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**REPORT ON THE TWENTY-FOURTH CONSULTATIVE MEETING OF
CONTRACTING PARTIES TO THE LONDON CONVENTION 1972,
INCLUDING THE REPORT OF THE IMO/LC WORKING GROUP**

Note by the Secretary-General

SUMMARY

Executive summary: This document provides a brief description on the outcome of the main issues considered by the Twenty-fourth Consultative Meeting of Contracting Parties to the London Convention 1972.

Action to be taken: Paragraph 9

Related documents: LC 24/17; LC 24/WP.4 + Add.1; C 89/8/1; LC/SG 25/11.

1 Introduction

Since the preparation of document C 89/8, the Twenty-fourth Consultative Meeting of Contracting Parties was held at IMO Headquarters from 11 to 15 November 2002 under the chairmanship of Mr. J. Karau (Canada). The report of this Meeting is being issued as document LC 24/17.

2 Status of the London Convention 1972 and of the 1996 Protocol

Currently, 16 of the 26 Contracting States necessary for the entry into force of the 1996 Protocol, have ratified or acceded to it. Based on progress reports by the Contracting Parties attending this session, that are preparing for ratification or accession to this Protocol, the Consultative Meeting noted that it might enter into force during the biennium 2004–2005.

3 Compliance issues

3.1 At the proposal of Canada, the Consultative Meeting agreed to:

- .1 embark upon the development of “compliance procedures and mechanisms” under article 11 of the 1996 Protocol;
- .2 convene an intersessional Correspondence Group led by Canada to analyse responses from Contracting Parties to a questionnaire aimed at setting the stage for discussion and drafting of compliance mechanisms and procedures at the Twenty-fifth Consultative Meeting; and
- .3 request the Secretariat to prepare a submission on compliance information concerning other Multilateral Environmental Agreements.

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3.2 The Consultative Meeting approved a revised “Reporting procedure of observed dumping incidents, prepared under the lead of the United States, which may be in contravention of international ocean dumping treaties (London Convention 1972 and the 1996 Protocol thereto)”. The Meeting, whilst noting that some practical issues of implementation of the procedure had not yet been fully addressed, agreed to invite MEPC 49 to provide comments on the reporting procedure.

4 Administrative and financial arrangements: Report of the IMO/LC Working Group

4.1 The Meeting considered the outcome of the IMO/LC Working Group (LC 24/4, IMO/LC-WG 1/6, IMO/LC-WG 2/7) and Brazil’s proposed changes to the recommendations of the IMO/LC Working Group (LC 24/4/1).

4.2 The Consultative Meeting endorsed *Recommendation No. 1* that: “in view of the benefits to both organizations, in terms of efficiency and cost effectiveness, the current organizational arrangements for providing secretariat services to the London Convention 1972 be maintained and continued.”

4.3 The Meeting shared the view of the IMO/LC Working Group that, in light of the forthcoming discussions of the Long-term Strategy for the London Convention 1972, it was premature to make any recommendations on the integration of the Technical Co-operation and Assistance Programme under the London Convention 1972 with IMO’s Integrated Technical Co-operation Programme. The Meeting, however, recognized the value and importance of partnering on technical co-operation and assistance issues, and agreed to carry on working towards further co-operation between the two programmes and endorsed *Recommendation No. 2* that:

- “1 subject to the forthcoming discussion of the Long-term Strategy for the London Convention 1972, the IMO Technical Co-operation Division and the Office for the London Convention 1972 be invited to develop proposals for closer linkages between the IMO-ITCP and the current LC-TC&AP. This could, for example, involve:
 - .1 identifying the synergies and opportunities for collaboration between proposed LC-TC&AP and IMO-ITCP projects which will lead to mutual benefits; and
 - .2 accessing the expertise residing within the IMO Technical Co-operation Division to provide assistance in identifying potential donors willing to fund either LC-TC&AP projects or IMO-ITCP projects, which contain LC-TC&AP programme elements; and
- .2 any proposals to develop such linkages should be subject to review and approval by the IMO Technical Co-operation Committee, the IMO Council, and the Consultative Meeting of Contracting Parties.”

4.4 The Meeting also endorsed *Recommendation No. 3* that:

- “1 the Consultative Meeting of Contracting Parties reviews its own work procedures and work management in comparison with the “Guidelines on the Organization and Method of Work of the Maritime Safety Committee and the Marine Environment Protection Committee and their Subsidiary Bodies” (MSC/Circ.931 - MEPC/Circ.366);

- .2 in light of this comparison, the Consultative Meeting of Contracting Parties considers, and as deemed necessary adopts, appropriate amendments to its methods of work in order to meet the specific needs of the London Convention 1972. The aim of this exercise is to achieve levels of efficiency and cost effectiveness comparable to those which are expected to be achieved by MSC and MEPC; and
- .3 the Consultative Meeting of Contracting Parties reports to the IMO Council on the progress made in implementing the above recommendations."

4.5 The Meeting noted that a substantial part of comparison of methods of work between MEPC and the Consultative Meeting had already been completed, as reflected in document IMO/LC-WG 2/7, annex 2, chapter 6, and that the only differences were submission of documents, agenda management issues and granting of observership status.

4.6 The Meeting instructed the Secretariat to implement Recommendations Nos. 2 and 3 above and report on the results to the Twenty-fifth Consultative Meeting.

4.7 Suggestions had been made by the IMO/LC Working Group that the Consultative Meeting considers advising IMO of services expected of the Office for the London Convention 1972, and level of service required for the 1996 Protocol, including LC-TC&AP. The Consultative Meeting agreed to recommend the following list of core services:

- .1 Secretariat support and conference services for Consultative Meetings and meetings of the Scientific Group, including intersessional work and, in the future, for Meetings of Contracting Parties under the 1996 Protocol;
- .2 implementation of the Technical Co-operation and Assistance Programme under the London Convention 1972, including support for capacity building in developing countries;
- .3 preparatory work for entry into force of the 1996 Protocol; and
- .4 Secretariat responsibility for implementation of the London Convention 1972, and the 1996 Protocol, including the period of transition from the Convention to the Protocol.

4.8 The Consultative Meeting considered that, in order to fulfil the above level of responsibility of the Secretariat, at least one and a half years at professional level, would be required. The Consultative Meeting also considered that for 2003, as approved by the Council, as well as for the next biennium (2004–2005), one meeting week for the Scientific Group and one meeting week for the Consultative Meeting, would be required annually.

4.9 The Consultative Meeting further considered the recommendation proposed by Brazil that "arrangements should be established so as to enable the adoption for the LC of administrative procedures applied by IMO to its own business, including scheduling short meetings (half-day normally) of LC Contracting Parties coinciding with IMO Council and Assembly sessions, for administrative and common political issues, and with MEPC, for technical co-ordination, if and when necessary, allowing common interests to be discussed constructively" (LC 24/4/1).

4.10 The Consultative Meeting recognized some merit with this recommendation but serious concern was expressed regarding the practical difficulties taking into account:

- .1 the difficulty in agenda and priority management;
- .2 the difference in expertise required and administrative responsibilities in many Governments for the London Convention 1972 and IMO Assembly, Council and MEPC;
- .3 the practical problems in scheduling meetings; and
- .4 the possible additional costs for expanded meeting times.

4.11 The Consultative Meeting noted that under the current arrangement, the Assembly and Council had standing agenda items on London Convention matters, and that the recommendation by Brazil to spread discussion of London Convention matters over Assembly, Council and MEPC meetings would not be beneficial. The Consultative Meeting agreed that, in terms of efficiency and cost effectiveness, the current organizational arrangements should be maintained.

4.12 Having considered all information related to the outcome of the IMO/LC Working Group, the Consultative Meeting agreed to request the IMO Council to:

- .1 take note that this Consultative Meeting had endorsed all recommendations made by the IMO/LC Working Group;
- .2 endorse the recommendations of the IMO/LC Working Group; and
- .3 provide necessary resources to continually support the activities under the London Convention 1972 and future activities under the 1996 Protocol.

5 Consideration of the Report of the Scientific Group

The Consultative Meeting:

- .1 adopted the “Guidelines for the sampling of sediment intended for disposal at sea”, which the Scientific Group had prepared at its last two sessions (LC/SG 25/11, Addendum 1);
- .2 endorsed the recommended simplified format for reporting of general permits, as this may increase the return rate of reports by Contracting Parties; and
- .3 reviewed two compilation reports prepared by the Secretariat on dumping permits, issued by Contracting Parties in 1998 and 1999 with the aim of improving the quality and consistency on these reports, and to request, where appropriate, clarification on entries provided by Contracting Parties.

6 Technical Co-operation and Assistance

6.1 The Consultative Meeting reviewed a status report on current technical co-operation projects under the London Convention 1972, as well as the Long-term Strategy for Technical Co-operation and Assistance, which the Scientific Group revised in May 2002, after its adoption in 2001 (LC/SG 25/11, annex 3).

6.2 Several suggestions were made to strengthen the strategic orientation of the document and to make it more pro-active. The Meeting agreed that the Chairman together with the Secretariat should review the Strategy and submit it for consideration and adoption at the Twenty-fifth Consultative Meeting.

7 Future Work Programme

7.1 In 2001, the Twenty-third Consultative Meeting developed the “Long-term Programme for the London Convention 1972 and the Promotion of the 1996 Protocol hereto (2002 to 2005)” as a “living” document and as guidance for its activities (LC 23/16, annex 6).

7.2 The Meeting considered a proposal by the Netherlands to explore future strategic objectives for the London Convention 1972/1996 Protocol, based on Article I of the Convention, which states that “Contracting Parties shall individually and collectively promote the effective control of all sources of pollution of the marine environment, ...” (LC 24/14). The following three policy options were presented in this proposal to strengthen the strategic mission of the Convention/Protocol and as a contribution to the review of the Long-term Programme:

- .1 Option 1: “status quo”, essentially maintaining the existing framework that covers 10% of all sources of marine pollution;
- .2 Option 2: current situation with special attention to e.g. review of the reverse list and some, limited, new areas. This could improve the scientific credibility of the London Convention and provide for a more holistic framework for marine environmental protection and waste management, however, its activities would remain within the existing framework; and
- .3 Option 3: extending the framework of the London Convention 1972/1996 Protocol in order to effectively address all land-based sources of marine pollution.

7.3 The Meeting agreed that the immediate priority of the Long-term Programme was the implementation of the London Convention 1972 and the promotion of the 1996 Protocol thereto. It was also agreed that collaboration with other UN Agencies and international and regional organizations/programmes, should be strengthened for better implementation of the Long-term Programme in order to build on the provisions of the WSSD Plan of Implementation. In this respect, the Chairman indicated that the United Nations Law of the Sea (UNCLOS) should be regarded as the “oceans constitution” and that the UN Informal Consultative Process on Oceans and the Law of the Sea had emphasized the importance of co-ordinated action.

7.4 The Consultative Meeting considered a proposal by the United States to update the Long-term Programme (LC 24/14/1) to make it more strategic, and to include goals and specific activities. The *ad hoc* Working Group on the Long term Programme was established and, after reviewing its report (LC 24/WP.6), the Consultative Meeting adopted the Updated Long-term Programme for the London Convention 1972 and the promotion of the 1996 Protocol thereto (2003–2005).

8 Election of Chairman end Vice-Chairmen

The Consultative Meeting unanimously re-elected Mr. J. Karau (Canada) as Chairman for the intersessional period and for the Twenty-fifth Consultative Meeting. Mr. D. V. Escobar Paredes (Spain) was unanimously re-elected as First Vice-Chairman, whilst Mr. M. S. Hosseini (Iran) was unanimously elected as Second Vice-Chairman.

9 Action requested of the Council

The Council is invited to take note of the above information and to:

- .1 endorse the recommendations of the IMO/LC Working Group;
- .2 invite the Consultative Meeting to take the necessary action to implement Recommendations Nos. 2 and 3 on technical co-operation and methods of work, respectively;
- .3 note the list of core services expected from the Office for the London Convention 1972 for the activities as reflected in paragraph 4.7;
- .4 note that the Consultative Meeting considered that, in order to fulfil the responsibilities of the Secretariat, the support of at least one and a half years at professional level would be required;
- .5 note that the Consultative Meeting considered that one meeting week for the Consultative Meeting, with translation and interpretation services, and one meeting week for the Scientific Group, without translation and interpretation services, would be required annually for the next biennium (2004–2005); and
- .6 provide the necessary resources to continually support the activities under the London Convention 1972 and future activities under the 1996 Protocol.