RELATIONS WITH OTHER ORGANIZATIONS IN THE FIELD OF MARINE ENVIRONMENTAL PROTECTION

Update on promotion of the London Convention and London Protocol through regional conventions and programmes

Note by the Secretariat

SUMMARY

Executive summary: This document highlights recent efforts by the Secretariat to strengthen collaboration with regional conventions and programmes to promote issues within the scope of the London Convention and London Protocol at the regional level.

Action to be taken: Paragraph 19

Related documents: LC 36/16; LC 38/16 and LC/SG 41/16

Introduction

1. In 2014, the governing bodies emphasized the importance of an active dialogue with the regional environmental conventions and programmes and their secretariats and agreed to strengthen that dialogue further, including through participation by the Secretariat in the annual Regional Seas Programme meetings (LC 36/16, paragraph 12.12). Furthermore, in 2017 the governing bodies urged delegations to work together with the Secretariat and to keep each other informed of opportunities for outreach to broaden cooperation at global or regional forums of relevance (LC 38/16, paragraph 7.11).

2. The reporting of dumping activities and the harmonization of the information reported by Member States to the London Convention (LC) and London Protocol (LP) and regional bodies is a key area for collaboration. The Contracting Parties to the LC/LP have the choice, under LC, article VI(4) and LP, article 9.4, to report on their dumping activities either directly to IMO or through a secretariat established under a regional agreement.
3 In 2018 the Scientific Groups reiterated its instruction to the Secretariat to continue its efforts to increase reporting through collaboration with regional bodies and, in particular, explore ways to encourage the use of the new online reporting module in GISIS (LC/SG 41/16, paragraph 7.21).

4 The Secretariat has continued its discussions with several of the regional bodies and recently increased efforts to strengthen collaboration with regional bodies to improve reporting aspects and to improve ratifications and compliance in the various regions. An update on those efforts is provided below.

**OSPAR Commission and the OSPAR Convention**

5 The OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention (1992)) is the legal instrument guiding international cooperation for the protection of the marine environment of the North-East Atlantic. Work under the Convention is managed by the OSPAR Commission which is made up of representatives of the Governments of 15 Contracting Parties and the European Commission, representing the European Union.

6 In April 2018, IMO finalized a memorandum of understanding (MoU) with the OSPAR Commission on cooperation to promote issues within the scope of the LC and LP at the regional level to prevent marine pollution by dumping of wastes and other matter in order to protect the marine environment and promote the sustainable use and conservation of marine resources.

7 Under the MoU, the cooperation between the Parties will focus on the following areas:

1. promoting reporting and compliance under the LC and LP;
2. ensuring free flow of mutually useful information (including data) between the two organizations with respect to the LC and LP;
3. promoting, where relevant and appropriate, the development and implementation of joint regional workshops and capacity-building activities in areas of mutual interests and within the scope of the LC and LP;
4. sharing experiences with the application of the LC and LP guidance documents and developing new or revised guidance; and
5. implementing technical cooperation and assistance activities, where the experiences within the OSPAR Commission can assist new and prospective Parties in other regions around the world.

8 It is hoped that the MoU with OSPAR could serve as an inspiration and model for other regional seas conventions and programmes in the future.

9 The Secretariat together with the OSPAR Secretariat and the Abidjan Convention Secretariat are currently organizing a joint workshop to support capacity-building for the implementation of the LP and implementation of the Abidjan Convention Offshore Protocol, highlighting the OSPAR Commission decisions. The Offshore Protocol of the Abidjan Convention, which is in the process of being ratified, consists of environmental standards for oil and gas exploration and exploitation activities off the coasts of the States Party to the Abidjan Convention. The LC/LP **Specific Guidelines for assessment of platforms or other man-made structures at sea** will be highlighted as a key tool to assist in the implementation of the Offshore Protocol.
The workshop is scheduled to take place in West Africa in November 2018, with participants from all 22 Abidjan Convention Contracting Parties, and aims to assist the implementation of the Offshore Protocol, increase the ratifications and implementation of the LP, and support the strengthening of regional cooperation.

**Mediterranean Action Plan (MAP) and the Barcelona Convention**

The Mediterranean Action Plan (MAP) was established as a framework of cooperation in addressing common challenges of marine environmental degradation in the Mediterranean, and in 1976 the Barcelona Convention was adopted by the Mediterranean countries. With an initial focus on pollution, which then expanded to further address biodiversity, coastal management and sustainable development, in 1995 the Convention was amended and renamed as the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean.

The Barcelona Convention and its seven protocols form the legal framework of MAP, developed under the UN Environment regional seas programme. One of the protocols, the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft (the Dumping Protocol), was adopted in 1976 (London Convention equivalent) and is in force for most Mediterranean States, however the 1995 amendment to the Dumping Protocol (London Protocol equivalent) has only been ratified by 15 States and is therefore not yet in force.

Fifteen of the Barcelona Convention Contracting Parties (Croatia, Cyprus, Egypt, France, Greece, Italy, Libya, Malta, Monaco, Montenegro, Morocco, Slovenia, Spain, Syrian Arab Republic and Tunisia) are also Party to the LC and six (Egypt, France, Italy, Morocco, Slovenia and Spain) are also Party to the LP. In addition, the Dumping Protocol and the LC/LP share the same objective of effectively preventing pollution of the sea by dumping of wastes and other matter.

On 26 June 2018 the Secretariat attended a meeting with the UN Environment-MAP Secretariat on how to enhance cooperation in facilitating the implementation of the LC/LP and the Barcelona Convention Dumping Protocol at the UN Environment-MAP offices in Athens, Greece. A number of areas of common interest where cooperation could be enhanced were discussed including:

1. **reporting** – the revised reporting format for the Barcelona Convention Dumping Protocol has been aligned as much as possible with the LC/LP electronic reporting format to facilitate exchange of mutually useful information and data;

2. **compliance** – both bodies have a Compliance Committee with the common objective of facilitating and promoting compliance among their respective Contracting Parties, the exchange of mutually useful information and data including the sharing of technical data, such as dumping at sea permits and quantities and field and compliance monitoring activities, and the exchange of knowledge and best practices may be beneficial for facilitating and enhancing reporting;

3. **monitoring and assessment** – the exchange of information on monitoring the pollution load related to dumping activities and monitoring the condition of the sea for the purpose of both Protocols could assist Contracting Parties in coordinated data and information collection at national level; and
.4 capacity-building – opportunities for holding joint regional workshops/meetings on implementation of the LP and the Barcelona Convention Dumping Protocol could be explored.

15 Furthermore, the most appropriate legal instrument to articulate cooperation between the two bodies was discussed. As UN Environment already has a MoU with IMO, other options are being explored, such as a Letter of Agreement (LoA), to ensure focus on promoting issues within the scope of the LC/LP.

HELCOM and the Helsinki Convention

16 HELCOM (Baltic Marine Environment Protection Commission – Helsinki Commission) is the governing body of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, known as the Helsinki Convention. In the HELCOM area five Contracting Parties (Denmark, Estonia, Germany, Finland and Sweden) are Party to the London Protocol, whereas two (Poland and the Russian Federation) are Party to the London Convention only. Latvia and Lithuania are not Party to either of the two treaties.

17 The Secretariat is currently engaged in discussions with the HELCOM Secretariat to explore ways of consolidated reporting between the two bodies.

Action requested of the governing bodies

18 The governing bodies are invited to note the information provided, to comment as they deem appropriate and also to encourage Member States to support efforts to strengthen collaboration with regional conventions and programmes through their respective regional bodies, for example by raising the issue at appropriate regional meetings.