



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
Committee I
Agenda item 3

CONSIDERATION OF THE DRAFT ARTICLES OF THE
INTERNATIONAL CONVENTION FOR THE PREVENTION
OF POLLUTION FROM SHIPS, 1973

Comments on Articles 5 and 6

Submitted by Cuba

1. With reference to Article 5:
 - (a) In the twelfth line of paragraph (2) of the English text after the word "sea" substitute the following:

"after the defects in question have been corrected".

At the end of paragraph (2) add the following:

"provided that it is satisfied that the voyage so arranged will not present any threat of harm to the marine environment".
 - (b) In paragraphs (4) and (5) eliminate the square brackets and delete the word "may".
2. With reference to Article 6:
 - (a) In the second line of paragraph (2) the possibility of a ship being "subject to inspection" should not be limited solely to "loading ports" as laid down in this Article, as this would give rise to the possibility that contamination might be effected in the remaining areas of the maritime jurisdiction of the Contracting State by ships that are already

(a) waiting in the harbour area, (b) in the ports of a refuge zone, (c) in an offshore terminal in a zone of special characteristics, which is not necessarily the case of an innocent vessel.

With a view to preventing the above-mentioned possibilities and also to prevent the possibility of unnecessarily interrupting the activities of ships we propose that the above-mentioned phrase should be replaced by the following: "in the waters over which the Contracting State exercises jurisdiction, provided always that the innocent passage to which the ship is entitled is not affected hereby".

- (b) With regard to paragraph (3) of this Article we are of the opinion that in the fourth line the words "If it is practicable to do so" should be deleted, since it is obvious that it is obligatory to inform the master of the ship.
- (c) With regard to paragraph (5) the Cuban Delegation shares the opinion of the representative of the USSR as set forth in Document WP.22.
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