

5 Laws, regulations, measures, rules, standards and recommended practices and procedures referred to in paras 1, 2 and 4 shall include those designed to minimise, to the fullest extent possible, the release of toxic, harmful or noxious substances, especially those which are persistent, into the marine environment.

Article 208 Pollution from sea bed activities subject to national jurisdiction

1 Coastal states shall adopt laws and regulations to prevent, reduce and control pollution of the marine environment arising from or in connection with sea bed activities subject to their jurisdiction and from artificial islands, installations and structures under their jurisdiction, pursuant to Articles 60 and 80.

2 States shall take other measures as may be necessary to prevent, reduce and control such pollution.

3 Such laws, regulations and measures shall be no less effective than international rules, standards and recommended practices and procedures.

4 States shall endeavour to harmonise their policies in this connection at the appropriate regional level.

5 States, acting especially through competent international organisations or diplomatic conference, shall endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment referred to in para 1. Such rules, standards and recommended practices and procedures shall be re-examined from time to time as necessary.

Article 209 Pollution from activities in the Area⁴⁰

Article 210 Pollution by dumping

1 States shall adopt laws and regulations to prevent, reduce and control pollution of the maritime environment by dumping.

2 States shall take other measures as may be necessary to prevent, reduce and control such pollution.

3 Such laws, regulations and measures shall ensure that dumping is not carried out without the permission of the competent authorities of states.

4 States, acting especially through competent international organisations or diplomatic conference, shall endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control such pollution. Such rules, standards and recommended practices and procedures shall be re-examined from time to time as necessary.

5 Dumping within the territorial sea and the exclusive economic zone or onto the continental shelf shall not be carried out without the express prior approval of the coastal state, which has the right to permit, regulate and control such dumping after due consideration of the matter with other states which by reason of their geographical situation may be adversely affected thereby.

6 National laws, regulations and measures shall be no less effective in preventing, reducing and controlling such pollution than the global rules and standards.

Article 211 Pollution from vessels

1 States, acting through the competent international organisations or general diplomatic conference, shall establish international rules and standards to prevent, reduce and control pollution of the marine environment from vessels

40 See Chapter 11.

and promote the adoption, in the same manner, wherever appropriate, of routing systems designed to minimise the threat of accidents which might cause pollution of the marine environment, including the coastline, and pollution damage to the related interests of coastal states. Such rules and standards shall, in the same manner, be re-examined from time to time as necessary.

2 States shall adopt laws and regulations for the prevention, reduction and control of pollution of the marine environment from vessels flying their flag or of their registry. Such laws and regulations shall at least have the same effect as that of generally accepted international rules and standards established through the competent international organisation or general diplomatic conference.

3 States which establish particular requirements for the prevention, reduction and control of pollution of the marine environment as a condition for the entry of foreign vessels into their ports or internal waters or for a call at their off-shore terminals shall give due publicity to such requirements and shall communicate them to the competent international organisation. Whenever such requirements are established in identical form by two or more coastal states in an endeavour to harmonise policy, the communication shall indicate which states are participating in such co-operative arrangements. Every state shall require the master of a vessel flying its flag or of its registry, when navigating within the territorial sea of a state participating in such co-operative arrangements, to furnish, upon the request of that state, information as to whether it is proceeding to a state of the same region participating in such co-operative arrangements and, if so, indicate whether it complies with the port entry requirements of that state.

4 Coastal states may, in the exercise of their sovereignty within their territorial sea, adopt laws and regulations for the prevention, reduction and control of marine pollution from foreign vessels, including vessels exercising the right of innocent passage. Such laws and regulations shall, in accordance with Part XII, section 3, not hamper innocent passage of foreign vessels.

5 Coastal states, for the purpose of enforcement as provided for in section 6, may in respect of their exclusive economic zones adopt laws and regulations for the prevention, reduction and control of pollution from vessels conforming to and giving effect to generally accepted international rules and standards established through the competent international organisation or general diplomatic conference.

6 (a) Where the international rules and standards referred to in para 1 are inadequate to meet special circumstances and coastal states have reasonable grounds for believing that a particular, clearly defined area of their respective exclusive economic zones is an area where the adoption of special mandatory measures for the prevention of pollution from vessels is required for recognised technical reasons in relation to its oceanographical and ecological conditions, as well as its utilisation or the protection of its resources and the particular character of its traffic, the coastal states, after appropriate consultations through the competent international organisation with any other states concerned, may, for that area, direct a communication to that organization, submitting scientific and technical evidence in support and information on necessary reception facilities. Within 12 months after receiving such a communication, the organisation shall determine whether the conditions in that area correspond to the requirements set out above. If the organisation so determines, the coastal states may, for that area, adopt laws and regulations for the prevention, reduction and control of pollution from vessels implementing such international rules and standards or navigational practices as are made applicable, through the organisation, for

- special areas. These laws and regulations shall not become applicable to foreign vessels until 15 months after the submission of the communication to the organisation.
- (b) The coastal states shall publish the limits of any such particular, clearly defined area.
- (c) If the coastal states intend to adopt additional laws and regulations for the same area for the prevention, reduction and control of pollution from vessels, they shall, when submitting the aforesaid communication, at the same time notify the organisation thereof. Such additional laws and regulations may relate to discharges or navigational practices but shall not require foreign vessels to observe design, construction, manning or equipment standards other than generally accepted international rules and standards; they shall become applicable to foreign vessels 15 months after the submission of the communication to the organisation, provided that the organisation agrees within 12 months after the submission of the communication.
- 7 The international rules and standards referred to in this article should include inter alia those relating to prompt notification to coastal states, whose coastline or related interests may be affected by incidents, including maritime casualties, which involve discharges or probability of discharges.

Article 212 Pollution from or through the atmosphere

- 1 States shall adopt laws and regulations to prevent, reduce and control pollution of the marine environment from or through the atmosphere, applicable to the air space under their sovereignty and to vessels flying their flag or vessels or aircraft of their registry, taking into account internationally agreed rules standards and recommended practices and procedures and the safety of air navigation.
- 2 States shall take other measures as may be necessary to prevent, reduce and control such pollution.
- 3 States, acting especially through competent international organisations or diplomatic conference, shall endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control such pollution.

SECTION 6 ENFORCEMENT

Article 213 Enforcement with respect to pollution from land-based sources

States shall enforce their laws and regulations adopted in accordance with Article 207 and shall adopt laws and regulations and take other measures necessary to implement applicable international rules and standards established through competent international organisations or diplomatic conference to prevent, reduce and control pollution of the marine environment from land-based sources.

Article 214 Enforcement with respect to pollution from sea bed activities

States shall enforce their laws and regulations adopted in accordance with Article 208 and shall adopt laws and regulations and take other measures necessary to implement applicable international rules and standards established through competent international organisations or diplomatic conference to prevent, reduce and control pollution of the marine environment arising from or in connection with sea bed activities subject to their jurisdiction and from artificial islands, installations and structures under their jurisdiction, pursuant to Articles 60 and 80.

Article 215 Enforcement with respect to pollution from activities in the Area

Enforcement of international rules, regulations and procedures established in accordance with Part XI to prevent, reduce and control pollution of the marine environment from activities in the Area shall be governed by that Part.

Article 216 Enforcement with respect to pollution by dumping

1 Laws and regulations adopted in accordance with this Convention and applicable international rules and standards established through competent international organisations or diplomatic conference for the prevention, reduction and control of pollution of the marine environment by dumping shall be enforced:

- (a) by the coastal state with regard to dumping within its territorial sea or its exclusive economic zone or onto its continental shelf;
- (b) by the flag state with regard to vessels flying its flag or vessels or aircraft of its registry;
- (c) by any state with regard to acts of loading of wastes or other matter occurring within its territory or at its off-shore terminals.

2 No state shall be obliged by virtue of this article to institute proceedings when another state has already instituted proceedings in accordance with this article.

Article 217 Enforcement by flag states

1 States shall ensure compliance by vessels flying their flag or of their registry with applicable international rules and standards, established through the competent international organisation or general diplomatic conference, and with their laws and regulations adopted in accordance with this Convention for the prevention, reduction and control of pollution of the marine environment from vessels and shall accordingly adopt laws and regulations and take other measures necessary for their implementation. Flag states shall provide for the effective enforcement of such rules, standards, laws and regulations, irrespective of where a violation occurs.

2 States shall, in particular, take appropriate measures in order to ensure that vessels flying their flag or of their registry are prohibited from sailing, until they can proceed to sea in compliance with the requirements of the international rules and standards referred to in para 1, including requirements in respect of design, construction, equipment and manning of vessels.

3 States shall ensure that vessels flying their flag or of their registry carry on board certificates required by and issued pursuant to international rules and standards referred to in para 1. States shall ensure that vessels flying their flag are periodically inspected in order to verify that such certificates are in conformity with the actual condition of the vessels. These certificates shall be accepted by other states as evidence of the condition of the vessels and shall be regarded as having the same force as certificates issued by them, unless there are clear grounds for believing that the condition of the vessel does not correspond substantially with the particulars of the certificates.

4 If a vessel commits a violation of rules and standards established through the competent international organisation or general diplomatic conference, the flag state, without prejudice to Articles 218, 220 and 228, shall provide for immediate investigation and where appropriate institute proceedings in respect of the alleged violation irrespective of where the violation occurred or where the pollution caused by such violation has occurred or has been spotted.

5 Flag states conducting an investigation of the violation may request the assistance of any other state whose co-operation could be useful in clarifying the circumstances of the case. States shall endeavour to meet appropriate requests of flag states.

6 States shall, at the written request of any state, investigate any violation alleged to have been committed by vessels flying their flag. If satisfied that sufficient evidence is available to enable proceedings to be brought in respect of the alleged violation, flag states shall without delay institute such proceedings in accordance with their laws.

7 Flag states shall promptly inform the requesting state and the competent international organisation of the action taken and its outcome. Such information shall be available to all states.

8 Penalties provided for by the laws and regulations of states for vessels flying their flag shall be adequate in severity to discourage violations wherever they occur.

Article 218 Enforcement by port states

1 When a vessel is voluntarily within a port or at an off-shore terminal of a state, that state may undertake investigations and, where the evidence so warrants, institute proceedings in respect of any discharge from that vessel outside the internal waters, territorial sea or exclusive economic zone of that state in violation of applicable international rules and standards established through the competent international organisation or general diplomatic conference.

2 No proceedings pursuant to para 1 shall be instituted in respect of a discharge violation in the internal waters, territorial sea or exclusive economic zone of another state unless requested by that state, the flag state, or a state damaged or threatened by the discharge violation, or unless the violation has caused or is likely to cause pollution in the internal waters, territorial sea or exclusive economic zone of the state instituting the proceedings.

3 When a vessel is voluntarily within a port or at an off-shore terminal of a state, that state shall, as far as practicable, comply with requests from any state for investigation of a discharge violation referred to in para 1, believed to have occurred in, caused, or threatened damage to the internal waters, territorial sea or exclusive economic zone of the requesting state. It shall likewise, as far as practicable, comply with requests from the flag state for investigation of such a violation, irrespective of where the violation occurred.

4 The records of the investigation carried out by a port state pursuant to this article shall be transmitted upon request to the flag state or to the coastal state. Any proceedings instituted by the port state on the basis of such an investigation may, subject to section 7, be suspended at the request of the coastal state when the violation has occurred within its internal waters, territorial sea or exclusive economic zone. The evidence and records of the case, together with any bond or other financial security posted with the authorities of the port state, shall in that event be transmitted to the coastal state. Such transmittal shall preclude the continuation of proceedings in the port state.

Article 219 Measures relating to seaworthiness of vessels to avoid pollution

Subject to section 7, states which, upon request or on their own initiative, have ascertained that a vessel within one of their ports or at one of their offshore terminals is in violation of applicable international rules and standards relating to seaworthiness of vessels and thereby threatens damage to the marine environment shall, as far as practicable, take administrative measures to prevent the vessel from sailing. Such states may permit the vessel to proceed only to the nearest

appropriate repair yard and, upon removal of the causes of the violation, shall permit the vessel to continue immediately.

Article 220 Enforcement by coastal states

1 When a vessel is voluntarily within a port or at an off-shore terminal of a state, that state may, subject to section 7, institute proceedings in respect of any violation of its laws and regulations adopted in accordance with this Convention or applicable international rules and standards for the prevention, reduction and control of pollution from vessels when the violation has occurred within the territorial sea or the exclusive economic zone of that state.

2 Where there are clear grounds for believing that a vessel navigating in the territorial sea of a state has, during its passage therein, violated laws and regulations of that state adopted in accordance with this Convention or applicable international rules and standards for the prevention, reduction and control of pollution from vessels, that state, without prejudice to the application of the relevant provisions of Part II, section 3, may undertake physical inspection of the vessel relating to the violation and may, where the evidence so warrants institute proceedings, including detention of the vessel, in accordance with its laws, subject to the provisions of section 7.

3 Where there are clear grounds for believing that a vessel navigating in the exclusive economic zone or the territorial sea of a state has, in the exclusive economic zone, committed a violation of applicable international rules and standards for the prevention, reduction and control of pollution from vessels or laws and regulations of that state conforming and giving effect to such rules and standards, that state may require the vessel to give information regarding its identity and port of registry, its last and its next port of call and other relevant information required to establish whether a violation has occurred.

4 States shall adopt laws and regulations and take other measures so that vessels flying their flag comply with requests for information pursuant to para 3.

5 Where there are clear grounds for believing that a vessel navigating in the exclusive economic zone or the territorial sea of a state has, in the exclusive economic zone, committed a violation referred to in para 3 resulting in a substantial discharge causing or threatening significant pollution of the marine environment, that state may undertake physical inspection of the vessel for matters relating to the violation if the vessel has refused to give information or if the information supplied by the vessel is manifestly at variance with the evident factual situation and if the circumstances of the case justify such inspection.

6 Where there is clear objective evidence that a vessel navigating in the exclusive economic zone or the territorial sea of a state has, in the exclusive economic zone, committed a violation referred to in para 3 resulting in a discharge causing major damage or threat of major damage to the coastline or related interests of the coastal state, or to any resources of its territorial sea or exclusive economic zone, that state may, subject to section 7, provided that the evidence so warrants, institute proceedings, including detention of the vessel, in accordance with its laws.

7 Notwithstanding the provisions of para 6, whenever appropriate procedures have been established, either through the competent international organisation or as otherwise agreed, whereby compliance with requirements for bonding or other appropriate financial security has been assured, the coastal state if bound by such procedures shall allow the vessel to proceed.

8 The provisions of paras 3, 4, 5, 6 and 7 also apply in respect of national laws and regulations adopted pursuant to Article 211, para 6.

Article 221 Measures to avoid pollution arising from maritime casualties

1 Nothing in this Part shall prejudice the right of states, pursuant to international law, both customary and conventional, to take and enforce measures beyond the territorial sea proportionate to the actual or threatened damage to protect their coastline or related interests, including fishing, from pollution or threat of pollution following upon a maritime casualty or acts relating to such a casualty, which may reasonably be expected to result in major harmful consequences.

2 For the purposes of this article, 'maritime casualty' means a collision of vessels, stranding or other incident of navigation, or other occurrence on board a vessel or external to it resulting in material damage or imminent threat of material damage to a vessel or cargo.

Article 222 Enforcement with respect to pollution from or through the atmosphere

States shall enforce, within the air space under their sovereignty or with regard to vessels flying their flag or vessels or aircraft of their registry, their laws and regulations adopted in accordance with Article 212, para 1, and with other provisions of this Convention and shall adopt laws and regulations and take other measures necessary to implement applicable international rules and standards established through competent international organisations or diplomatic conference to prevent, reduce and control pollution of the marine environment from or through the atmosphere, in conformity with all relevant international rules and standards concerning the safety of air navigation.

SECTION 7 SAFEGUARDS

Article 223 Measures to facilitate proceedings

In proceedings instituted pursuant to this Part, states shall take measures to facilitate the hearing of witnesses and the admission of evidence submitted by authorities of another state, or by the competent international organisation, and shall facilitate the attendance at such proceedings of official representatives of the competent international organisation, the flag state and any state affected by pollution arising out of any violation. The official representatives attending such proceedings shall have such rights and duties as may be provided under national laws and regulations or international law.

Article 224 Exercise of powers of enforcement

The powers of enforcement against foreign vessels under this Part may only be exercised by officials or by warships, military aircraft, or other ships or aircraft clearly marked and identifiable as being on government service and authorised to that effect.

Article 225 Duty to avoid adverse consequences in the exercise of the powers of enforcement

In the exercise under this Convention of their powers of enforcement against foreign vessels, states shall not endanger the safety of navigation or otherwise create any hazard to a vessel, or bring it to an unsafe port or anchorage, or expose the marine environment to an unreasonable risk.

Article 226 Investigation of foreign vessels

1 (a) States shall not delay a foreign vessel longer than is essential for purposes of the investigations provided for in Articles 216, 218 and 220. Any physical inspection of a foreign vessel shall be limited to an examination of such

certificates, records or other documents as the vessel is required to carry by generally accepted international rules and standards or of any similar documents which it is carrying; further physical inspection of the vessel may be undertaken only after such an examination and only when:

- (i) there are clear grounds for believing that the condition of the vessel or its equipment does not correspond substantially with the particulars of those documents;
 - (ii) the contents of such documents are not sufficient to confirm or verify a suspected violation; or
 - (iii) the vessel is not carrying valid certificates and records.
- (b) If the investigation indicates a violation of applicable laws and regulations or international rules and standards for the protection and preservation of the marine environment, release shall be made promptly subject to reasonable procedures such as bonding or other appropriate financial security.
- (c) Without prejudice to applicable international rules and standards relating to the seaworthiness of vessels, the release of a vessel may, whenever it would present an unreasonable threat of damage to the marine environment, be refused or made conditional upon proceeding to the nearest appropriate repair yard. Where release has been refused or made conditional, the flag state of the vessel must be promptly notified, and may seek release of the vessel in accordance with Part XV.

2 States shall co-operate to develop procedures for the avoidance of unnecessary physical inspection of vessels at sea.

Article 227 Non-discrimination with respect to foreign vessels

In exercising their rights and performing their duties under this Part, states shall not discriminate in form or in fact against vessels of any other state.

Article 228 Suspension and restrictions on institution of proceedings

1 Proceedings to impose penalties in respect of any violation of applicable laws and regulations or international rules and standards relating to the prevention, reduction and control of pollution from vessels committed by a foreign vessel beyond the territorial sea of the state instituting proceedings shall be suspended upon the taking of proceedings to impose penalties in respect of corresponding charges by the flag state within six months of the date on which proceedings were first instituted, unless those proceedings relate to a case of major damage to the coastal state or the flag state in question has repeatedly disregarded its obligation to enforce effectively the applicable international rules and standards in respect of violations committed by its vessels. The flag state shall in due course make available to the state previously instituting proceedings a full dossier of the case and the records of the proceedings, whenever the flag state has requested the suspension of proceedings in accordance with this article. When proceedings instituted by the flag state have been brought to a conclusion, the suspended proceedings shall be terminated. Upon payment of costs incurred in respect of such proceedings, any bond posted or other financial security provided in connection with the suspended proceedings shall be released by the coastal state.

2 Proceedings to impose penalties on foreign vessels shall not be instituted after the expiry of three years from the date on which the violation was committed, and shall not be taken by any state in the event of proceedings having been instituted by another state subject to the provisions set out in para 1.

3 The provisions of this article are without prejudice to the right of the flag state to take any measures, including proceedings to impose penalties, according to its laws irrespective of prior proceedings by another state.

Article 229 Institution of civil proceedings

Nothing in this Convention affects the institution of civil proceedings in respect of any claim for loss or damage resulting from pollution of the marine environment.

Article 230 Monetary penalties and the observance of recognised rights of the accused

1 Monetary penalties only may be imposed with respect to violations of national laws and regulations or applicable international rules and standards for the prevention, reduction and control of pollution of the marine environment, committed by foreign vessels beyond the territorial sea.

2 Monetary penalties only may be imposed with respect to violations of national laws and regulations or applicable international rules and standards for the prevention, reduction and control of pollution of the marine environment, committed by foreign vessels in the territorial sea, except in the case of a wilful and serious act of pollution in the territorial sea.

3 In the conduct of proceedings in respect of such violations committed by a foreign vessel which may result in the imposition of penalties, recognised rights of the accused shall be observed.

Article 231 Notification to the flag state and other states concerned

States shall promptly notify the flag state and any other state concerned of any measures taken pursuant to section 6 against foreign vessels, and shall submit to the flag state all official reports concerning such measures. However, with respect to violations committed in the territorial sea, the foregoing obligations of the coastal state apply only to such measures as are taken in proceedings. The diplomatic agents or consular officers and where possible the maritime authority of the flag state, shall be immediately informed of any such measures taken pursuant to section 6 against foreign vessels.

Article 232 Liability of states arising from enforcement measures

States shall be liable for damage or loss attributable to them arising from measures taken pursuant to section 6 when such measures are unlawful or exceed those reasonably required in the light of available information. States shall provide for recourse in their courts for actions in respect of such damage or loss.

Article 233 Safeguards with respect to straits used for international navigation

Nothing in sections 5, 6 and 7 affects the legal regime of straits used for international navigation. However, if a foreign ship other than those referred to in section 10 has committed a violation of the laws and regulations referred to in Article 42, para 1 (a) and (b), causing or threatening major damage to the marine environment of the straits, the states bordering the straits may take appropriate enforcement measures and if so shall respect *mutatis mutandis* the provisions of this section.

SECTION 8 ICE-COVERED AREAS

Article 234 Ice-covered areas

Coastal states have the right to adopt and enforce non-discriminatory laws and regulations for the prevention, reduction and control of marine pollution from vessels in ice-covered areas within the limits of the exclusive economic zone,

where particularly severe climatic conditions and the presence of ice covering such areas for most of the year create obstructions or exceptional hazards to navigation, and pollution of the marine environment could cause major harm to or irreversible disturbance of the ecological balance. Such laws and regulations shall have due regard to navigation and the protection and preservation of the marine environment based on the best available scientific evidence.

SECTION 9 RESPONSIBILITY AND LIABILITY

Article 235 Responsibility and liability

1 States are responsible for the fulfilment of their international obligations concerning the protection and preservation of the marine environment. They shall be liable in accordance with international law.

2 States shall ensure that recourse is available in accordance with their legal systems for prompt and adequate compensation or other relief in respect of damage caused by pollution of the marine environment by natural or juridical persons under their jurisdiction.

3 With the objective of assuring prompt and adequate compensation in respect of all damage caused by pollution of the marine environment, states shall cooperate in the implementation of existing international law and the further development of international law relating to responsibility and liability for the assessment of and compensation for damage and the settlement of related disputes, as well as, where appropriate, development of criteria and procedures for payment of adequate compensation, such as compulsory insurance or compensation funds.

SECTION 10 SOVEREIGN IMMUNITY

Article 236 Sovereign immunity

The provisions of this Convention regarding the protection and preservation of the marine environment do not apply to any warship, naval auxiliary, other vessels or aircraft owned or operated by a state and used for the time being only on government non-commercial service. However, each state shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities of such vessels or aircraft owned or operated by it, that such vessels or aircraft act in a manner consistent, so far as is reasonable and practicable, with this Convention.

SECTION 11 OBLIGATIONS UNDER OTHER CONVENTIONS ON THE PROTECTION AND PRESERVATION OF THE MARINE ENVIRONMENT

Article 237 Obligations under other conventions on the protection and preservation of the marine environment

1 The provisions of this Part are without prejudice to the specific obligations assumed by states under special conventions and agreements concluded previously which relate to the protection and preservation of the marine environment and to agreements which may be concluded in furtherance of the general principles set forth in this Convention.

2 Specific obligations assumed by states under special conventions, with respect to the protection and preservation of the marine environment, should be carried out in a manner consistent with the general principles and objectives of this Convention.

18.7.3 Nuclear energy

In 1956 the International Atomic Energy Agency (IAEA) was established with the objective of encouraging the use of nuclear power. The Stockholm Conference 1972 indicated particular concern about nuclear waste and the dumping of radio-active waste at sea was outlawed by the London Dumping Convention 1972. Gradually too, the IAEA was given strongly enhanced powers with regard to the safety of nuclear installations including the right to carry out inspections. The basis of the legal regime pertaining to nuclear power is the requirement of publicity and notification, especially of significant risks, but also to encourage the spread of best practices with regard to safety.

Following the Chernobyl accident, when for some considerable time it was impossible to know exactly the extent of the disaster, the Convention on Assistance in Case of Nuclear Accident or Radiological Emergency 1986⁴¹ and the Convention on Early Notification of Nuclear Accident 1986⁴² were signed setting down some important provisions applicable should an accident or emergency occur.

18.8 Conservation of natural resources

Control of pollution is only one aspect of international environmental law. Principle 2 of the Stockholm Declaration proclaimed that the natural resources of the earth should be safeguarded for the benefit of present and future generations. The principle marks a shift away from ideas of absolute sovereignty over natural resources and has been followed by a number of conventions dealing both with general and specific aspects of conservation.

In 1980 the International Union for Conservation of Nature and Natural Resources (IUCN), a non-governmental organisation commissioned by UNEP to draw up a conservation action plan, published the 'World Conservation Strategy'. The aim of the strategy was to advance the achievement of sustainable development through the conservation of living resources. The strategy represents a consensus reached by the scientific community and those concerned with the environment. In the same year the General Assembly of the United Nations passed a resolution on conservation:

41 Convention on Assistance in Case of Nuclear Accident or Radiological Emergency, done at Vienna, 26 September 1986. Entered into force 26 February 1987. Reproduced in (1986) 25 *ILM* 1377.

42 Convention on Early Notification of a Nuclear Accident, done at Vienna, 26 September 1986. Entered into force 27 October 1986. Reproduced in (1986) 25 *ILM* 1370.