INTERNATIONAL ENVIRONMENTAL LAM

Alexandre Kiss and Dinah Shelton



INTERNATIONAL ENVIRONMENTAL LAW

Alexandre Kiss and Dinah Shelton

Library of Congress Cataloging-in-Publication Data

Kiss, Alexandre Charles, 1925-

International environmental law / Alexandre Kiss, Dinah Shelton

p. cm.

Includes bibliographical references and index.

ISBN 0-941320-67-1 Transnational Publishers, Inc.

ISBN 1 853333 627 0 Graham & Trotman

1. Environmental law, International. I. Shelton, Dinah.

II. Title.

K3585.4.K574 1991

341.7'62--dc20

91-11952

CIP

Copyright ©1991 by Transnational Publishers, Inc.

All rights reserved. No part of this publication may be reproduced in any form or by any electronic or mechanical means including information storage and retrieval systems without permission in writing from the publisher.

Manufactured in the United States of America

LIST OF ABBREVIATIONS

Am.J. Int'l. L. American Journal of International Law

A.T.S. Australian Treaty Series

B.F.S.P. British and Foreign State Papers

CCAMLR Commission for the Conservation of Antarctic Marine

Living Resources

CITES Convention on International Trade in Endangered

Species

Cmd. United Kingdom Command Papers

C.T.S. Canadian Treaty Series Ecol.L.Q. Ecology Law Quarterly

EEC European Economic Community
EEZ Exclusive Economic Zone
Envtl Pol. & Law Environmental Policy and Law

E.T.S. European Treaty Series

EURATOM European Community of Atomic Energy

E.Y.B European Yearbook

FAO Food and Agriculture Organization
GEMS Global Environment Monitoring System

H.R.L.J. Human Rights Law Journal

IAEA International Atomic Energy Agency
I.C.J. International Court of Justice Reports

I.L.C. International Law Commission
I.L.M. International Legal Materials
ILO International Labor Organization
IMF International Monetary Fund
IMO International Maritime Organization

Int'l Env. L. International Environmental Law: Multilateral

Agreements

IUCN World Conservation Union

IWC International Whaling Commission

Kiss Selected Multilateral Treaties in the Field of the

Environment (UNEP, 1983)

L.N.T.S. League of Nations Treaty Series

Mich.L.Rev. Michigan Law Review
Nat. Res. J. Natural Resources Journal

Neth. Y.B. Int'l L.

O.J.E.C.

Netherlands Yearbook of International Law
Official Journal of the European Communities

OAS Organization of American States
OAU Organization of African Unity

OECD Organization for Economic Cooperation and

Development

T.I.A.S. U.S. Treaties and Other International Agreements

U.K.T.S. United Kingdom Treaty Series

UNECE United Nations Economic Commission for Europe

UNEP United Nations Environment Program

UNESCO United Nations Educational, Scientific and Cultural

Organization

International Environmental Law

UNRIAA United Nations Reports of International Arbitral

Awards

U.N.T.S. United Nations Treaty Series
U.S.T. United States Treaty Series
WHO World Health Organization

xii

WMO World Meteorological Organization

WWF Worldwide Fund for Nature

Y.B.I.L.C. Yearbook of the International Law Commission

CHRONOLOGICAL TABLE

19 March 1902	Convention for the Protection of Birds Useful to Agriculture (Paris), 30 Martens (2d) 686; 102 B.F.S.P. 969, 1, 33, 240, 291
21 May 1906	United States-Mexico Convention Concerning the Equitable Distribution of the Waters of the Rio Grande for Irrigation Purposes, UN DOC/ST/LEG/Ser. 8/12 p. 232; 34 Stat. 2953, T.S. 455; 9 Bevans 924, 223
11 January 1909	Treaty between the United States and Great Britain Respecting Boundary Waters Between the United States and Canada (Washington), 36 Stat. 2448, T.S. No. 548, 12 Bevans 319; 4 Am.J.Int'l.L. 239 (1920 Supp.), 34, 93, 209
7 February 1911	Treaty for the Preservation and Protection of the Fur Seals (Washington), 104 B.F.S.P. 175, 1, 34, 288, 302
3 August 1924	The Mavrommatis Palestine Concessions Case, P.C.I.J. Rep. Ser. A, No. 2, 357
24 September 1931	Convention for the Regulation of Whaling, 155 L.N.T.S. 349; 49 Stat. 3079, T.S. 880, 3 Bevans 26, 285
8 November 1933	Convention Relative to the Preservation of Fauna and Flora in their Natural State (London), 172 L.N.T.S. 241; U.K.T.S. 27 (1930), Cmd. 5280; 137 B.F.S.P. 254; 6 Hudson 504; Kiss 57, 34, 37, 271
12 October 1940	Convention on Nature Protection and Wild-Life Preservation in the Western Hemisphere (Washington), 161 U.N.T.S. 193; 56 Stat. 1354, T.S. No. 981, 3 Bevans 630, 34, 86, 269
11 March 1941	Arbitral Award, Trail Smelter Case, 3 U.N.R.I.A.A. 1911, 36, 103, 122, 127, 128, 129, 231, 347, 348, 354, 361
3 February 1944	United States-Mexico Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, 92, 223
2 December 1946	International Convention for the Regulation of Whaling (Washington), 161 U.N.T.S. 72, U.K.T.S. 5 (1949), Cmd. 7604; 62 Stat. 1716, T.I.A.S. No. 1849, 4 Bevans 248, 285
11 October 1947	Convention of the World Meteorological Organisation, A.T.S. 18 (1948); B.F.S.P. 521; Kiss 67, 67
10 December 1948	Universal Declaration of Human Rights, G.A. Res. 217A(111), U.N.DOC A/810, 21, 112
3 April 1949	Corfu Channel Case (U.K. v. Albania), Merits, 1949 I.C.J. Rep. 4, 36, 107, 122, 132
8 April 1950	Protocol to Establish a Tripartite Standing Committee on Polluted Waters (Brussels) 66 U.N.T.S. 285, 35

18 October 1950	International Convention for the Protection of Birds (Paris), 638 U.N.T.S. 185; Kiss 84, 292
4 November 1950	European Convention for the Protection of Human Rights and Freedoms (Rome), 213 U.N.T.S. 221; E.T.S. 5; U.K.T.S. 71 (1953), Cmd. 8969; 156 B.F.S.P. 915, 24
18 April 1951	Treaty Establishing the European Coal and Steel Community (Paris), 261 U.N.T.S. 140; U.K.T.S. 16 (1979), Cmd. 7461; 158 B.F.S.P. 630, 79
1 March 1954	Nuclear Testing Accident regarding the ship "Fukuryu Maru", 360
12 May 1954	International Convention for the Prevention of Pollution of the Sea by Oil (London), 327 U.N.T.S. 3; U.K.T.S. 54 (1958), Cmd. 595; A.T.S. 7 (1962); C.T.S. 31 (1958); 12 U.S.T. 2989, T.I.A.S. No. 4900; Kiss 101. Amended 1962: 600 U.N.T.S. 332; U.K.T.S. 59 (1967), Cmd 3354; 17 U.S.T. 1523, T.I.A.S. No. 6109. Amended 1969: U.K.T.S. 21 (1978), Cmd. 7094; 28 U.S.T. 1205, T.I.A.S. 8508, 35, 68, 162, 175
26 October 1956	Statute of the International Atomic Energy Agency, 276 U.N.T.S. 3; U.K.T.S. 19 (1958), Cmd. 450; 8 U.S.T. 1043, T.I.A.S. 3873; A.T.S. 11 (1957), 67
19 November 1956	Protocol to the International Convention for the Regulation of Whaling Signed Under Date of Dec. 2, 1946, 338 U.N.T.S. 366; 10 U.S.T. 952, T.I.A.S. No. 4228, 284
19 November 1956	Lake Lanoux Case (France v. Spain), 12 U.N.R.I.A.A. 281 (1957), 36, 108, 126, 128
9 February 1957	Interim Convention on Conservation of North Pacific Fur Seals (Washington), 314 U.N.T.S. 105; 8 U.S.T. 2283, T.I.A.S. No 3948, 57, 288
25 March 1957	Treaty Establishing the European Economic Community (Rome) 298 U.N.T.S. 11; U.K.T.S. 15 (1979), Cmd. 7480, 79, 110
25 March 1957	Treaty Establishing the European Atomic Energy Community (Euratom) (Rome) 298 U.N.T.S. 167; U.K.T.S. 15 (1979), Cmd. 7480, 3
22 October 1957	Court of Appeals of Saarbrucken, Decision in Poro v. Houilleres du Bassin de Lorraine 11 Oberlandesgericht (OLG) Saarbrucken 752 (1958), 365
22 November 1957	Agreement between Norway and the U.S.S.R. on Measures Regulating the Catch and Conserving Stocks of Seal in the North-Eastern Part of the Atlantic Ocean (Oslo), 309 U.N.T.S. 280, 290, 301
20 March 1958	Agreement Concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts (Geneva), 335 U.N.T.S. 211, 234, 238
29 April 1958	Convention on Fishing and Conservation of the Living Resources of the High Seas, 559 U.N.T.S. 285; U.K.T.S. 39 (1966), Cmd. 3028; 17 U.S.T. 138, T.I.A.S. No. 5969; A.T.S. 12; 52 Am.J.Int'l.L. 851, 35
29 April 1958	Convention on the High Seas, 450 U.N.T.S. 82; U.K.T.S. 5 (1963), Cmd. 1929; 13 U.S.T. 2312, T.I.A.S. No. 5200; A.T.S. 12 (1963); 52 Am.J.Int'l.L. 842; Kiss 129, 35, 163, 185

1 December 1959	The Antarctic Treaty (Washington), 402 U.N.T.S. 71; U.K.T.S. 97 (1961), Cmd. 1535; 12 U.S.T. 794, T.I.A.S. 4780; Am.J.Int'l.L. 477 (1960), 35, 251, 329
8 April 1960	General Treaty for the Settlement of Frontier Questions Between the Netherlands and the Federal Republic of Germany, 508 U.N.T.S. 14, 96, 348, 361
29 July 1960	Convention on Third Party Liability in the Field of Nuclear Energy (Paris), 8 E.Y.B. 203; U.K.T.S. 69 (1968), Cmd. 3755, 55 Am.J.Int'l.L. 1082 (1961); Kiss 159. 329, 351, 368
27 October 1960	Agreement on the Protection of Lake Constance Against Pollution (Steckborn), UN Legislative Series, ST/LEG/SER.B/12 p. 438, 35, 203, 208, 209
25 May 1962	Convention on the Liability of Operators of Nuclear Ships (Brussels), 57 Am.J.Int'l.L. 268 (1963), 368
16 November 1962	Convention Between France and Switzerland Concerning the Protection of Lake Leman Against Pollution (Paris), 922 U.N.T.S. 49, 35
29 April 1963	Agreement Concerning the International Commission for the Protection of the Rhine Against Pollution (Bern), 994 U.N.T.S. 3; Kiss 176, 35, 208, 215
21 May 1963	Vienna Convention on Civil Liability for Nuclear Damage, Misc. 9 (1964), Cmd. 2333; 2 I.L.M. 727 (1963); Kiss 179, 329, 333, 368
5 August 1963	Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (Moscow), 480 U.N.T.S. 43; U.K.T.S. 3 (1964), Cmd. 2245; 14 U.S.T. 1313, T.I.A.S. 5433; A.T.S. 26 (1963); 57 Am.J.Int'l.L. 1026; Kiss 185, 35, 329
25 November 1964	Niamey Agreement Concerning the River Niger Commission and the Navigation and Transport on the River Niger, 587 U.N.T.S. 19, 92
23 September 1966	Agreement Between Belgium and France Concerning Nuclear Accidents, <i>Moniteur belge</i> , 7 March 1967, 2276, 138
16 December 1966	UN Covenant on Civil & Political Rights, G.A. Res. 2200 (XXI)(Annex); 6 I.L.M. 368 (1967), 23, 24, 112, 129
16 December 1966	UN Covenant on Economic, Social & Cultural Rights, G.A. Res. 2200 (XXI)(Annex); 6 I.L.M. 360 (1967), 23, 112, 129
27 January 1967	Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, 610 U.N.T.S. 205; U.K.T.S. 10 (1968), Cmd. 3519; 18 U.S.T. 2410, T.I.A.S. No. 6347; A.T.S. 24 (1967); 6 I.L.M. 386, 36, 96, 351, 353
27 June 1967	EEC Directive Relating to the Classification, Packaging and Labelling of Dangerous Substances, 67/548/EEC (O.J.E.C. No. L 196 of 8/16/67). Amended: March 13, 1969 (O.J.E.C. L 68 of 3/19/69); March 6, 1970 (O.J.E.C. L 59 of 3/14/70); March 22, 1971 (O.J.E.C. L 74 of 3/29/71); May 21, 1973 (O.J.E.C. L. 167 of 6/25/73); June 24, 1975 (O.J.E.C. L 183 of 7/14/75); and Sept. 18, 1979, (O.J.E.C. L 98 of 7/22/78), 310

		•
~	.,	

International Environmental Law

8 March 1968	European Declaration of Principles on Air Pollution Control, 37, 76, 230
6 May 1968	European Water Charter, in "Legal Problems Relating to Nonnavigational Use of International Watercourses," Supp. Rep. of the Secretary-General, U.N. Doc. A/CN.4/274, 2 Y.B. I.L.C. 342 (1974), 37, 76, 112, 205
15 September 1968	African Convention on the Conservation of Nature and Natural Resources (Algiers), 68 Int'l Envt'l L. 968 (1969), 37, 45, 50, 71, 100, 140, 145, 152, 202, 270.
16 September 1968	European Agreement on the Restriction of the Use of Certain Detergents in Washing and Cleaning Products (Brussels), 788 U.N.T.S. 181; E.T.S. 64, U.K.T.S. 23 (1971), Cmd. 4646, 37, 76, 205
27 September 1968	Convention on Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters (Brussels), O.J.E.C. L 304/77 1978; EC 46 (1978), Cmd. 7395; 8 I.L.M. 229 (1969), 365, 367
13 December 1968	European Convention for the Protection of Animals During International Transport, 788 U.N.T.S. 185; E.T.S. 65; U.K.T.S. 31 (1974), Cmd. 5613; Kiss 216, 303
7 January 1969	TOVALOP Agreement, 8 I.L.M. 497 (1969); 371
9 June 1969	Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil (Bonn), 704 U.N.T.S. 3; Kiss 223 U.K.T.S. 78 (1960), Cmd. 4205; 9 I.L.M. 359 (1970), 133, 136, 165, 195, 303, 371
29 November 1969	International Convention on Civil Liability for Oil Pollution Damage (Brussels), 973 U.N.T.S. 3; U.K.T.S. 106 (1975), Cmd. 6183; 9 I.L.M. 45 (1970); Kiss 235, 164, 201, 368, 373
29 November 1969	International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (Brussels), U.K.T.S. 77 (1975), Cmd. 6056; 26 U.S.T. 765, T.I.A.S. 8068; 9 I.L.M. 25 (1970); Kiss 230, 135, 162, 164, 200
2 February 1971	Convention on Wetlands of International Importance (Ramsar), 996 U.N.T.S. 245; U.K.T.S. 34 (1976), Cmd. 6465; 11 I.L.M. 969 (1972), 38, 43, 64, 146, 249, 291, 294
1 April 1971	Cristal Agreement, 10 I.L.M. 137 (1971), 371
18 May 1971	OECD Resolution on a Procedure for Notification and Consultation on Measures for Control of Substances Affecting Man and His Environment, C(71)73(Final), 311
15 July 1971	Agreement Between Canada and Norway on Sealing and the Conservation of the Seal Stock in the North-West Atlantic (Ottawa), 870 U.N.T.S. 71, 290, 301
16 September 1971	Agreement Concerning Frontier Rivers Between Finland & Sweden, 825 U.N.T.S. 191, 350
16 September 1971	Agreement Concerning Cooperation in Taking Measures Against Pollution of the Sea by Oil (Copenhagen), 822 U.N.T.S. 311, 165, 195

18 December 1971	Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (Brussels), U.K.T.S. 95 (1978), Cmd. 7383; 11 I.L.M. 284 (1972); Kiss 255. Amended 1976, 16 I.L.M. 621 (1977), 164, 202, 368, 371
15 February 1972	Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft (Oslo), 932 U.N.T.S. 3; U.K.T.S. 119 (1975), Cmd. 6228; 11 I.L.M. 262 (1972); Kiss 266, 165, 180, 183
4 March 1972	United States-Japan, Convention for the Protection of Migratory Birds in Danger of Extinction, and Their Environments, with Annex, 25 U.S.T. 3329, T.I.A.S. 7990. Amendment, Sept. 19, 1974, 25 U.S.T. 3329, T.I.A.S. 7990, 296
29 March 1972	Convention on International Liability for Damage Caused by Space Objects, 961 U.N.T.S. 187; U.K.T.S. 16 (1974), Cmd. 5551; 24 U.S.T. 2389, T.I.A.S. 7762, 348, 351, 353, 359
24 May 1972	Agreement Between the United States and the U.S.S.R. for Cooperation in the Field of Environmental Protection (Moscow), 23 U.S.T. 845, T.I.A.S. 7345; 11 I.L.M. 761 (1972), 153
1 June 1972	Convention for the Conservation of Antarctic Seals (London), 29 U.S.T. 441, T.I.A.S. 8826; 11 I.L.M. 251 (1972), 38, 102, 253, 301
5-16 June 1972	Stockholm Conference on the Human Environment, 38, 49, 111, 138, 206
16 June 1972	Stockholm Declaration on the Human Environment, U.N. Doc. A/Conf. 48/14/Rev. 1 (U.N. Pub. E.73, II.A.14) (1973), 10, 14, 18, 21, 39, 48, 49, 55, 112, 129, 152, 164, 168, 241, 243, 301, 322, 348, 354, 361, 362, 380, 385
23 November 1972	UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, U.K.T.S. 2 (1985), Cmd. 9424; 27 U.S.T. 37, T.I.A.S. 8225; 11 I.L.M. 1358 (1972); Kiss 276, 14, 17, 43, 50, 64, 146, 244, 291, 391
15 December 1972	General Assembly Res. 2995 (XXVII) Concerning Cooperation Between States in the Field of the Environment, 27 G.A.O.R., Supp. No. 30 (A/8730) at 42 (1973), 59, 152
29 December 1972	Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter (London), 26 U.S.T. 2403, T.I.A.S. 8165. Amended Oct. 12, 1978, T.I.A.S. No. 8165; 18 I.L.M. 510 (1979), 68, 96, 102, 155, 164, 181, 185, 258, 337
13 February 1973	OECD Decision on the Protection of the Environment by Control of Polychlorinated Biphenils (PCB), C(73)1(Final), 109, 312
3 March 1973	Convention on International Trade in Endangered Species of Wild Fauna and Flora (Washington), 993 U.N.T.S. 243; U.K.T.S. 101 (1976), Cmd. 6647; 12 I.L.M. 1085 (1973); Kiss 289, 14, 43, 50, 57, 71, 83, 96, 98, 100, 157, 258, 288, 291, 297, 303, 463
4 June 1973	EEC Directive Relating to the Classification, Packaging and Labelling of Solvents, O.J.E.C. L 189 (7/11/73) and O.J.E.C. L 229 (8/30/80), 310

22 June 1973	Nuclear Tests in the Pacific (Australia v. France) [1973] I.C.J. Rep. 99; (New Zealand v. France), [1973] I.C.J. 135, 126, 361
20 September 1973	Agreement Between the Federal Republic of Germany and the German Democratic Republic Concerning the Principles of the Maintenance and the Improvement of Boundary Waters (Bonn), 1974 Bundesgesetzblatt II 1238, 91
2 November 1973	International Convention for the Prevention of Pollution by Ships (MARPOL) (London), U.N. Legislative Series ST/LEG/SER.B/18, at 461; U.K.T.S. 27 (1983), Cmd. 8924; 12 I.L.M. 1319 (1973); Kiss 320, 35, 68, 96, 100, 104, 164, 167, 175, 258
15 November 1973	Agreement on the Conservation of Polar Bears (Oslo), 27 U.S.T. 3918, T.I.A.S. 8409; 13 I.L.M. 13 (1974); Kiss 401, 296
22 November 1973	EEC Program of Action on the Environment, 1973 O.J.E.C. C 112 (12/20/73), 79
22 November 1973	EEC Directive Relating to Detergents, 73/404/EEC, O.J.E.C 347 (1973), 194
19 February 1974	Nordic Environmental Protection Convention (Stockholm), U.N. Legislative Series, ST/LEG/SER.B/18, at 397; 13 I.L.M. 511 (1974), 44, 132, 137, 142, 143, 144, 367
22 March 1974	Convention on the Protection of Marine Environment of the Baltic Sea Area (Helsinki), U.N. Legislative Series, ST/LEG/SER.B/18, at 518; 13 I.L.M. 546 (1974); Kiss 405, 104, 165, 177, 184, 185, 192, 362
9 May 1974	Agreement Between the Federal Republic of Germany and the United States on Cooperation in the Field of Environmental Protection, 26 U.S.T. 840, T.I.A.S. 8069; 13 I.L.M. 598 (1974), 153
4 June 1974	Convention for the Prevention of Marine Pollution from Land-Based Sources (Paris), U.K.T.S. 64 (1978), Cmd. 7251; 13 I.L.M. 352 (1974); Kiss 430, 18, 103, 141, 179, 190, 215
18 June 1974	OECD Recommendation Concerning Emissions of Sulphur Oxides, C(74)16(Final), 237
19 June 1974	United States-Canada Agreement Relating to the Establishment of Joint Pollution Contingency Plans for Spills of Oil and Other Noxious Substances, 25 U.S.T. 1280, T.I.A.S. 7861
1 November 1974	International Convention for the Safety of Human Life at Sea, 1184 U.N.T.S. 2 (EC Texts); U.K.T.S. 46 (1980), Cmd. 7874; T.I.A.S. 9700, 167
14 November 1974	OECD Principles Concerning Transfrontier Pollution, C(74)224, 14 I.L.M. 234 (1975), 111, 112, 116, 117, 121, 132, 138, 139, 143, 144, 150
14 November 1974	OECD Recommendation on the Analysis of Environmental Consequences of Significant Projects, C(74)216, 147
14 November 1974	OECD Recommendation on the Assessment of the Potential Environmental Effects of Chemicals, C(74)215, 309
14 November 1974	OECD Declaration on Environmental Policy. OECD and The Environment (1986) p. 15., 147

12 December 1974	UN Charter of Economic Rights and Duties of States, G.A. Res. 3281, Dec. 12, 1974, 29 U.N.G.A.O.R. Supp. No. 31, (A/9631) at 50, 42, 129, 138
20 December 1974	Nuclear Tests in the Pacific (Australia v. France), [1974] I.C.J. Rep. 253; (New Zealand v. France), [1974] I.C.J. Rep. 457, 361
26 March 1975	United States-Canada Agreement Relating to the Exchange of Information on Weather Modification Activities, 26 U.S.T. 540, T.I.A.S. 8056; 14 I.L.M. 589 (1975), 134
12 May 1975	District Court of Rotterdam, Decision in Handelskwekerij G.J. Bier et Fondation Reinwater v. Mines de Potasse d'Alsace, 366
16 June 1975	EEC Directive Concerning the Quality Required of Surface Water Intended for Abstraction of Drinking Water, 75/440/EEC, O.J.E.C. L 194 (7/15/75), 213
16 June 1975	EEC Directive on the Disposal of Waste Oil, 75/439/ EEC, O.J.E.C. L 194 (7/25/75), 317
15 J uly 1975	EEC Directive on Waste, 75/442/EEC, O.J.E.C. L 194 (7/25/75), 313, 317
1 August 1975	Final Act of the Helsinki Conference on Security and Cooperation in Europe, 14 I.L.M. 1292 (1975), 44, 84, 130, 131, 234
5 August 1975	United States-Japan Agreement on Cooperation in the Field of Environmental Protection, 26 U.S.T. 2534, T.I.A.S. 8172
24 November 1975	EEC Directive on the Sulphur Content of Certain Liquid Fuels, 75/116/EEC, O.J.E.C. L 307 (11/27/75), 237
8 December 1975	EEC Directive Concerning the Quality of Bathing Water, 76/160/EEC, O.J.E.C. L 31 (2/5/76), 194, 214
16 February 1976	Convention for the Protection of the Mediterranean Sea Against Pollution (Barcelona), U.N. Legislative Series, ST/LEG/SER.B/19 at 459; 15 I.L.M. 290 (1976); Kiss 448, 14, 104, 105, 116, 151, 166, 178, 362
16 February 1976	Protocol Concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency, U.N. Legislative Series, ST/LEG/SER.B/19 at 468; 15 I.L.M. 306 (1976); Kiss 457, 166, 184, 185, 195
16 February 1976	Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft, 15 I.L.M. 300 (1976); Kiss 454, 166, 185
6 April 1976	EEC Directives on Disposal of Polychlorinated Biphenyls (PCB), and Polychlorinated Terphenyl (PCT), O.J.E.C. L 108 (4/26/76), 312, 317
4 May 1976	EEC Directive on Pollution Caused by Certain Dangerous Substances Discharged in the Aquatic Environment of the Communities, 76/464/EEC, O.J.E.C. L 129 (5/18/76), 116, 157, 193, 211, 216, 217
11 May 1976	OECD Recommendation on Equal Right of Access in Relation to Transfrontier Pollution, C(76)55(Final), 141, 142

12 June 1976	Convention on Conservation of Nature in the South Pacific (Apia), Kiss 463, 14, 89, 146, 148, 277
28 September 1976	OECD Recommendation on a Comprehensive Waste Management Policy, C(76)155(Final), 111, 316
12 October 1976	OECD Principles Concerning Coastal Management, C(76)161(Final), 111
19 November 1976	Protocol to the Brussels Convention on Civil Liability for Oil Pollution Damage, U.K.T.S. 26 (1981), Cmd. 8238; 16 I.L.M. 617, 368
30 November 1976	S.A. Handelskwekerij Bier et Fondation Reinwater v. Mines de Potasse d'Alsace, 1976 E.Comm.Ct.J. Rep. 1735, 366
3 December 1976	Convention for the Protection of the Rhine Against Chemical Pollution (Bonn), 1124 U.N.T.S. 375; 16 I.L.M. 242 (1977), 134, 156, 208, 216
3 December 1976	Convention for the Protection of the Rhine from Pollution by Chlorides (Bonn), 16 I.L.M. 265 (1977), 208, 216, 222, 374
8 December 1976	Tribunal of Bastia, Prud'hommie des pecheurs de Bastia et autres v. Montedison, 393
3 February 1977	Agreement Between France and FRG on Mutual Assistance in Case of Accidents, XXIX International Protection of the Environment 227 (Ruester, Simma & Bock eds. 1982), 136
28 February 1977	Court of Appeals of Bastia, Prud'hommie des pecheurs de Bastia et autres v. Montedison, Revue Juridique de l'Environnement 1977, 331, 367
1 May 1977	Convention on Civil Liability for Oil Pollution Damage Resulting from Exploration for and Exploitation of Seabed Mineral Resources (London), 16 I.L.M. 1450 (1977), 188, 202, 368
17 May 1977	OECD Recommendation on the Implementation of a Regime of Equal Right of Access and Non-discrimination in Relation to Transfrontier Pollution, OECD Doc. C(77)28(Final); 16 I.L.M. 977 (1977), 118, 138, 142, 143, 144
18 May 1977	Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, 31 U.S.T. 333, T.I.A.S. 9614; 16 I.L.M. 88 (1977); Kiss 479, 14, 30, 109
8 June 1977	Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts, 1125 U.N.T.S. 3 (P. I); 1125 U.N.T.S. 609 (P. II); 16 I.L.M. 1391, 30
4 July 1977	Agreement Relating to the Exchange of Information on Construction of Nuclear Installations Along the Border, Concluded Between Denmark and the Federal Republic of Germany, 17 I.L.M. 274 (1978), 137
7 July 1977	OECD Recommendation on Procedures and Requirements for Anticipating the Effects on
	Chemicals on Man and in the Environment, C(77)97(Final), 309

22 July 1977	OECD Decision on Multilateral Consultation and Surveillance Mechanism for Sea Dumping of Radioactive Waste, 17 I.L.M. 445 (1978), 110, 338
7 November 1977	EEC Directive on the Classification, Packaging and Labelling of Paints, Varnishes, Printing Inks, Adhesives and Similar Products, 77/728/EEC, O.J.E.C. L 303 (11/28/77) and O.J.E.C. L 157 (6/6/83), 310
24 January 1978	Accident of Spaceship Cosmos 954, 18 I.L.M. 899 (1979); 19 Can. Y.B. Int'l L. 158 (1981), 351
3 February 1978	OECD Recommendation on the Re-Use and Recycling of Beverage Containers, C(78)8(Final), 316
17 February 1978	Protocol Relating to the Convention for the Prevention of Pollution from Ships (MARPOL), 17 I.L.M. 546 (1978), 175
20 February 1978	EEC Directive on Waste from Titanium Dioxide Industry, 78/176/EEC, O.J.E.C. L 54 (2/25/78), 317
16 March 1978	Accident of the Tanker "Amoco Cadiz", 221, 355, 372
20 March 1978	EEC Directive on Toxic and Dangerous Waste, 78/319/EEC, O.J.E.C. L 84 (3/31/78), 314, 317, 318
31 March 1978	Convention on the Carriage of Goods by Sea, UN Doc. A/Conf. 89/5; 17 I.L.M. 608 (1978), 320
24 April 1978	Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution, 1140 U.N.T.S. 133; 17 I.L.M. 511 (1978); Kiss 486, 14, 137, 148, 151, 166, 178, 179, 184, 362
24 April 1978	Protocol Concerning Regional Cooperation in Combating Pollution by Oil and Other Harmful Substances in Cases of Emergency, 17 I.L.M. 526 (1978), 195
19 May 1978	UNEP, Principles of Conduct in the Field of the Environment for the Guidance of States in the Conservation and Harmonious Utilization of Natural Resources Shared by Two or More States, U.N.Doc. UNEP/1G 12/2 (1978); 17 I.L.M. 1097 (1978), 43, 62, 112, 131, 133, 139, 147, 361
26 June 1978	EEC Directive Relating to the Classification, Packaging and Labelling of Dangerous Products (Pesticides), 78/631/EEC, O.J.E.C. L 106 (7/29/78) and O.J.E.C. L 88 (4/7/81), 337
29 June 1978	EEC Directive Concerning the Lead Content of Petrol, 78/611/EEC, O.J.E.C. L 197 (7/22/78), 238
30 June 1978	Convention Relating to the Status of the River Gambia, Natural Resources Water Sources. No 134 ST/ES17/141 (1989), 39
3 July 1978	Treaty for Amazonian Cooperation (Brasilia), 17 I.L.M. 1045 (1978), 132
7 July 1978	Convention on Standards of Training, Certification and Watchkeeping of Seafarers, U.K.T.S. 50 (1984), Cmd. 9266, 68
18 July 1978	EEC Directive on the Quality of Fresh Water Needing Protection or Improvement in Order to Support Fish Life, 78/659/EEC, O.J.E.C. L 222 (8/14/78), 214
21 September 1978	OECD Recommendation for Strengthening International Cooperation on Environmental Protection in Transfrontier Regions, C(78)77(Final); 17 I.L.M. 1530 (1978), 138

22 November 1978	United States-Canada Agreement on Great Lakes Water Quality with Annexes, 30 U.S.T. 1383, T.I.A.S. 9257. Amended October 16, 1983, T.I.A.S. 10798, 39, 134, 208, 210
21 December 1978	EEC Directive prohibiting Plant Protection Products Containing Certain Active Substances, 79/117/EEC, O.J.E.C. No. L 33., 312
8 January 1979	District Court of Rotterdam, Handelskwekerij B.J. Bier et autres v. Mines de potasse D'Alsace, 127
2 April 1979	EEC Directive on the Conservation of Wild Birds, 79/409/EEC, O.J.E.C. L 103 (4/2/79) Amended: 85/411/EEC, 275, 294, 299, 303
8 May 1979	OECD Recommendation on the Assessment of Projects with Significant Impact on the Environment, C(79)116(Final), 153
23 June 1979	Convention on the Conservation of Migratory Species of Wild Animals (Bonn), 19 I.L.M. 15 (1980); Kiss 500, 14, 17, 43, 59, 71, 83, 98, 146, 263, 291, 301
19 September 1979	Convention on the Conservation of European Wildlife and Natural Habitats (Bern), E.T.S. 104; U.K.T.S. 56 (1982), Cmd. 8738; Kiss 509, 10, 14, 44, 45, 57, 83, 102, 104, 147, 273, 288, 291, 299,
9 October 1979	EEC Directive on Drinking Water, 79/869/EEC, O.J.E.C. L 271 (10/29/79), 219
30 October 1979	EEC Directive on the Quality Required of Shellfish Waters, 79/923/EEC, O.J.E.C. 281 (11/10/79), 194, 214
13 November 1979	Geneva Convention on Long-Range Transboundary Air Pollution, U.K.T.S. 57 (1983), Cmd. 9034; T.I.A.S. No. 10541; 18 I.L.M. 1442 (1979); Kiss 519, 75, 102, 103, 116, 119, 131, 137, 141, 227, 234, 333, 353, 362, 419
5 December 1979	Agreement Governing the Activities of States on the Moon and Other Celestial Bodies, G.A. Res. 34/68; U.N.G.A.O.R. Supp. No. 46 at 77, U.N. Doc.(A/34/46); 18 I.L.M. 1434 (1979), 96, 329
17 December 1979	EEC Directive on the Protection of Groundwater Against Pollution Caused by Certain Dangerous Substances, 80/68/EEC, O.J.E.C. L 20 (1/26/80), 157, 202, 211, 212
20 December 1979	Convention for the Conservation and Management of the Vicuna, Lima, Intl. Env. L. 979:94, 298
30 January 1980	OECD, Recommendation on Waste Paper Recovery, C(79)218(Final), 316
17 May 1980	Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources (Athens), 19 I.L.M. 869 (1980), 166, 179, 180, 202
20 May 1980	Convention on the Conservation of Antarctic Marine Living Resources (Canberra), U.K.T.S. 48 (1982), Cmd. 8714; T.I.A.S. 10240; A.T.S. 3 (1982); 19 I.L.M. 837 (1980), 57, 99, 104, 151, 259, 302
21 May 1980	European Outline Convention on Transfrontier Cooperation Between Territorial Communities or Authorities, E.T.S. 106, 76
15 July 1980	EEC Directive Relating to the Quality of Water Intended for Human Consumption, 80/778/EEC, O.J.E.C. L 229 (8/30/80), 220

15 July 1980	EEC Directive on Sulphur Dioxide and Suspended Particulates, 80/779/EEC, O.J.E.C. L 229, (8/30/80), 237
24 July 1980	United States-Mexico Agreement of Cooperation Regarding Pollution of the Marine Environment by Discharges of Hydrocarbons and Other Hazardous Substances, with Annexes, 32 U.S.T. 5899, T.I.A.S. 1002; 20 I.L.M. 696 (1981), 186
5 August 1980	Memorandum of Intent Between Canada and the United States Concerning Transboundary Air Pollution, 32 U.S.T. 2521, T.I.A.S. 9856; 20 I.L.M. 690 (1981), 140
19 January 1981	African Charter on Human Rights and Peoples' Rights, 21 I.L.M. 59 (1982); 7 H.R.L.J. 403 (1986), 129
20 January 1981	EEC Regulation on Common Rules for Imports of Whales or Other Cetecean Products, 348/881/EEC, O.J.E.C. L 39 (2/12/81), 287
23 March 1981	Convention and Protocol for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region (Abidjan), U.N. Doc. UNEP/1G, 22/7; 20 I.L.M. 746 (1981), 104, 151, 166, 178, 179, 189, 195, 362
2 April 1981	Protocol between the Government of Canada and the Government of the U.S.S.R. on Settlement of Canada's Claim for Damage Caused by COSMOS 954, 20 I.L.M. 689 (1981), 30, 351
12 May 1981	OECD Decision on the Mutual Acceptance of Data in the Assessment of Chemicals, C(81)30(Final), 109, 310
12 November 1981	Agreement on Regional Cooperation in Combating Pollution of the South-East Pacific by Hydrocarbons or Other Harmful Substances in Cases of Emergency (Lima), Int'l Env. L. 981:85, 166, 195
12 November 1981	Convention for the Protection of the Marine Environment and Coastal Area of the South-East Pacific (Lima), U.N. Doc. UNEP-CPPS/IG. 32/4, 166, 178, 179, 184, 192
24 January 1982	Protocol on the Conservation of Common Natural Resources (Khartoum), Int'l Env. L. 982:10, 50, 284
26 January 1982	Memorandum of Understanding on the Surveillance of Ships, 21 I.L.M. 1 (1982), 167
14 February 1982	Regional Convention for the Conservation of the Red Sea and of the Gulf of Aden Environment (Jeddah), 9 Envil Pol. & Law 56 (1982), 151, 167, 178, 184, 195
22 March 1982	EEC Directive on Mercury Discharges, 82/176/EEC, O.J.E.C. L 81 (3/27/82), 214
3 April 1982	Protocol Concerning Mediterranean Specially Protected Areas (Geneva), Int'l Env.L. 982:26, 141, 166, 282, 301
24 June 1982	EEC "Seveso" Directive on the Major Accident Hazards of Certain Industrial Activities, 82/501/EEC, 1982 O.J.E.C. 230. Amended by 87/216/EEC, 19 March 1987, 221, 312

International	Environmental	Law

xxiv

28 October 1982	World Charter for Nature, G.A. Res. 37/7, 37 U.N.G.A.O.R. Supp. (No. 51) at 17, U.N. Doc. A/37/ 51 (1982), 11, 18, 26, 42, 46, 50, 71, 112, 132, 145, 150, 152, 153, 241, 243, 361, 380, 437
8 November 1982	OECD Decision on the Minimum Pre-Marketing Set of Data in the Assessment of Chemicals, C(82)196(Final), 310
3 December 1982	Protocol to Amend the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Paris), 22 I.L.M. 698 (1983), 249
3 December 1982	EEC Directive on a Limit Value for Lead in the Air, 82/884/EEC, O.J.E.C. L 378 (12/31/82), 238
10 December 1982	UN Convention on the Law of the Sea (Montego Bay), U.N. Doc. A/Conf 62/122 (1982); Misc. 11 (1983), Cmd. 8941; 21 I.L.M. 1261 (1982)
General text at	2, 9 42, 50, 57, 105, 130, 165, 168s, 182, 202, 266, 291, 380, 441
Article	Page
1	116, 118, 169, 180, 266
21	267
55-57	105, 171, 267
61-67	267
72	268
77	268
117-118	269, 276
136	9
137	9
139	348
145	186
189	194
192	19, 43, 145, 168
194	130, 168, 174, 181, 186, 189
195	3, 169
197	152, 169
198	133, 169
199	135, 169, 197
202	169
203	169
204	150, 169, 194, 197
205	169, 197
206	148, 169
207	170, 189
208	170, 187
209	186
210	170, 181
211	170, 171, 174, 175, 178, 194
212	231
213	170, 190 187
215	
216	170
217	170, 174