



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
Committee IV
Agenda item 2

DRAFT PROTOCOL RELATING TO INTERVENTION ON THE HIGH SEAS IN CASES OF MARINE POLLUTION BY SUBSTANCES OTHER THAN OIL

Re-draft submitted by the delegations of Australia, Canada,
Iceland, Kenya, New Zealand, Philippines and Tanzania

PREAMBLE

The States Parties to the present Protocol,

Being Parties to the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, (hereinafter referred to as "the Convention") done at Brussels on 29 November 1969,

Taking into account the Resolution on International Co-operation concerning Pollutants other than Oil adopted by the Diplomatic Conference in Brussels at the same time,

Further taking into account that pursuant to the Resolution, the Inter-Governmental Maritime Consultative Organization has intensified its work, in collaboration with all interested international organizations, on all aspects of pollution by agents other than oil,

Have agreed as follows:

ARTICLE I

1. Parties to the present Protocol may take such measures on the high seas as may be necessary to prevent, mitigate or eliminate grave and imminent danger to their coastline or related interests from pollution or threat of pollution by substances other than oil following upon a maritime casualty or acts related to such a casualty, which may reasonably be expected to result in major harmful consequences.

2. Substances other than oil as referred to in paragraph 1 shall be those substances which are liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea.

ARTICLE II

1. The provisions of paragraph 2 of Article I and Articles II to VIII of the Convention and the Annex thereto as they relate to oil shall be applicable with regard to the substances referred to in Article I of this Protocol.

2. For the purpose of this Protocol the list of experts referred to in Articles III(c) and IV of the Convention shall be extended to include experts qualified to give advice in relation to substances other than oil. Nominations to the list may be made by Member States of the Organization and by Parties to this Protocol.
