

**Date of most recent action: August 15, 1994**

**Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter**

Done: Washington, London, Mexico City and Moscow December 29, 1972

Opened for signature: In accordance with Article XVI, the Convention was opened for signature by any State at London, Mexico City, Moscow and Washington from December 29, 1972 until December 31, 1973.

Entry into force: August 30, 1975

In accordance with Article XVII, the Convention shall be subject to ratification; instruments of ratification shall be deposited with the Governments of Mexico, the Russian Federation, the United Kingdom and the United States. In accordance with Article XVIII, the Convention shall be open for accession by any State after December 31, 1973; instruments of accession shall be deposited with the Governments of Mexico, the Russian Federation, the United Kingdom and the United States. In accordance with Article XIX, the Convention entered into force on the thirtieth day following the date of deposit of the fifteenth instrument of ratification or accession. For each Contracting Party ratifying or acceding to the Convention after the deposit of the fifteenth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such Party of its instrument of ratification or accession.

Note: This status list reflects actions at Washington only.

**Legend:** (no mark) = ratification; **A** = acceptance; **AA** = approval; **a** = accession; **d** = succession; **w** = withdrawal or equivalent action

<b>Participant</b>	<b>Signature</b>	<b>Consent to be bound</b>		<b>Other Action</b>	<b>Notes</b>
Argentina	May 15, 1973	September 14, 1979			
Australia	October 10, 1973	August 21, 1985			1
Bosnia and Herzegovina		August 15, 1994	<b>d</b>		2
Brazil		July 26, 1982	<b>a</b>		
Canada	February 9, 1973	November 13, 1975			
Cape Verde		May 26, 1977	<b>a</b>		
Chad	December 29, 1972				
China		November 5, 1985	<b>a</b>		3
Cyprus		June 7, 1990	<b>a</b>		
Denmark	December 29, 1972	October 23, 1974			4

Finland	December 29, 1972	May 3, 1979			
France	May 22, 1973	February 14, 1977			5
Germany	January 26, 1973	November 8, 1977			6
Haiti		August 28, 1975			7
Hungary	December 14, 1973	February 5, 1976			
Italy	December 29, 1972	April 30, 1984			8
Japan	June 22, 1973	October 15, 1980			
Jordan	January 4, 1973	November 11, 1974			
Kiribati		June 3, 1982	<b>d</b>		9
Kuwait	March 8, 1973				
Lebanon	December 29, 1972				
Lesotho	January 8, 1973				
Liberia	December 29, 1972				
Malta		January 19, 1990	<b>a</b>		
Mexico	December 29, 1972	April 7, 1975			
Morocco	June 22, 1973	February 18, 1977			
Netherlands	April 12, 1973	December 2, 1977			10
New Zealand	May 30, 1973	April 30, 1975			11
Norway	December 29, 1972	April 4, 1974			
Oman		March 13, 1984	<b>a</b>		
Panama	December 29, 1972				
Papua New Guinea		March 10, 1980	<b>a</b>		
Philippines	June 15, 1973	August 10, 1973			
Poland		January 23, 1979	<b>a</b>		
Portugal	December 29, 1972				
Russian Federation	December 29, 1972	December 30, 1975			12
Saint Lucia		August 23, 1985	<b>a</b>		
Senegal	December 29, 1972				
Slovenia		August 20, 1992	<b>d</b>		13
Suriname		November 12, 1980	<b>a</b>		
Sweden	December 29, 1972	February 21, 1974			
Tunisia	March 5, 1973	April 26, 1976			
United Kingdom	December 29, 1972	November 17, 1975			14
United States	December 29, 1972	April 29, 1974			

<sup>1</sup> The Ambassador of Australia to Washington addressed a note, dated October 10, 1973, to the Secretary of State which reads as follows:

“The Ambassador of Australia presents his compliments to the Secretary of State and, on the occasion of the signature in Washington of the Convention for the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, has the honour to make the following declaration on instructions from the Australian Government:

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“The Australian Government considers that the provisions of the present Convention in no way detract from the rights of a coastal State to take action in areas under its jurisdiction, and in particular, from the right of a coastal State to take action for the purpose of protecting the resources of its continental shelf”.

The Ambassador of Australia avails himself of this opportunity to renew to the Secretary of State the assurances of his highest consideration.”

<sup>2</sup> Date of receipt of notification of succession to the Convention by Bosnia and Herzegovina. The former Socialist Federal Republic of Yugoslavia had acceded to the Convention on June 25, 1976.

<sup>3</sup> The Republic of China signed the Convention on December 29, 1972. On November 5, 1985, the People’s Republic of China deposited an instrument of accession to the Convention which included a statement that the “signature [of the Convention] by the Taiwan authorities in the name of China on December 29, 1972, is illegal, and therefore null and void.”

The Ambassador of the People’s Republic of China to Washington addressed a note, dated June 6, 1997, to the Secretary of State, an English translation of which reads as follows:

“Your Excellency,

“In accordance with the Joint Declaration of the Government of the People’s Republic of China and the Government of the United Kingdom of Great Britain and Northern Ireland on the Question of Hong Kong signed on 19 December 1984, the People’s Republic of China will resume the exercise of sovereignty over Hong Kong with effect from 1 July 1997. Hong Kong will, with effect from that date, become a Special Administrative Region of the People’s Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People’s Government of the People’s Republic of China.

“In this connection, I am instructed by the Minister of Foreign Affairs of the People’s Republic of China to make the following notification:

“The Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other [Matter] on 29 December 1972 (and 1978 Amendments to Annexes I and II Concerning Incineration at Sea; 1980 Amendments to Annexes I and II concerning Lists of Substances; and 1989 Amendments to Annex III) (hereinafter referred to as the Convention and Amendments) to which the Government of the People’s Republic of China deposited its instrument of accession on [5] November 1985, will apply to the Hong Kong Special Administrative Region with effect from 1 July 1997. The Government of the People’s Republic of China also makes the following declaration:

“In accordance with Article 6 of the Convention, it designates the Environment Protection Department of the Government of the Hong Kong Special Administrative Region as the appropriate authority for issuing permits in the Hong Kong Special Administrative Region.

“The Government of the People’s Republic of China will assume responsibility for the international rights and obligations arising from the application of the above Convention and Amendments to the Hong Kong Special Administrative Region.

“It would be appreciated if the contents of this Note could be placed formally on record and brought to the attention of the other Parties to the Convention and Amendments.

“Please accept, Your Excellency, the assurances of my highest consideration.”

<sup>4</sup> The Danish Embassy in Washington addressed a note, dated October 23, 1974, to the Department of State in connection with the deposit of an instrument of ratification of the Convention by Denmark which reads as follows:

“The Royal Danish Embassy presents its compliments to the Department of State of the United States of America and has the honor to transmit herewith the instrument of ratification of Denmark relative to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. Pursuant to Article XVII of the Convention, instruments of ratification shall be deposited with the Governments of Mexico, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

“The Embassy has the honor to inform the Department of State that under Danish law in force, the matters regulated by the Convention constitute a special Faroese affair and that the provisions relating to implementation of the Convention have not yet been adopted in so far as the Faroe Islands are concerned.

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The ratification of Denmark is therefore, until further notice, subject to reservation with regard to the obligation of the Faroe Islands under the Convention.

“The Royal Danish Embassy avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration.”

The Danish Embassy in Washington addressed a note, dated November 4, 1976, to the Department of State which reads as follows:

“The Royal Danish Embassy presents its compliments to the Department of State of the United States of America and with reference to its Note of October 23, 1974, with which was transmitted the instrument of ratification of Denmark relative to the Convention of December 29, 1972, done in London, Mexico City, Moscow and Washington, on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, has the honor to communicate to the State Department that on August 24, 1976, the local Faroese authorities announced the passing of the legislation requisite to the entry into force of the Convention. Consequently the reservation made in the above cited Note relative to the Faroese obligations pursuant to the Convention shall be repealed with effect from November 15, 1976.”

<sup>5</sup> The signature of the Convention by France was accompanied by a declaration and a reservation, a Department of State English translation of which reads as follows:

“The French Government considers that, in the present state of international law and bearing in mind the work in preparation in this field, no provision of this Convention can be interpreted as conferring on a coastal State the right to control dumping beyond the conditions generally accepted by international law. It also considers that this Convention cannot be interpreted as in any way modifying the present state of international law with regard to the principles of responsibility.

“In cases where the provisions of this Convention would be interpreted as presenting an obstacle to activities which it considered necessary for its national defense, the French Government would not apply the said provisions to those activities.”

The instrument of ratification of the Convention by France repeats the above declaration and reservation.

<sup>6</sup> The signature of the Convention by the Federal Republic of Germany was accompanied by the following declaration:

“The Government of the Federal Republic of Germany reserves the right to formulate, on the occasion of its ratification of the present Convention, its attitude in respect of statements made by other States on the occasion of signature or ratification of the present Convention and to make reservations or statements on its part. In particular, it is of the opinion that at the present state of international law, the provisions of the present Convention cannot be interpreted as granting the right to a coastal state to assume by unilateral action control over zones of the High Sea beyond the limits provided by international law.”

The Ambassador of the Federal Republic of Germany to Washington addressed a note to the Secretary of State, dated November 8, 1977, on the occasion of the deposit of an instrument of ratification of the Convention, an English translation of which reads as follows:

“My dear Mr. Secretary:

“In connection with the deposit today of the instrument of ratification to the Convention of December 29, 1972 concerning the Prevention of Marine Pollution by Dumping of Wastes and other Matter, I have the honor to declare on behalf of the Government of the Federal Republic of Germany that the said Convention shall also apply to Berlin (West) with effect from the date on which it enters into force for the Federal Republic of Germany.

“Accept, Excellency, the expression of my highest consideration.”

The German Democratic Republic acceded to the Federal Republic of Germany on October 3, 1990. The former German Democratic Republic had previously deposited an instrument of accession to the Convention on August 20, 1976.

<sup>7</sup> Haiti signed the Convention at Mexico City December 29, 1972.

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<sup>8</sup> The signature of the Convention by Italy was accompanied by a statement, an unofficial English translation of which reads as follows:

“The Italian Government considers that at the present state of International Law and in view of all the work being undertaken in this field, the provisions of the present Convention can not be interpreted as attributing to coastal countries any right in Dumping Control outside the conditions generally admitted by International Law.

“It also considers that the present Convention can not be interpreted as modifying in any way the present state of International Law concerning the principles of Responsibility.”

<sup>9</sup> Date of receipt of notification of succession to the Convention by Kiribati.

<sup>10</sup> Applies to the Kingdom in Europe and the Netherlands Antilles; as of January 1, 1986, Aruba as a separate entity.

<sup>11</sup> The signature of the Convention by New Zealand was accompanied by the following statement:

“The New Zealand Government takes the view that the provisions of the present Convention cannot be interpreted as restricting the right of a coastal state to take measures to control marine pollution and in particular to control dumping in areas under its jurisdiction.”

The instrument of ratification of the Convention by New Zealand contains a declaration that the ratification does not extend to the Cook Islands, Niue and Tokelau Islands.

<sup>12</sup> The Convention was signed and ratified by the former Union of Soviet Socialist Republics. By a note dated January 13, 1992, the Russian Federation informed the United States Government that it “continues to perform the rights and fulfil the obligations following from the international agreements signed by the Union of Soviet Socialist Republics.”

<sup>13</sup> Date of receipt of notification of succession to the Convention by Slovenia. The former Socialist Federal Republic of Yugoslavia had acceded to the Convention on June 25, 1976.

<sup>14</sup> The British Ambassador to Washington addressed a note, dated December 29, 1972, to the Secretary of State on the occasion of the signature of the Convention by the United Kingdom which reads as follows:

“Her Majesty’s Ambassador presents his compliments to the Secretary of State and, on the occasion of the signature in Washington of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, has the honour to make the following declaration on instructions from Her Majesty’s Government:

“The United Kingdom Government considers that in the light of existing international law and taking into account the work being prepared in this field, the provisions of the present Convention cannot be interpreted as recognising any right in a coastal state to control dumping beyond that which it has under generally accepted principles of international law.”

The instrument of ratification of the Convention by the United Kingdom states that the Convention is ratified “in respect of:

The United Kingdom of Great Britain and Northern Ireland

The Bailiwick of Guernsey

The Bailiwick of Jersey

The Isle of Man

Belize

Bermuda

British Indian Ocean Territory

British Virgin Islands

Cayman Islands

Falkland Islands and Dependencies

Gilbert Islands

Hong Kong

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Montserrat  
Pitcairn, Henderson, Ducie and [Oeno] Islands  
Saint Helena and Dependencies  
Seychelles  
Solomon Islands  
Turks and Caicos Islands  
Tuvalu  
United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus”.

The instrument of ratification of the Convention by the United Kingdom was also accompanied by a note, dated November 10, 1975, from the Principal Secretary of State for Foreign and Commonwealth Affairs declaring “that the Convention shall not enter into force for the Bailiwick of Jersey until the thirtieth day following the date on which the Government of the United Kingdom shall have notified the other depositary Governments that the measures required to implement the provisions of the Convention in the Bailiwick of Jersey have been taken.”

By a note dated March 5, 1976, the British Ambassador to Washington informed the Secretary of State that “the measures required to implement the provisions of the Convention in the Bailiwick of Jersey have been taken. The Convention will therefore enter into force for the Bailiwick of Jersey on 4 April 1976.”

The British Ambassador to Washington addressed a note, dated June 11, 1997, to the Secretary of State which reads as follows:

“Secretary of State

“I am instructed by Her Britannic Majesty’s Principal Secretary of State for Foreign and Commonwealth Affairs to refer to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter done at London on 29 March 1972; 1978 Amendments to Annexes I and II Concerning Incineration at Sea; 1978 Amendments Concerning Settlement [of] Disputes; 1980 Amendments to Annexes I and II Concerning Lists of Substances; and 1989 Amendments to Annex III (hereinafter referred to as the “Convention and Amendments”) which apply to Hong Kong at present.

“I am also instructed to state that, in accordance with the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People’s Republic of China on the Question of Hong Kong signed on 19 December 1984, the Government of the United Kingdom will restore Hong Kong to the People’s Republic of China with effect from 1 July 1997. The Government of the United Kingdom will continue to have international responsibility for Hong Kong until that date. Therefore, from that date the Government of the United Kingdom will cease to be responsible for the international rights and obligations arising from the application of the Convention and Amendments to Hong Kong.

“I should be grateful if the contents of this Note could be placed formally on record and brought to the attention of the other Parties to the Convention and Amendments.

“I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.”