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**REPORT ON THE THIRTY-SIXTH CONSULTATIVE MEETING OF CONTRACTING  
PARTIES TO THE LONDON CONVENTION 1972 AND THE NINTH MEETING  
OF CONTRACTING PARTIES TO THE 1996 PROTOCOL  
TO THE LONDON CONVENTION**

**Note by the Secretary-General**

**SUMMARY**

*Executive summary:* This document reports on the outcomes of the thirty-sixth Consultative Meeting of Contracting Parties to the London Convention 1972 and the ninth Meeting of Contracting Parties to the 1996 Protocol to the London Convention

*Strategic direction:* 1 and 7

*High-level action:* 1.1.1 and 7.3.2

*Planned output:* 1.1.1.1 and 7.3.2.2

*Action to be taken:* Paragraph 18

*Related documents:* LC 36/WP.1 and LC 36/16 (English only)

**Introduction**

1 The thirty-sixth Consultative Meeting of Contracting Parties to the London Convention and the ninth Meeting of Contracting Parties to the London Protocol were held, concurrently, at IMO Headquarters from 3 to 7 November 2014, under the chairmanship of Mrs. Sue Milburn-Hopwood (Canada). The outcome of the main issues considered at these Meetings is reported in the following paragraphs.

**Status of the London Convention and Protocol**

2 The London Convention has, to date, been ratified, or acceded to, by 87 States. The London Protocol, which entered into force on 24 March 2006, has, to date, been ratified, or acceded to, by 45 States. Two States have ratified the 2009 amendment to article 6 of London Protocol that provides for the export of carbon dioxide streams for disposal in sub-seabed geological formations.

### **Marine geoengineering including ocean fertilization**

3 Following the adoption, in 2013, of resolution LP.4(8) on the amendment to the London Protocol to regulate the placement of matter for ocean fertilization and other marine geoengineering activities, the Meeting of Contracting Parties to the London Protocol approved:

- .1 Guidance for consideration of marine geoengineering activities; and
- .2 a description of arrangements for a roster of experts on marine geoengineering involved in the consultation process on proposals for activities listed in annex 4 of resolution LP.4(8).

### **CO<sub>2</sub> sequestration in sub-seabed geological formations**

4 The Meeting of Contracting Parties, having reiterated the importance of this climate change mitigation technology and having noted the slow rate of acceptance of the 2009 amendment to article 6 of the London Protocol, urged Parties who had not done so to accept the amendment as soon as possible, to ensure entry-into-force requirements are met.

### **Seventh session of the Compliance Group under the London Protocol**

5 The LP Compliance Group met, for its seventh session, from 3 to 5 November 2014 and noted that no reports of non-compliance had been referred to it.

6 The Meeting noted the Group's new work programme that aims, inter alia, to rationalize and amalgamate several other compliance activities under the London Protocol, namely the Correspondence Group on Assessment of Dumping Reports and the Barriers to Compliance Project Steering Group and a revision of the Compliance Procedures and Mechanisms, with a view to reduce duplication and increase efficiency thereby reducing cost and administrative burdens for the Contracting Parties and Secretariat.

7 The Meeting of Contracting Parties to the London Protocol approved the report of the Compliance Group and the recommendations therein, as well as the proposed future work programme for the period up to and including its eighth meeting in 2015. In this regard the Meeting, having noted the request by the Group to hold their next session immediately prior to the Meeting of Contracting Parties, approved the convening of the eighth session of the Compliance Group, tentatively for 8 and 9 October 2015, subject to endorsement by Council.

### **Riverine and marine disposal of tailings and associated wastes from mining operations**

8 The Meetings, having noted advice prepared by the IMO Legal Affairs and External Relations Division that the LC/LP may, in the framework of UNCLOS, complement regulatory activities undertaken under the auspices of other organizations that are involved in the issue of marine disposal of wastes from mining operations and that the issue whether marine disposal of wastes from mining operations is included in the definition of dumping under LC/LP has to be interpreted by the State Parties to LC/LP, agreed to re-establish the correspondence group on mine tailings, under the lead of Chile, which would: continue to gather information on best practices and existing guidance and legislation and other relevant issues of marine and riverine disposal of mine tailings around the world; identify any gaps in best practices and existing guidance; and assist the Secretariat, in cooperation with GESAMP and other relevant bodies, to organize an international conference on mine tailings to be held in Lima, Peru, in June 2015, that would aim primarily to increase the scientific understanding of impacts on the marine environment of deep sea tailings placement.

## **Deep seabed mining**

9 The Meetings were informed about the objectives and workings of the International Seabed Authority (ISA) in areas beyond national jurisdictions and that work had commenced on the development of a Mineral Exploitation Code. The Meetings, having noted, inter alia, that there are areas of overlap between the work of the LC/LP and ISA, but also potential gaps in the development of the environmental obligations in the Code, particularly in relation to the waste disposal in the marine environment, agreed that the regulatory and technical regimes of the two bodies would need to be aligned. The Meetings agreed to explore ways to strengthen cooperation and instructed the Secretariat to initiate a dialogue with ISA to ensure a closer cooperation for future joint work.

10 The Meetings also considered deep seabed mining within national jurisdictions and noted that, while the definition of dumping in the Protocol (or Convention) excludes exploration and exploitation of seabed mineral resources, a potential gap in international standards or codes of practice was evident and hence the LC/LP bodies could offer technical advice in managing wastes arising from such activities. The governing bodies instructed the Secretariat to contact LC/LP National Focal Points with a view to collecting information on existing national and regional or other forms of legislation applicable to seabed mining in the EEZ to identify gaps and shortcomings in such regulations.

## **Twenty-five-year scientific review of all radioactive wastes and other radioactive matter**

11 The Meetings recalled that, in 1993, when the London Convention was amended to ban the dumping of radioactive wastes or other radioactive matter (resolution LC.51(16)), the amendment of LC article 6 of annex I also included an agreement that, within twenty-five years of the entry into force of the amendment, a scientific study, relating to all radioactive wastes and other radioactive matter other than high level wastes or other matter, shall review the position of such substances in LC article 12 of annex I. The amendment of LC article 6 of annex I entered into force on 20 February 1994, and thus a scientific study should be completed before 2019. Similarly, the London Protocol (annex 1, article 3) provides for an analogous review with the same timeframe.

12 The Meetings, having reviewed the Scientific Groups work to prepare advice regarding the requirement to conduct a scientific study relating to all radioactive wastes and other radioactive matter, agreed that a step by step assessment approach could be employed, in order to determine the type and level of review that would be needed to fulfil the requirements of the Convention/Protocol. This could include, inter alia, a literature review focusing on the period after 1993, and a review of the Intergovernmental Panel of Experts on Radioactive Waste report.

13 The Meetings established a correspondence group, under the co-lead of the United Kingdom and the IAEA, to submit a full proposal for a work plan for the twenty-five-year review to the next meeting of the governing bodies; and agreed to establish a second correspondence group, to prepare a communications plan and develop possible options for e.g. an interpretative resolution, under the co-lead of the United Kingdom and the United States.

## **Other items**

14 The Meetings reviewed progress on technical cooperation activities; progressed work on developing a strategic plan for the London Convention and Protocol for a ten year time horizon which would be followed by the development of a high level action plan; considered advice from the Scientific Groups on the technical guidelines on low cost, low-technology advice on monitoring of disposal activities and sites; the preparation of guidance for the development of "Action Lists and Action Levels" for sewage sludge and organic matter; and raising awareness of dumped obsolete chemical munitions in cooperation with UN-DESA.

### **Joint session of the Scientific Groups**

15 The Meetings agreed to convene the next joint session of the Scientific Groups, scheduled tentatively for 20 to 24 April 2015 at IMO Headquarters.

### **Election of Chairman and Vice-Chairmen**

16 The Consultative Meeting unanimously elected as Chairman Capt. Ibraheem Olugbade (Nigeria), Dr. Gi-Hoon Hong (Republic of Korea) as First Vice-Chairman, and Ms. Betsy Valente (United States), as Second Vice-Chairman, for the intersessional period and for the thirty-seventh Consultative Meeting. The Meeting of Contracting Parties also unanimously elected the same officers for the intersessional period and for the tenth Meeting of Contracting Parties.

17 The governing bodies thanked the outgoing Chairman, Mrs. Sue Milburn-Hopwood (Canada), for her outstanding contributions made to the work of the LC/LP in the period 2009 to 2014, in which she played a crucial role in guiding the development and adoption of amendments to the London Protocol regarding marine geoengineering, including ocean fertilization.

### **Action requested of the Council**

18 The Council is invited to:

- .1 note the status of the London Convention and London Protocol and in particular the slow rate of accessions to the Protocol and its recent amendments (paragraph 2);
- .2 note the approval of two guidance documents following the adoption of resolution LP.4(8), in 2013 (paragraph 3);
- .3 note the slow rate of acceptance of the 2009 amendment to article 6 of the London Protocol (paragraph 4);
- .4 endorse the convening of the eighth session of the Compliance Group, scheduled tentatively for 8 and 9 October 2015, to be held immediately prior to the next Meetings of the governing bodies (paragraph 7);
- .5 note the action taken on marine disposal of tailings and associated wastes from mining operations (paragraph 8);
- .6 note the action taken on deep sea mining (paragraphs 9 and 10);
- .7 note the action taken with regard to the twenty-five-year scientific review of all radioactive wastes and other radioactive matter (paragraphs 11 to 13);
- .8 note the progress made on other items relating to the work of the governing bodies of the London Convention and Protocol since the twenty-seventh extraordinary session of Council (paragraph 14); and
- .9 note the convening of the next joint session of the Scientific Groups, scheduled tentatively for 20 to 24 April 2015, at IMO Headquarters (paragraph 15).