

MARINE ENVIRONMENT LAW

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PREFACE

In 1985 *United Kingdom Marine Pollution Law* was published. At that time marine pollution was the focus of the law. However now the emphasis has shifted to the protection of the marine environment as a whole. This is not a great change but can be seen in conventions to protect marine wildlife as a goal in itself rather than to conserve a harvestable resource. This is particularly true of the newer protocols to the conventions that form part of UNEP's Regional Seas Programme.

The shift in emphasis can also be seen in other areas. The draft regulations for the protection of the marine environment from deep-sea mining activities are intended to prevent any serious effects from such activities on the living or non-living components of the marine environment and associated ecosystems. In addition the effects of atmospheric pollution on the sea are increasingly being taken into account and provided for in conventions.

The other major change of emphasis since 1985 is in enforcement. Although all too often IMO and other resolutions calling for more enforcement of marine environment laws are pious hopes rather than a reflection of action, the situation is changing. In particular the doctrine of port state control is having more effect.

Since 1985 more conventions have been agreed on a global and regional basis to protect the marine environment. These have led to changes in domestic legislation. Further, in Europe the EEC has become involved in some aspects of marine environmental controls although its competence does not yet include navigational matters. This may alter if the Maastricht Treaty is ratified.

Thus it was felt timely to bring out a new version of the 1985 work. Covering a wider field than that work, *Marine Environment Law* is intended to give the practitioner access to a text on each sector of the law as well as the major international, regional and U.K. domestic legislation. In a book of this size there are obviously gaps in the coverage of regional conventions. Examples of such conventions are included but at this stage it was considered unnecessary to have them all.

The book has also become looseleaf. This will enable continuing updates of both text and legislative materials.

In the course of writing this book we have been helped by a number of people to whom we are most grateful. Responsibility for any mistakes, is, of course, our own.

2, Paper Buildings, Temple
January 1993

JOHN BATES
CHARLES BENSON

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United Nations Conference on Trade and Development (UNCTAD)
International Maritime Organization (IMO)
International Tanker Owners Pollution Federation (TOVALOP)
Cristal Services Ltd
UNEP (United Nations Environment Programme)
Offshore Pollution Liability Association Ltd (OPOL)
Regional Organisation for the Protection of the Marine Environment, Kuwait
(ROPME)
Secretariat of the Memorandum of Understanding on Port State Control (MOU)
Spanish Ministry of Foreign Affairs
Oslo/Paris Commission (OSCOM)
Scientific Committee on Antarctic Research of International Council of Scientific
Unions (SCAR)
Commission for the Conservation of Antarctic Marine Living Resources
(CCAMLR)
Secretariat of the International Whaling Commission
EEC Council

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