and the EEC have a common responsibility for the marine environment of the North Sea area and that there is a need for increased efforts to protect it and take care of it, preferably through preventive measures;

A 32 Recognizing the importance to be attached to scientific, technical and administrative cooperation for improved protection of the marine environment of the North Sea, and to co-ordinated action at international

level, in particular in the existing international Commissions and other bodies involved, when implementing the necessary measures;

A 33 Recalling the importance of the international agreements for the prevention of and dealing with marine pollution concluded in Oslo, Paris and Bonn as well as of other relevant agreements through which further considerable progress in the protection of the North Sea can be achieved;

A 34 Recognizing the efforts of the Council of Europe, the Committee on Water Problems of the United Nations Economic Commission for Europe, of international River Commissions, the Helsinki Commission, the United Nations Environment Programme and the United Nations International Maritime Organization, aimed at the protection of international waters;

A 35 Conscious of the particular need to ensure that marine transportation of radioactive substances and wastes is carried out in a safe way.

B Declare their firm determination

B 1 - to make every effort at national and international levels as well as at EEC level to protect the marine environment of the North Sea effectively and permanently, and for this purpose to prevent, reduce and control adverse effects on the marine environment which result or are likely to result from human activities,

B 2 - in view of the implement of parts of the North Sea and the possible impairment of the ecosystem of the North Sea as a whole, to continue the efforts made in the past few years at national and international levels as well as at EEC level in order to urgently further reduce existing contamination, in particular through rivers, coastal waters and the atmosphere and to prevent additional contamination or the risk of contamination and to pay increased attention in particular to the protection of the Wadden Sea which is of importance for the whole North Sea,

B 3 - to implement the existing international agreements for the protection of nature with a view to the conservation of the ecosystem of the North Sea - above all of the Wadden Sea and similar particularly sensitive coastal areas - without delay, and to make use of the instruments provided therein and intensively to continue existing cooperation for the protection of these areas,

B 4 - to set clear objectives to be met within specific timelimits, taking account of economic conditions, and to use efficient instruments to achieve them,

B 5 - to lay down emission and environmental quality standards for preserving or restoring the marine environment,

B 6 - to bring closer together the uniform emission standards and environmental quality objectives approaches,

B 7 - to prevent waste from production and consumption as far as possible or to at least reduce it, and where this is not practicable, to recycle unavoidable waste as far as possible; the disposal of wastes which cannot be recycled - should be in accordance with the best possible protection of the environment - in particular wastes which are or could be harmful to the marine environment and which cannot be recycled shall be disposed of on land in a controlled manner instead of discharged into the North Sea,

B 8 - to ensure that measures adopted by coastal states and the EEC to protect the North Sea are applied in such a way as to prevent the dumping in other seas of wastes including sewage sludges, which could do harm to the marine environment,

B 9 - to prevent or at least to reduce the input of hazardous substances into waste water as far as possible, and where this is not practicable, waste waters contaminated by such substances are to be treated, aiming at preventing or at least reducing, as far as possible, such discharges into the aquatic environment,

B 10 - to intensify research and development for the improvement of knowledge relating to forms of marine pollution and for enhancing water quality in the North Sea, for example with the aim of using new low or non-waste and low-emission or emission-free technologies and to exchange internationally the information thus obtained,

B 11 - to ensure that, with regard to the North Sea, information on licensing practices is exchanged and arrangements for monitoring discharges are compatible,

B 12 - to develop existing monitoring programmes in order to secure a coherent system indispensable to the protection of the North Sea,

B 13 - to analyze and assess likely effects of protects and measures on the marine environment in the earliest possible stage of decision-making processes in relation to programmes and plans as well as the permissibility of individual projects,

B 14 - to make highly effective use of the possibilities offered by international agreements on the prevention of marine pollution and to develop them to the extent required, as well as to strengthen existing co-operation to lasting effect in order to achieve co-ordinated implementation of the Oslo and Paris Conventions and the EEC environment programme,

B 15 - to take initiatives in international bodies to ensure that appropriate measures for the prevention of marine pollution are indicated and implemented as soon as possible, taking into account all economic and technical aspects,

B 16 - to review at regular intervals whether measures and programmes to maintain the quality of the marine environment of the North Sea adopted by the competent international bodies and implementing measures taken by national authorities in the coastal states that are members of those bodies, are

sufficiently effective and to take further decisions at political level, as appropriate, with regard to the prevention and further marked reduction of marine pollution,

B 17 - to call upon other States which use the North Sea or whose activities adversely affect the marine environment of the North Sea to accede to the relevant international agreements for protection of the marine environment, to implement the provisions thereof, to monitor compliance with these provisions and to take further necessary measures at national and international level as may be required,

B 18 - to use their best endeavours so as to make available appropriate financial means for the implementation in good time of the foregoing principles of environmental policy for the North Sea,

B 19 consider it necessary to make the results of this conference the basis of their environmental political action for the North Sea on the national level and within the EEC,

B 20 and resolve in order to bring about a comprehensive set of protective measures for the North Sea, to take the conclusions of this Conference as a basis for concerted action in the competent international bodies.

#### C Reduction of pollution of the North Sea through rivers and coastal waters - Specific measures concerning substances of the black and grey lists

C 1 In the framework of the EEC and the Paris Commission, when uniform emission standards are being set, mandatory regulations for black-list substances, in particular organohalogen compounds and heavy metals as well as for problematic grey-list heavy metals/metalloids in Annex (2) on the basis of the best technical means available will be adopted rapidly, if possible as early as 1985, and applied to new installations immediately and to existing installations as soon as possible, if necessary on a step-by-step basis. When environmental quality objectives are being used, best technical means available should be taken into account when new installations are constructed and its application to existing plants should be encouraged.

C 2 In the Paris Commission, in the River Commissions and in the EEC activities aiming at a phasing out of use and discharge of polychlorinated biphenyls (PCB's) will be intensified without delay.

C 3 In the Oslo and Paris Commission as well as in the EEC potentially hazardous black-list and grey-list substances including new compounds have to be examined more intensively in accordance with Annex (3), for new compounds above all with a view to their inclusion in the lists.

C 4 If necessary for the protection of the environment, restrictions - and, if required, bans - on marketing, use, production and disposal of specific hazardous substances should be laid down in the framework of the competent international organizations and within the EEC, the necessary technical and administrative measures should be taken and incentives be created as - appropriate.

C 5 The prevention of the pollution of sediments is to be taken into account to a greater extent when setting emission standards and quality standards in the EEC, the Oslo and Paris Commissions as well as in the River Commissions whose regulations may also have a bearing on the quality of the North Sea in accordance with Annex (4).

#### C 6 - Principles for the approaches: environmental quality objectives and uniform emission standards -

C 7 The North Sea coastal states and the Commission of the European Communities expect present studies, in the Framework of the competent bodies, in particular within the Paris Commission, on the comparability of the two approaches in respect to environmental quality objectives and uniform emission standards to bring results as soon as possible. Within the framework of the next conference, at the latest, political decisions should be considered on the simultaneous and/or complementary application of the two approaches on the basis of the results of the assessment of the scientific, economic and environmental data.

C 8 Emissions normally should be limited at source; emission standards should take into account the best technical means available and quality objectives should be fixed on the basis of the latest scientific data.

C 9 If the state of knowledge is insufficient, a strict limitation of emissions of pollutants at source should be imposed for safety reasons.

C 10 Emission standards and quality objectives should be reviewed periodically and appropriate time limits should be fixed for this.

C 11 with either approach adequate environmental monitoring is required. If it shows that the quality of the environment is insufficient, emission controls should be tightened or bans imposed.

#### C 12 - Radioactive discharges -

The North Sea coastal states declare their firm intention to respect the applicable recommendations of the competent International organisations and to this end to take account of the best available technology in order to reduce radioactive discharges coming from all of nuclear industries including reprocessing plants into the marine environment.

#### D Pollution of the North Sea through the atmosphere

D 1 The working programme adopted in the Paris Commission relating to atmospheric inputs, Annex (5), should be carried out as soon as possible.

D 2 The coastal states of the North Sea and the EEC, taking into account this working programme and proposals already submitted, will take joint initiative in the Paris Commission that in 1985 an additional protocol to the Paris Convention, which relates to the prevention, reduction or elimination of marine pollution

through the atmosphere can be adopted; this joint initiative should cover, as far as necessary, the adoption of corresponding joint programmes and measures.

D 3 Precautionary measures for air quality control by reduction of emissions at source should also be determined for the protection of the North Sea, based on the best available technology.

E Prevention of marine pollution due to the operation of ships

E 1 With reference to the requirement laid down in Annex I to MARPOL 73/78 to make available adequate facilities for the reception of oily residues and mixtures by 2nd October 1984, a comprehensive system of reception facilities should be established, and practicable and low-cost procedures for their use introduced in accordance with Annex (6 ).

E 2 With regard to noxious liquid substances in bulk, adequate facilities should be speedily provided in ports, in accordance with the obligations under Annex II of MARPOL 73/78, for the reception of all residues containing noxious liquid substances that ships are prohibited from discharging into the sea.

E 3 With a view to a possible initiative to declare the North Sea a special area, the riparian states of the North Sea will evaluate the effects of MARPOL 73/78 on the quality of the North Sea in order to decide upon this question at the next International Conference on the Protection of the North Sea at the latest. The same applies to the mandatory requirement for equipment on board ships and to the availability of reception facilities.

E 4 The coastal states of the North Sea will apply harmonized principles regarding the implementation of requirements on small ships flying their flag other than oil tankers and make their best efforts within IMO to the effect that these principles be applied by all Contracting Parties to MARPOL 73/78 .

E 5 With regard to noxious liquid substances in bulk the coastal states of the North Sea will do their utmost within IMO to bring all necessary technical preparations to a conclusion to such an early point in time as to enable the effective application of Annex II of MARPOL 73/78 by 2 October 1986(2).

E 6 Appropriate regulations for the prevention of marine pollution by harmful substances carried by sea in packaged forms and garbage from ships (Annexes III and V of MARPOL 73/78) should enter into force as soon as possible; the coastal states of the North Sea will do their utmost in 1985 within IMO to this end in accordance with Annex (7).

E 7 The coastal states of the North Sea will make efforts within IMO and on a bilateral level that as many states as possible become parties to MARPOL 73/78.

E 8 The coastal states of the North Sea and the EEC will improve the dissemination of information on regulations concerning pollution by discharges into the sea. The states concerned will intensify the detection, prosecution and punishment of violations against anti-pollution regulations in accordance with Annex (8).

E 9 The national and international bodies competent for deepsea pilotage services should take into account that the use of the services of deep-sea pilots is considered as a means to prevent accidents which may cause marine pollution.

E 10 The Ministers of the coastal states of the North Sea and the Commission of the European Communities stress the necessity to give priority consideration to certain points including the following:

- the obligation for every vessel to inform the coastal state concerned in the event of an accident or incident in the fastest possible way in order to enable the coastal state to assess the situation and to take appropriate action. Such information should include, *inter alia*, nature of the cargo carried, stowage plan, position and condition of oil tanks and intentions with regard to salvage operation;
- the mandatory introduction of a special "keep-away" signal or ships carrying a cargo implying risks for other users of the sea so as to allow to identify the danger in an accident or incident.

The categories of goods have to be laid down;

- the review and completion, if necessary, of regulations for packing and stowing high-risk goods liable to be transported by ship and representing a risk for man and the marine environment, in order to ensure the safety of these transports, the safety of the other users of the sea and to facilitate salvage operations in the event of accidents;

The Ministers note that some of these aspects have already been dealt with in IMO and they will do their utmost to ensure that the necessary additional work is carried out as a matter of urgency.

E 11 The coastal states of the North Sea request the IMO and other competent bodies to consider the development of a mandatory reporting system for ships which due to the nature of their cargo, pose a potentially grave and imminent threat of marine pollution, including ships carrying radioactive substances, so that coastal states will be informed when such ships enter areas where special attention is required.

E 12 In addition to the work in progress with regard to annex (7) of this declaration the coastal states of the North Sea request the competent bodies to continue their endeavours to simplify and thus make more effective the control mechanisms in conventions and regulations regarding dangerous goods. Simple and rapid control would rule out additional risks resulting from the nonapplication of these regulations.

E 13 The coastal states of the North Sea take note of the principles underlying the proposals relating to safety of navigation through the entrances to the Baltic Sea, which borders the North Sea. These proposals have been submitted to IMO under the symbols Nav 30/3 and Nav 30/3/1, and they extend the existing

recommendations concerning oil and chemicals tankers and gas carriers to include ships carrying a full load of class 7 radio-active substances as defined in the International Maritime Dangerous Goods (IMDG) code.

#### F Waste disposal at sea

F 1 Wastes including sewage sludges, containing such amounts of substances which are or could be harmful to the marine environment will not be dumped into the North Sea.

F 2 Wastes which because of their harmful effects are no longer being dumped or incinerated at sea will not instead be discharged into the North Sea directly from the shore or via rivers or estuaries.

#### G Airborne surveillance of the North Sea

G 1 The relatively new technology of airborne surveillance system independent of visibility for the detection of oil spills already being employed by the coastal states of the North Sea requires further examination to achieve technical and operational improvements. Apart from bilateral cooperation between neighbouring countries, technical questions in this connection are above all treated within the framework of the 1969 Agreement for Co-operation in Dealing with Pollution of the North Sea by Oil (Bonn Agreement).

G 2 The national and international efforts to introduce airborne surveillance systems independent of visibility in the North Sea area and to co-operate accordingly in particular in relation to the exchange of information resulting from such surveillance should be continued, intensified, and further co-ordinated in the international bodies concerned, particularly within the framework of the Bonn Agreement.

G 3 The desirable objective is to develop or improve airborne surveillance systems which can function even at night and in thick weather when visibility is poor and to achieve the detailed objectives listed in Annex (9). In the longer term such work should lead to better co-operation in long-range air

#### H Measures to prevent or reduce oil pollution from platforms

borne surveillance within the North Sea area.

H 1 Any technical equipment used to explore and exploit petroleum and natural gas in the North Sea including transportation pipelines should be constructed and operated in conformity with the best available technology.

H 2 Insofar as for the lack of other solutions the necessity arises for improvement on existing platforms of important equipment necessary for controlling pollution on the sea, such improvement should be carried out as soon as possible; this should in principle be completed within a period of three years.

H 3 Contracting parties to the Paris Convention should inform the Paris Commission of the improvements achieved.

H 4 Permits issued for the exploration and exploitation of petroleum and natural gas deposits or any other administrative acts harmonized with such permits as to the material contents and the time frame should include requirements to prevent, on the basis of the best available technology, marine pollution through technical and organizational measures to the greatest possible extent.

H 5 Marine pollution by drilling mud and drill cuttings should be avoided or prevented to the greatest possible extent in accordance with Annex (10).

H 6 Oily waste waters will be prevented as far as possible by application of the best available technologies and subject, to consideration of guiding values in accordance with Annex (11).

H 7 Precautionary measures for emergencies/accidents should be taken through detailed plans according to Annex (12).

H 8 Special events on platforms will be reported in accordance with Annex (13) in order to keep hazards to the marine environment owing to oil pollution as limited as possible.

H 9 Companies should appoint a responsible person on every platform for the task of monitoring the operational equipment designed to protect the environment. This person should have the necessary knowledge and experience; a professional environmental officer should be appointed for companies with extensive activities in the North Sea.

H 10 Supervision of platforms and pipelines should be carried out by national authorities in accordance with Annex (14).

H 11 A regular exchange covering data on the amount of oil spilt into the North Sea during the exploration and exploitation of petroleum and natural gas, including the reasons for this, as well as the expected amounts of oil discharged into the North Sea should be intensified, in particular within the Paris Commission and in the framework of the Bonn Agreement, aiming at further improvement in the protection of the North Sea;

#### I Research into and development of environmentally sound technologies and products and of substitutes to prevent or reduce hazardous wastes and pollutants in waste waters

I 1 The exchange of information and experience on low-waste/non-waste and low-emission/non-emission technologies, on waste management, on the protection of the aquatic environment, on substitutes and economic incentives, as well as the technical cooperation with regard to solutions which render the disposal of wastes at sea unnecessary (e.g. recycling, reprocessing, waste disposal on land) should be intensified and be a permanent feature in international bodies; to this end, the coastal states of the North Sea and the EEC will cooperate more closely without delay.

I 2 In this context, a certain amount of investigation may be carried out to provide evidence of the harmlessness or uses of certain inert residues (e.g. from collieries) or of sewage sludges not contaminated

with substances which are or could be harmful to the marine environment, as well as on their effects which do not give cause for concern.

I 3 Nationally, internationally and within the EEC, regulations should be agreed which aim at the development and introduction of environmentally sound technologies, products and substitutes; such regulations should be subject to regular review in light of changing technologies and understanding of environmental problems with a view to improved environmental protection; the development and introduction of these technologies, products and substitutes should be encouraged by incentive measures which may include economic instruments, provided always that the "polluter pays" principle is observed.

#### J Further development of monitoring programmes

J 1 Monitoring of the sea is to be actively developed in accordance with Annex (15).

J 2 The international Joint Monitoring Programme (JMP) already operated by the Oslo and Paris Commissions should be continued, taking account of the long-term strategy adopted by the Commissions, with the aim of developing it further in a cost-effective and fruitful way in accordance with Annex (16).

J 3 The extension of the Joint Monitoring Programme should be discussed with particular speed in the Oslo and Paris Commissions as early as 1985 with the aim of implementing it at the earliest possible date.

J 4 The Oslo and Paris Commissions should review the present licensing practices and procedures for monitoring discharges and the marine environment to determine whether a greater degree of international co-ordination and compatibility is required.

J 5 The results of national monitoring programmes should be made available for the purposes of the Joint Monitoring Programme. Efforts should be made to intensify research in the North Sea and monitoring as well as to support such national programmes that comply with the requirements of the Joint Monitoring Programme.

J 6 Further measures for the protection of the North Sea should above all be taken on the basis of data and information to be collected and of their evaluation and assessment. The Joint Monitoring Group (JMG) should consider which data and information from the Joint Monitoring Programme, other monitoring programmes and current surveys and statistics might be put together, evaluated and assessed for this purpose.

J 7 The coastal states of the North Sea and the EEC will take a Joint initiative in 1985 in the Oslo and Paris Commissions in order to bring about a decision on how current and planned action in the framework of existing groups can be used for this purpose.

J 8 It should be considered in the Oslo and Paris Commissions how the action taken in the framework of the existing groups to establish a joint International Environmental Data Base on the North Sea and the North East Atlantic might be promoted.

## **Annex of the Declaration of the International Conference on the Protection of the North Sea**

### **(1) Definitions**

1. For the purposes of this declaration the North Sea area comprises

- a) the North Sea southwards of latitude 62°N;
- b) the Skagerrak, the southern limit of which is determined east of the Skaw by latitude 57°44,8'N;
- c) the English Channel and its approaches eastwards of longitude 5°W.

2. Coastal states of the North Sea are Belgium, Denmark, the Federal Republic of Germany, France, the Netherlands, Norway, Sweden and the United Kingdom.

3. Throughout this text, the concepts of "best technical means available" or "best available technology" take into account the economic availability of these means.

### **(2) Regulations on black-list and grey-list substances (C 1)**

#### **1. General explanations**

1.1 Black list and grey list are understood to mean the following, unless otherwise defined:

1. Annex lists I and II to the Council Directive of 4 May 1976 on pollution caused by dangerous substances discharged into the aquatic environment of the Community (76/464/EEC)

2. Annex A Parts I and II to the Convention of 4 June 1974 for the Prevention of Marine Pollution from Land-Based Sources (Paris Convention)

3. Annexes I and II to the Convention of 15 February 1972 for the Prevention of Marine Pollution by Dumping from Ships and Aircraft (Oslo Convention)

1.2 The problematic heavy metals/metalloids on the grey list include zinc, copper, nickel, chromium, lead and the metalloid arsenic.

#### **1.3 Directives of the EEC**

"Council Directive of 26 September 1983 on limit values and quality objectives for cadmium discharges" (83/513/EEC),

"Council Directive of 8 March 1984 on limit values and quality objectives for mercury discharges by sectors other than the chloralkali electrolysis industry" (84/156/EEC),



"Council Directive of 9 October 1984 on limit values and quality objectives for discharges of hexachlorocyclohexane" (84/491/EEC)

## 2. Regulations

2.1 The coastal states of the North Sea and the EEC will take a joint initiative within the Paris Commission so that the Paris Commission will adopt, as a first step, the limit values and quality objectives with the pertinent provisions and time limits of the directives of the EEC on cadmium, mercury and hexachlorocyclohexane in 1985. These limit values and relevant objectives will then have to be reviewed continually with the aim of improving the protection of the sea.

2.2 The directive on cadmium is to be extended to discharges from the production of phosphoric acid and/or phosphatic fertilizers from phosphatic rock as soon as economically feasible technical methods make it possible to remove the cadmium from the discharges of the sectors. The Paris Commission has to provide appropriate regulations.

2.3 The Paris Commission should provide regulations immediately in order to improve the protection of the marine environment from pollution by mercury and its compounds with regard to mercury discharges from various non-industrial sources, in particular:

(1) thermometers: collection of mercury from broken thermometers in hospitals and replacement of these thermometers by electronic devices working on the basis of liquid crystals,

(2) batteries: collection, recycling and substitution of mercury batteries,

(3) dental health establishments,

(4) analytical laboratories,

(5) electronic appliances and instruments,

(6) chloralkali products, e.g. sodium hydroxide.

This is to be done immediately for the sectors where the changeover will not involve any problems, and as soon as possible for the remaining sectors.

2.4 To achieve a noticeable reduction in the discharge of substances and the grey list, in particular of certain problematic heavy metals/metalloids, the coastal states of the North Sea and the EEC will take a joint initiative in the Paris Commission in 1985 with the aim that the Contracting Parties set up reduction programmes and take the necessary measures for their implementation. Provision has to be made that four years after the entry into force of appropriate measures national reports are to be submitted on the reduction of inputs and their impact on the North Sea.

2.5 In order to reduce hydrocarbon pollution of the North Sea the coastal states of the North Sea and the EEC will take a joint initiative within the Paris Commission in 1985 with regard to the reduction of discharges from refineries and the input of petroleum hydrocarbons with storm water. Decisions have to be taken by 1986 at the latest; it is considered possible to reduce hydrocarbons in the discharges from refineries to 5 mg/l.

### (3) Examination of potentially dangerous black-list and grey-list substances (C 3)

1. The potentially hazardous substances of the black list which have to be examined more intensively in close cooperation of the Commissions of Oslo and Paris as well as in the EEC are, for instance, the 129 substances which are mentioned in the Communication of 22 June 1982 from the Commission to the Council on hazardous substances within the meaning of list I or Council Directive 76/464/EEC and to which priority is attached by the Commission of the European Communities.

2. These potentially hazardous substances, in particular new synthetic organic compounds, have to be continually examined for deleterious effects on the North Sea; decisions have to be taken on the prevention, reduction and monitoring of their input.

3. The coastal states Norway and Sweden and, as appropriate, other Contracting Parties of the Conventions of Oslo and Paris should be included, in particular through the Oslo and Paris Commissions, in the collection of data on the 129 substances (see no. 1).

4. Effects of nutrients on the North Sea should be studied intensively. On the basis of the results inclusion on the grey list of the Paris Convention is to be examined.

### (4) Prevention of pollution of sediments (C 5)

1. To prevent pollution of sediments measures should be applied, where possible at source, in any case before discharge into the aquatic environment. The discharge and/or use of hazardous substances should be strictly limited if necessary.

2. The EEC, the Oslo and Paris Commissions as well as River Commissions whose regulations may also have a bearing on the quality of the North Sea and, as appropriate, other relevant international organizations and national authorities should establish suitable programmes and initiate measures for selected substances before the end of 1986 and put them into practice as soon as possible. In this context it is important to improve scientific knowledge as follows:

2.1 Review of existing methods to determine sediment contamination by such substances; if necessary, harmonization with a view to achieving international comparability.

2.2 Exchange of experience with dumping and other forms of disposal of severely contaminated dredging material.

2.3 If possible, preparation of recommendations concerning the acceptable level of contamination in dredged materials to be disposed of in the North Sea.

2.4 Improvement of knowledge on sedimentation processes and accumulation as well as on remobilization of hazardous substances, if necessary by establishing research programmes.

(5) Working programme of the Paris Commission on atmospheric inputs (D 1)

1. to review ongoing activities within the Contracting Parties and other international organizations concerned with the measurement and assessment of atmospheric inputs to the sea;
2. to review research activities designed to improve methodology and knowledge in this area;
3. to identify gaps in monitoring and research and to make appropriate proposals;
4. to assess the importance and effects of atmospheric inputs to the sea;
5. to consider the need for programmes and measures to reduce pollution of Convention waters arising from atmospheric inputs and to make appropriate proposals.

(6) Facilities for the reception of oily residues and mixtures to prevent marine pollution due to the operation of ships (E 1)

1. Additional reception facilities should be set up, where necessary as soon as possible, in particular when reports show inadequacy of such facilities.
2. Taking into account IMO recommendations, the number, the locations, and the types of facilities as well as operational procedures should be such as to minimize the time needed for their use and to make such use possible while the ship is simultaneously engaged in other operations.
3. When setting up and operating reception facilities the best available technologies should be used so as to ensure that such shore reception facilities do not become a new source of land-based pollution.
4. Low-cost provision and operation of facilities for the reception of oily residues and mixtures at reasonable costs are encouraged in order to ensure that no financial advantages may be obtained by not using reception facilities; costs caused by reception facilities may be covered by such means as
  - charges for the use of these facilities
  - increase of general port dues and
  - other contributions.

5. The use of the facilities is to be encouraged through detailed and updated information on their location and possibilities of utilization. Relevant IMO activities are to be taken into account.

6. Strict controls in ports and thorough surveillance in order to detect illegal discharges must be carried out to ensure the use of the facilities.

(7) Prevention of the pollution of the marine environment by harmful substances carried by sea in packaged forms and garbage from ships (Annexes III and V of MARPOL 73/78)-E 6

1. The regulations of Annex III of MARPOL 73/78 should be examined with a view to improving their effectiveness and to allowing effective controls in order to prevent the pollution of the marine environment of the North Sea by harmful substances carried by sea in packaged forms.
2. Compliance with the regulations for the prevention of pollution by garbage from ships (Annex V of MARPOL 73/78) is contingent upon the availability of adequate reception facilities in ports for all garbage which ships are prohibited to dispose of into the sea. Such facilities have to be provided in the ports bordering the North Sea area as soon as possible with a view to eliminating the disposal of garbage from ships into the sea.

(8) Prosecution of violations of anti-pollution regulations and information on prohibitions of discharges (E8)

1. Penal legislation exists in the coastal states or the North Sea in accordance with the obligations under Article 4 para 4 MARPOL 73/78 which provides penalties that are adequate in severity to discourage violations of antipollution regulations.
2. There is an urgent need to overcome the difficulties encountered on matters concerning detection, investigation and prosecution of illegal discharges from ships.
3. Efforts towards effective surveillance at sea should be vigorously advanced in order to detect illegal discharges, in particular of oil, in an effective way and to dissuade those responsible on ships from such discharges.
4. Co-operation within the framework of the competent international organizations and relevant agreements (IMO, Bonn Agreement, Memorandum of Understanding on Port State Control) should be intensified, with a view to improving:
  - 4.1 the detection of pollution, especially oil pollution, and the identification of those responsible on ships,
  - 4.2 the means of collecting and preserving evidence,
  - 4.3 the prosecution of offences, including inquiries at the next port of call,
  - 4.4 the exchange of the relevant data.
5. Officers and crews of ships have to be regularly and comprehensively informed of the regulations concerning the prevention of discharges into the sea; dissemination of such information should be improved both at national and international levels.

(9) When developing airborne surveillance systems which can also be employed at night and when visibility is poor, the following detailed objectives should be achieved (G 3)

1. Routine observation of the sea to detect any oil pollution and its potential causes.

2. Employment in the case of accidents in order to investigate reported oil pollutions with the shortest possible delay and over large areas.
3. Co-ordination of the employment of the vessels for the removal of any oil pollution.
4. Identification of the polluter and documentation for transmission to the competent investigation authorities.

(10) Prevention or reduction of marine pollution from platforms by drilling mud and drill cuttings (H 5)

1. Principles

- 1.1 The use of oil-based mud should be limited to a minimum.
- 1.2 Whole oil-based muds should not be dumped or discharged at sea.
- 1.3 All steps should be taken to prevent leakages and avoid spillages of muds.
- 1.4 Whenever oil-based muds are used, the residual oil on cuttings should be reduced using best available solid control technology to ensure the separation of the mud from the cuttings.

2. Binding character of the principles

The coastal states of the North Sea and the EEC will take a joint initiative within the Paris Commission so that it is reviewed in 1985 as to whether the recommendations in no. 1 on drilling muds might be transformed into binding obligations, and whether the best available cleaning technology should be applied far treating the cuttings whenever oil-based drilling mud is used, and how efficient operation of the cleaning installation should be ensured by regular checks.

3. Setting up of test systems

Toxicity test systems to classify oil-based muds (either as low-toxicity or diesel-based) should be set up. Results should be discussed with priority within the Paris Commission in order to make the test systems comparable and to propose measures to prevent the discharge of cuttings with substantial toxic mud content. Research into alternative substances for base oils which are biodegradable and of nontoxicity as well as into the ecological impact of drilling muds based on diesel and other low-toxicity based oils should be undertaken.

4. International exchange of information

A regular exchange of data on the amount of oil introduced into the North Sea in combination with drill cuttings should be intensified, in particular within the Paris Commission.

(11) Prevention of oily waste waters from platforms (H 6)

1. Principles

When granting authorization for the discharge of production waste water and oily drainage from platforms the best available technology will be applied. In case of such discharges the guiding value of 40 mg/l of hydrocarbons (IR-method) or less will be observed.

2. Binding character of the principles

The coastal states of the North Sea and the EEC will take a joint initiative in the Paris Commission to review, on the basis of scientific evidence, better technology and more experience, the adoption of a limit value or adoption of an even more stringent value and to decide on this matter.

(12) Emergency plans for platforms (H 7)

To prevent emergencies/accidents and to limit the effects of accidents that occur nevertheless to a minimum, emergency plans with the following lay-out and basic content (minimum data) will be set up:

1. List of:

- 1.1 technical equipment, systems and other items of importance for the maintenance of the quality of the sea, testing schedules and condition of equipment listed,
- 1.2 equipment and systems to be used and measures to be taken in dealing with accidents and emergencies,
- 1.3 personnel trained to deal with accidents and emergencies, their training in minor and major emergency exercises and their availability on call.
- 1.4 possibilities of storage, disposal and utilisation of recovered oil and residues.

2. Details concerning type, scope and intervals of emergency exercises.

3. Instructions concerning assistance to be obtained from agencies within the operational unit or outside in the event of accidents and emergencies and co-operation with such agencies.

4. List of agencies inside and outside the operational unit to be informed of emergencies/accidents.

Instructions on type of information to be provided and basic content of the report.

International co-operation in this field will be strengthened.

(13) Reporting procedures for special events on platforms (H 8)

1. Oil and gas eruptions as well as other incidents as a result of which oil escapes or may escape into the sea will be reported immediately to a national authority. Pursuant to the reporting obligations and procedures laid down under the Agreement for Co-operation in Dealing with pollution of the North Sea by Oil, the latter shall notify without delay the authorities of the other coastal states nominated in a list.

2. Reporting procedures will be subjected to continued checks with a view to their effectiveness and possible improvements.

(14) National supervision of platforms and pipelines to increase safety and to ensure compliance with regulations for the prevention or reduction of oil pollution (H 10)

In supervision by national authorities all technically appropriate means should be used. Inspections should be made at irregular intervals. Insofar as access to a platform is necessary to carry out an inspection, notification should be given on a short-term basis only.

(15) Objectives and requirements of monitoring of the sea for the evaluation of the need for and effectiveness of programmes for the control and reduction of marine pollution (J1)

The aim of monitoring is to provide the basis for:

- the assessment of the state of the marine environment with regard to pollution and contamination and their effects,
- the assessment of which uses of the water body are or might be affected,
- decisions on measures for the protection of the marine ecosystem against contamination and for the reduction of pollution of the marine environment,
- the evaluation of the effectiveness of measures already taken.

To this end it is necessary:

- to describe the state of the marine environment and its changes,
- to identify the effects of inputs of substances on the marine environment,
- to collect information on the origin, paths, fate and effects of potentially harmful substances detected in, or discharged into, the marine environment, and
- to harmonize the methods of procedure.

(16) Further development of the Joint Monitoring Programme (JMP) - J 2

1. Methodology and extent are to be reviewed, the aim being in particular to extend the JMP beyond the substances monitored so far (cadmium, mercury and PC8) to include additional substances/groups of substances on the basis of existing national programmes and the systematic examination of endangered North Sea regions in respect of problematic substances (*cf.* no. 3).

2. It should be examined at a matter of priority and without delay which potentially hazardous black-list substances (*cf.* Annex (3) no. 1) and grey-list substances, in particular zinc, copper, nickel, chromium, lead and arsenic, and whether nutrients are to be included in the monitoring programme.

3. Qualitative screening, *e.g.* with regard to the occurrence of the 129 potentially hazardous substances (*cf.* Annex (3) no. 1) should be conducted for the first time by mid-1985 within the framework of JMP and then be repeated at appropriate intervals, taking into account any experience gathered.

4. Methods for the collective determination of:

- physical characteristics, *e.g.* salinity, suspended solids
- chemical characteristics, *e.g.* chemical oxygen demand (COD), total organic carbon (TOC), adsorbable organohalogen compounds (AOX), hydrocarbons
- biological characteristics, *e.g.* biochemical oxygen demand (BOD), chlorophyll, biotests may be cost-effective methods to identify certain forms of water pollution.

5. The Paris Commission and the Commission of the European Communities should therefore evaluate available methods for the collective determination of the characteristics of the marine environment, give increased encouragement to the development of further methods and, where appropriate, apply such methods in the JMP.

6. Biological monitoring of the marine ecosystem should be carried out.

7. Inputs of harmful substances from all sources should be determined; this applies in particular to inputs from rivers and the atmosphere. A clearly defined joint, monitoring programme for quantifying the atmospheric input of substances should be implemented as soon as possible.

8. Information should be exchanged on new analytical methods and measuring instruments in order to assess which new developments may be of use to the JMP.

*(1) To the extent that in this declaration reference is made to the participation of the European Economic Community in initiatives within the framework of conventions to which it is a contracting party, this means that the Commission of the European Community will make the appropriate proposals to the Council of Ministers.*

*(2) 2 October 1986 is the date at which Annex II of MARPOL 73/78 is to enter into force unless a later date is agreed upon within the IMO according to Article II of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, Article II.*