

## 19.47 Marine Pollution

RECOGNIZING that there is pollution of the marine environment worldwide, but especially in areas subject to heavy maritime traffic, and that pollution by oil and its products and by toxic and noxious substances arising from human activities poses particularly serious problems;

CONCERNED that such pollution presents a significant threat to marine life, fisheries, human health, indigenous harvesting activities, tourism, recreational use of beaches and other amenities, including scenic quality;

CONSCIOUS of the need to ensure that industrial development should not, in any way, cause damage to the marine environment, jeopardize its living resources, or create hazards to human health;

RECOGNIZING the need to develop an integrated management approach to the use of the marine environment and coastal areas that will allow the achievement of environmental and development goals in a harmonious manner;

CONSIDERING that States with a merchant fleet carrying oil and its products or harmful or noxious materials have an especial responsibility for the conduct of their ships and for safeguarding the marine and coastal environments adjacent to the routes they use;

RECOGNIZING that the UN Convention on the Law of the Sea (UNCLOS) will come into effect in 1994 and contains important provisions for the prevention, reduction and control of pollution of the marine environment;

AWARE of the existence of international conventions to protect the marine environment from pollution, and especially to prevent the discharge of oil and other noxious substances at sea, and of calls for stronger measures to abate and combat marine pollution from ships;

ALSO AWARE of the International Maritime Organization (IMO) recommendations for the adoption of voluntary guidelines for ballast water treatment;

NOTING that the spread of toxic dinoflagellates and other organisms has been linked to the discharge of ballast water from ships, that serious damage has been caused to marine ecosystems by the introduction of foreign organisms in this way, and that further damage is likely to occur;

AWARE that the discharge of ballast water is not at present subject to any internationally binding controls, and that the adoption of such controls is called for in Agenda 21;

The General Assembly of IUCN - The World Conservation Union, at its 19th Session in Buenos Aires, Argentina, 17-26 January 1994:

1. CALLS UPON all States to take positive steps to prevent marine pollution;
2. CALLS UPON all those States that have not done so to consider accession to the various international conventions, and to follow recommendations regulating the carriage of potentially harmful substances by ships and preventing the pollution of the marine environment from ships;
3. CALLS UPON all States with merchant fleets to ensure that their vessels comply with international conventions and recommendations relating to the control of oil pollution, and vessel standards, operations and training and certification of crews, all of which are needed to reduce accidental spillage at sea;
4. STRONGLY URGES all States to study and implement, within the framework of IMO, appropriate legal instruments and other means to control the discharge of ballast water and so limit the spread of organisms by this route, *inter alia*:
  - (a) requiring the certification of the point of origin of ballast waters prior to discharge;
  - (b) making the owners or charterers of a vessel legally liable for any damage caused by the introduction of foreign organisms from ballast waters;
5. CALLS UPON all States, and especially those with a merchant fleet, immediately to implement the IMO interim voluntary guidelines to control the discharge of ballast waters, and particularly to ensure that ships for which they are responsible do not wash out ballast tanks in coastal waters;
6. ENCOURAGES IMO in its efforts to develop ballast water treatment technology;
7. CALLS UPON IMO to initiate discussions to develop a system of compensation for damage to ecosystems and wildlife by oil and other discharges from vessels, so that the affected States may immediately initiate steps to redress the damage;
8. REQUESTS the Director General to bring this Recommendation to the notice of all governments, the International Maritime Organization and the United Nations Environment Programme.

*Note. This Recommendation was adopted by consensus after a series of amendments to Operative Paragraph 4 were rejected by a show of hands. The delegation of the State member Denmark indicated that had there been a vote, the delegation would have abstained because of difficulties of implementing the Recommendation.*