

COMMISSION



Dalhousie University

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FAXED

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To: Dr. Adalberto Vallega  
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From: Elisabeth Mann Borgese  
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Date: 15 August, 1995

Subject: Japan

Dear Adalberto,

I wonder whether you could help me in the following matter.

A colleague in Japan is working on national legislation implementing the Law of the Sea Convention, and he is trying to look at some other countries that have already ratified that Convention --including Italy --to see how they have done it.

In particular, he is presently looking at Articles 204-206 of the Convention, which read as follows:

*Article 204  
Monitoring of the risks or effects of pollution*

1. States shall, consistent with the rights of other States, endeavour, as far as practicable, directly or through the competent international organizations, to observe, measure, evaluate and analyse, by recognized scientific methods, the risks or effects of pollution of the marine environment.

2. In particular, States shall keep under surveillance the effects of any activities which they permit or in which they engage in order to determine whether these activities are likely to pollute the marine environment.

*Article 205*  
*Publication of reports*

States shall publish reports of the results obtained pursuant to article 204 or provide such reports at appropriate intervals to the competent international organizations, which should make them available to all States.

*Article 206*  
*Assessment of potential effects of activities*

When States have reasonable grounds for believing that planned activities under their jurisdiction or control may cause substantial pollution of or significant and harmful changes to the marine environment, they shall, as far as practicable, assess the potential effects of such activities on the marine environment and shall communicate reports of the results of such assessments in the manner provided in article 205.

Do you have national legislation in Italy to implement these particular Articles? are you dealing in a more summary manner with the internalisation of the provisions of the Convention?

I would be most grateful if you could have some in your office fax me whatever information is available on this point --hopefully before I leave for Japan on August 30. The person who is doing the work in Japan wants to interview me while I am in Japan.

All the very best, and looking forward to seeing you soon,

Yours as ever,

*Elvira Kelly*