Part II

New Challenges to the Law of the Sea

A.

Protection and preservation of the marine environment
Chapter 3

TOWARDS A WORLD PROTECTION FRAMEWORK FOR THE MARINE ENVIRONMENT THROUGH THE PROMOTION OF INTERNATIONAL AND REGIONAL COOPERATION UNDER THE UN CONVENTION ON THE LAW OF THE SEA

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1. INTRODUCTION

The threats that pollution poses to the marine environment are known: they may result from human activities on land (urban waste, industrial waste, dangerous material carried through rivers etc.) or by equivalent activities at sea, mostly accidents and disposal of waste materials.

However, the rapid development of technology, and particularly underwater technology, after the 1960s has contributed to the development of new forms of marine pollution. These new forms of pollution reflect particular activities taking place on the seabed, including the deep seabed that now constitutes a zone of common heritage of mankind (“Area”), as a result of the unprecedented diplomatic negotiation that took place during the Third UN Conference on the Law of the Sea (“UNCLOS III”). Finally, there is pollution coming from the atmosphere or through the atmosphere.

The promotion of international cooperation is the fundamental principle and objective of the UN Charter, aiming at the peaceful resolution of all international issues, whether of economic, social, cultural or humanitarian nature. More specifically, the Charter refers to international cooperation in two chapters dealing with: a) the duties and competences of the General Assembly (Chapter IV) and b) international economic and social cooperation

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1 See article 1(3) of the UN Charter.

2 Article 13 refers more specifically: (a) to the promotion of international cooperation in the political area aiming at encouraging the progressive development of international law as

Anastasia Strati, Maria Gavouneli & Nikos Skourtos (eds.), Unresolved Issues and New Challenges to the Law of the Sea, Martinus Nijhoff 2006, pp. 73-84.