

# EDITORIAL

## LETTER TO THE EDITOR

*The 9th December is the deadline for the signing of the Law of the Sea Convention. Already 144 states have done so and the question is now whether Switzerland, the Federal Republic of Germany, Belgium and Italy will sign before this date.*

*One German environmental group has written to all other similar associations in the country, asking them to put pressure on the Chancellor, Foreign Minister and Minister of the Interior to sign the Convention, even if it should subsequently entail some economic disadvantage, as not to do so would mean a huge set-back for the environment. It will be interesting to see the outcome, for if the Federal Republic does not sign, the International Tribunal for the Law of the Sea will not then be based in Hamburg.*

*The action taken by eight industrialized nations on 3 August in signing a "Provisional Understanding" (PU)\* which in their opinion will avoid mine site conflicts in the issuance of national authorizations to explore and exploit the international seabed area, was the subject of much criticism at the meeting of the Convention's Preparatory Commission ("PrepCom") in Geneva from 13 August - 5 September. The Group of 77 issued a statement, supported by the East European Group, rejecting the PU as a basis for creating legal rights and stated that it regarded it as "wholly illegal". Although one might not put it quite so strongly, their position is understandable.*

*The main task before the Commission was actually the completion and adoption of rules governing registration of pioneer investors, including a timetable according to which overlapping claims would be resolved and applicants could be registered. But by the end of the meeting because of the dispute there was no time left for the Commission to complete this task. For although the Chairman's consultations led to agreement among the parties concerned on a timetable, this had not been finally adopted by the Commission and there is still some possibility that the priority status granted to a first group of pioneers may be challenged. As a result there was nothing else to do but to postpone these decisions until the next scheduled meeting of PrepCom in Kingston (Jamaica), in Spring 1985.*

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*We reported in the last issue (page 25) that the Governing Council of UNEP had decided that the secretariat for the Convention on the Conservation of Migratory Species of Wild Animals ("Bonn Convention") should be in Bonn. Although the Secretary-General has still to be appointed, the secretariat will commence work on 1 October. The first meeting of the Conference of the Parties is scheduled to be held in Bonn in October 1985. It is interesting to note that this is the first UN bureau based in the Federal Republic of Germany which is not solely a UN representation to the country itself.*

28th September



Dear Sir,

In the last issue of your journal 'Environmental Policy and Law, 12 (1984)', the note on page 3 entitled 'Oil Pollution' confused two distinct conventions — (... "The 1973 protocol to the 1969 International Convention on the high seas in cases of pollution casualties (MARPOL) came into force on 2 October 1983").

The one which entered into force on 2 October 1983 was the International Convention for the Prevention of *Pollution from Ships*, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78). The International Convention Relating to Intervention on the High Seas in Cases of *Oil Pollution Casualties*, 1969, entered into force in 1975.

The rest of the note correctly outlined the MARPOL Convention.

Yours faithfully,

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