



SIXTEENTH CONSULTATIVE MEETING
OF CONTRACTING PARTIES TO THE
CONVENTION ON THE PREVENTION
OF MARINE POLLUTION BY DUMPING
OF WASTES AND OTHER MATTER
8 - 12 November 1993
Agenda item 14

REPORT OF THE SIXTEENTH CONSULTATIVE MEETING

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1 INTRODUCTION

1.1 The Sixteenth Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, (London Convention 1972), convened in accordance with Article XIV(3)(a) of the Convention, was held at IMO Headquarters, London from 8 to 12 November 1993 under the chairmanship of Mr. D. Tromp (Netherlands). Mr. A. Sielen (United States) and Ambassador G.E. do Nascimento e Silva (Brazil) were Vice-Chairmen.

1.2 The Meeting was attended by delegations from the following 50 Contracting Parties to the London Convention 1972:

AFGHANISTAN	MEXICO
ANTIGUA AND BARBUDA	MOROCCO
ARGENTINA	NAURU
AUSTRALIA	NETHERLANDS
BELGIUM	NEW ZEALAND
BRAZIL	NIGERIA
CANADA	NORWAY
CHILE	OMAN
CHINA	PANAMA
CUBA	PAPUA NEW GUINEA
CYPRUS	PHILIPPINES
DENMARK	POLAND
EGYPT	PORTUGAL
FINLAND	RUSSIAN FEDERATION
FRANCE	SEYCHELLES
GERMANY	SOLOMON ISLANDS
GREECE	SOUTH AFRICA
ICELAND	SPAIN
IRELAND	SWEDEN
ITALY	SWITZERLAND
JAMAICA	UKRAINE
JAPAN	UNITED KINGDOM
LIBYAN ARAB JAMAHIRIYA	UNITED STATES
LUXEMBOURG	VANUATU
MALTA	ZAIRE

1.3 Representatives from the following Associate Member of IMO attended the meeting:

HONG KONG

1.4 Observers from the following States that are not Contracting Parties to the London Convention 1972 attended the meeting:

ANGOLA
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
INDIA
LIBERIA
REPUBLIC OF KOREA
SAUDI ARABIA
VENEZUELA

1.5 Representatives from the INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA) and the following United Nations Organizations attended the meeting:

UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP)/SECRETARIAT OF THE
BASEL CONVENTION

1.6 Observers from the following intergovernmental organizations attended the meeting:

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT/NUCLEAR
ENERGY AGENCY (OECD/NEA)
LEAGUE OF ARAB STATES
OSLO AND PARIS COMMISSIONS (OSPAR)
COMMISSION OF THE EUROPEAN COMMUNITIES (EEC)

1.7 Observers from the following international non-governmental organizations also attended the meeting:

INTERNATIONAL ASSOCIATION OF PORTS AND HARBORS (IAPH)
EUROPEAN COUNCIL OF CHEMICAL MANUFACTURERS' FEDERATIONS (CEFIC)
FRIENDS OF THE EARTH INTERNATIONAL (FOEI)
GREENPEACE INTERNATIONAL
INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE AND NATURAL RESOURCES
(IUCN)
PERMANENT INTERNATIONAL ASSOCIATION OF NAVIGATION CONGRESSES (PIANC)
OIL INDUSTRY INTERNATIONAL EXPLORATION AND PRODUCTION FORUM (E & P FORUM)
ADVISORY COMMITTEE ON PROTECTION OF THE SEA (ACOPS)
CENTRAL DREDGING ASSOCIATION (CEDA)

Opening of the meeting

1.8 In opening the proceedings the Chairman welcomed all participants to the Sixteenth Consultative Meeting and in particular the observers of those countries which are not yet Contracting Parties to the London Convention 1972.

1.9 He mentioned that the improvement of the London Convention 1972 was now entering a very concrete phase, based on the advice of the Convention's Amendment Group and influenced by the directions set out in Agenda 21 of the 1992 UN Conference on Environment and Development.

Address of welcome

1.10 The Secretary-General of IMO, Mr. W. O'Neil, welcomed all participants. In his welcoming address, he mentioned IMO's decision to join UNEP and IOC in supporting the Global Investigation of Pollution of the Marine Environment (GIPME) and IMO's continued support for the work carried out by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP).

1.11 Mr. O'Neil stressed the importance of the attention being given by Contracting Parties to carry out dredging operations in an environmentally sound manner and in this respect welcomed the assistance provided by the dredging industry in developing a computerized bibliographic inventory related to the environmental effects of dredging operations.

1.12 Attention was drawn to the IMO Global Waste Survey which demonstrated that many developing countries, both Contracting Parties and non-Contracting Parties, lack environmentally sound land-based technologies and facilities for the management of industrial wastes, and that some industrialized countries might also encounter difficulties in establishing acceptable land-based waste management alternatives in time. This will require the understanding and willingness of all Contracting Parties to work together in establishing and supporting work management projects on a co-operative basis.

1.13 The Secretary-General advised the Meeting of the importance to strive for consensus when considering proposals to amend the Convention, rather than accept a series of majority decisions as a basis of a revised treaty.

1.14 The Secretary-General wished the Consultative Meeting good progress and success with its work.

Report on credentials

1.15 The credentials of representatives and alternates participating at the Sixteenth Consultative Meeting of Contracting Parties to the London Convention 1972 were examined by the Secretary-General to ensure conformity with the provisions of Rule 7 of the Rules of Procedure. The Secretary-General reported that the credentials received from the delegations were in order.

Adoption of the Agenda

1.16 The agenda for the Meeting (LC 16/1) as adopted, is shown at annex 1, and it includes under each respective agenda item a list of documents prepared for consideration. The Meeting also agreed on a timetable and schedule for its work (LC 16/1/1).

1.17 The Mexican delegation raised the point that the Spanish versions of many documents for this Meeting had been issued very late. That delegation urged the Chairman to arrange the conduct of this Meeting in such a way that working papers for consideration by plenary later this week would be available in all working languages in good time. In addition, future meetings of the Amendment Group should be arranged in such a way that there would be time for distribution of documents in all languages and for the submission of comments thereon for consideration at the subsequent Consultative Meeting.

1.18 The French delegation questioned the procedure for amending the Convention as proposed by the Amendment Group in July 1993. While not intending to block considerations on the amendment issues as brought forward to this Consultative Meeting, that delegation pointed out that the required time limits for distribution of amendment proposals in the working languages of the Organization had not been followed in strict accordance with the "Procedure for Preparation and Consideration of Amendments to the Annexes to the London Dumping Convention" as set out in resolution LDC.10(V). The French delegation expressed its reservation on this development, emphasizing that it had not received the text of the proposed amendments within the specified time frame. This and other procedural reservations were shared by the delegations from the Russian Federation and the United Kingdom.

1.19 The Chairman, supported by other delegations, recalled that the basis of the amendment proposals considered at this Meeting had already been submitted and translated in all working languages at previous Consultative Meetings. With regard to the issue of sea disposal of radioactive wastes, the proposals submitted by the delegations of Nauru and Kiribati dated back to 1983.

1.20 The Meeting agreed with the above interpretation and that decisions concerning the proposed amendments of the Annexes could be taken at this meeting. The delegation of the United Kingdom stated that although it still had reservations about the procedure to be followed, it did not wish to obstruct the further progress of substantive issues. This view was shared by the delegations from France and the Russian Federation.

1.21 The Consultative Meeting acknowledged the problems faced by those countries which have to consider and comment on documents that had not been distributed in time in their own languages. It emphasized the need for all deliberations to be based on the requirements of the Convention and the Rules of Procedure of the Consultative Meeting.

Participation of intergovernmental organizations and international non-governmental organizations

1.22 The Chairman informed the Meeting that the Secretariat had received applications for observership from the "International Collective in Support of Fishworkers (ICSF)" and from "Globe International". The Secretariat, after consultation with the Chairman and the Vice-Chairmen, had informed ICSF that they would not be invited to the Sixteenth Consultative Meeting because there was doubt about their specialized technical expertise relating to the objectives of the Convention according to Rule 3(e) of the Rules of Procedure. With regard to the request from "Globe International", this had arrived very late and further background material and evaluation by the Bureau was necessary before it could be submitted to the Consultative Meeting.

1.23 The Meeting agreed to invite intergovernmental organizations to the Seventeenth Consultative Meeting and to intersessional meetings of its advisory bodies, as follows:

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD)
COMMISSION OF THE EUROPEAN COMMUNITIES (EEC)
INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA (ICES)
OSLO & PARIS COMMISSIONS
HELSINKI COMMISSION
PERMANENT COMMISSION FOR THE SOUTH PACIFIC (CPPS)
SOUTH PACIFIC REGIONAL ENVIRONMENT PROGRAMME (SPREP)

1.24 The Meeting decided that the following international non-governmental organizations should be invited to attend, in an observer capacity, the Seventeenth Consultative Meeting and intersessional meetings of its advisory bodies as follows:

INTERNATIONAL ASSOCIATION OF PORTS AND HARBORS (IAPH)
EUROPEAN COUNCIL OF CHEMICAL MANUFACTURERS' FEDERATIONS (CEFIC)
FRIENDS OF THE EARTH INTERNATIONAL (FOEI)

GREENPEACE INTERNATIONAL
INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE AND NATURAL RESOURCES
(IUCN)
PERMANENT INTERNATIONAL ASSOCIATION OF NAVIGATION CONGRESSES (PIANC)
OIL INDUSTRY INTERNATIONAL EXPLORATION AND PRODUCTION FORUM (E & P FORUM)
ADVISORY COMMITTEE ON PROTECTION OF THE SEA (ACOPS)
CENTRAL DREDGING ASSOCIATION (CEDA)

1.25 The delegation of the Russian Federation drew the attention of the Meeting to the fact that the Secretariat had taken a decision to distribute a document submitted by an NGO without prior consultation with the Chairman and the Bureau; this was in clear defiance of rules stipulated in LDC VI/12, paragraph 1.8. That delegation also asked the Chairman to request the Secretariat to prepare a statement with regard to financial implications of the distribution of document LC 16/INF.11.

1.26 Greenpeace International informed the Meeting that the above document had not been reproduced by IMO but that it had provided copies for distribution at this Meeting.

2 STATUS OF THE LONDON CONVENTION 1972

2.1 The Consultative Meeting noted the report of the Secretary-General (LC 16/2) on the status of the London Convention 1972. No new accessions had been notified to IMO during the intersessional period.

2.2 The Meeting acknowledged that during the intersessional period Finland had deposited an instrument of acceptance for the 1978 amendments concerning the settlement of disputes, bringing the total number of Contracting Parties having ratified these amendments to eighteen. Contracting Parties were reminded that acceptances from two thirds of all Contracting Parties (currently 48 of 71) were needed for these amendments to enter into force.

2.3 The representative of the Republic of Korea informed the Meeting that his Government is taking steps with a view to ratifying the Convention within the near future. The Chairman expressed the hope that the Republic of Korea will attend the next Consultative Meeting in 1994 as a Contracting Party.

2.4 The Secretariat presented a table (LC 16/INF.7) indicating the extent to which Contracting Parties have fulfilled to the year 1992 their notification and reporting requirements under Article VI of the Convention. The Meeting noted that for the years 1991 and 1992 forty per cent of Contracting Parties have not submitted any information on their dumping activities. The Meeting advised the Secretary-General to outline in writing to Contracting Parties their obligations concerning notification procedures required by the Convention or requested by the Consultative Meeting.

2.5 The Consultative Meeting also requested the Secretary-General of IMO to write to all IMO Member States that are not yet Contracting Parties to the London Convention 1972, drawing their attention to the benefits of becoming a Contracting Party to the Convention and requesting them also to indicate any problems they may have in implementing the requirements of the Convention.

3 LONG-TERM STRATEGY FOR THE CONVENTION

3.1 The Sixteenth Consultative Meeting, because of time constraints, was not able to continue its consideration of issues related to the long-term strategy for the Convention. The actions agreed upon in this area, as requested by the Fifteenth Consultative Meeting, are discussed in paragraphs 3.2 to 3.7 below.

3.2 The Meeting recalled that the Fifteenth Consultative Meeting had requested the Secretariat to write to the UN Commission on Sustainable Development, drawing attention to the relevance of the London Convention 1972 concerning the protection of the marine environment and offering assistance of the Consultative Meeting in implementing actions requested by UNCED Agenda 21, falling within the scope of its Convention (LC 15/16, paragraph 4.5). In this regard particular emphasis should be given to the experience of Contracting Parties in areas relating to the marine disposal of dredged material, the development of waste management practices, such as the Waste Assessment Framework (WAF) and the environmental assessment of the impact of human activities in the marine environment (LC 15/16, paragraph 4.7).

3.3 In endorsing this request the Meeting agreed that the Secretariat in its letter to the UN Commission on Sustainable Development should submit a programme of technical assistance activities falling within the area of competence of the London Convention 1972. Such a programme should also be sent to the implementing agencies of the Global Environment Facility (GEF), asking that such a programme be considered for funding under the GEF (LC 15/16, paragraph 4.8).

3.4 The Consultative Meeting also agreed with the previous recommendation (LC 15/16, paragraphs 4.9 and 4.10) that it should give high priority to activities aimed at attaining increased membership through creating greater awareness of the benefits that would be derived by Contracting Parties from ratifying the Convention, and that the Consultative Meeting would designate and support technical experts to assist developing countries.

3.5 The Consultative Meeting reiterated its previous statement (LC 15/16, paragraphs 4.12 and 4.14) that in order to promote "capacity building", as requested by UNCED Agenda 21, it would have to consider at a future meeting appropriate actions, e.g. training of experts, establishment of institutions and formulation of legal frameworks. In this regard the Meeting realized the existence of direct financial and human resource implications of these actions to the Secretariat, and that such implications must be addressed before a "capacity building action programme" could be developed.

3.6 The Secretariat had been requested by the Fifteenth Consultative Meeting to write to all Contracting Parties asking for their requirements for advice and assistance in developing the action programme mentioned above. The results will be submitted to a future Consultative Meeting together with an examination of all potential international and other funding sources.

3.7 Finally, the Consultative Meeting reiterated its request to the Secretariat to prepare a study in co-operation with the United Nations Division for Ocean Affairs and the Law of the Sea, explaining the implications of the entry into force of the UN Convention on the Law of the Sea on the application of the London Convention 1972 as outlined at the Fifteenth Consultative Meeting (LC 15/16, paragraph 4.26).

Follow-up to UNCED

3.8 The Meeting was informed by Mr. J. Wonham, Special Assistant to the Director of the Marine Environment Division, on developments within the United Nations system on UNCED follow-up. Activities were being co-ordinated by the Inter-Agency Committee on Sustainable Development (IACSD) in which the various bodies and specialized agencies of the United Nations are represented. Intergovernmental follow-up to UNCED was the responsibility of the Commission on Sustainable Development (CSD) which had met for the first time in June 1993. One of the outcomes was agreement on a schedule for reporting to CSD on progress in the implementation of Agenda 21.

3.9 The Meeting noted that CSD had grouped the chapters of Agenda 21 into clusters, the following of which would be considered at its second session in May 1994.

Review of cross-sectoral clusters:

- A. Critical elements of sustainability - with particular reference to Chapters 2 and 4
- B. Financial resources and mechanisms - Chapter 33
- C. Education, science, transfer of environmentally sound technologies, co-operation and capacity-building - with particular reference to Chapters 34 and 37
- D. Decision-making structures - with particular reference to Chapters 38 and 39
- E. Roles of major groups - Chapters 23 to 32 inclusive.

Review of sectoral clusters, first phase:

- F. Health, human settlements and freshwater - Chapters 6, 7, 18 and 21
- I. Toxic chemicals and hazardous wastes - Chapters 19, 20 and 22.

It was further noted that UNEP had designated Task Managers for both toxic chemicals and hazardous wastes, and it was envisaged that IMO would report to the Task Manager in respect of activities of the London Convention 1972. The Meeting was reminded that cluster I. included Chapter 22 of Agenda 21 on Safe and Environmentally Sound Management of Radioactive Wastes in which paragraph 22.5(b) relates specifically to the London Convention's current consideration of the disposal of low-level radioactive wastes at sea.

3.10 The Meeting was informed that progress in implementing the cluster on atmosphere, oceans and all kinds of seas covering Chapters 9 and 17 of Agenda 21 was not due to be considered by CSD until its fourth session in 1996. To facilitate co-ordination of the work by the United Nations system, under Chapter 17 the establishment of a Sub-Committee on Oceans and Coastal Areas had been authorized, for which secretariat functions will be provided by UNESCO-IOC. Specific reference is made in paragraph 17.30(b) of Chapter 30 to the London Convention, including support for early conclusion of

a future strategy for the Convention. Progress on this and other areas of Chapter 17 for which IMO is responsible would be reported to CSD through the new Sub-Committee.

3.11 The Meeting noted that a number of initiatives were already taking place in the context of Chapter 17, including preparations by UNEP for a conference on land-based sources of pollution (see also paragraph 12.5).

4 AMENDMENTS TO THE CONVENTION AND ITS ANNEXES

4.1 In discussing proposals to amend the Convention, the Meeting had before it and considered the following documents:

- .1 a document by the Secretariat (LC 16/4) highlighting the recommendations in the report of the first meeting of the LC 1972 Amendment Group (LC/AM 1/9);
- .2 two documents by the Secretariat (LC 16/4/1 and LC 16/4/1/Add.1) containing draft resolutions to amend the Annexes to the Convention and clarifications of definitions, which were based on recommendations made by the Amendment Group that a number of proposed amendments would need urgent decision (LC/AM 1/9, paragraphs 7.2 - 7.5);
- .3 comments to the report of the LC 1972 Amendment Group and amendment proposals submitted by Denmark (LC 16/4/2), Australia (LC 16/4/3), the South Pacific Forum (LC 16/INF.14), Canada (LC 16/4/4), Japan (LC 16/4/6), New Zealand (LC 16/4/9), Germany and Sweden (LC 16/INF.18), IAPH (LC 16/4/5) and Greenpeace International (LC 16/INF.6);
- .4 two documents by the Secretariat containing Article-by-Article compilations of proposals by Contracting Parties to amend the Convention (LC 16/4/7) and of proposals discussed by the LC 1972 Amendment Group (LC 16/4/8); and
- .5 a document by the Secretariat reflecting the status of the Global Waste Survey (LC 16/INF.12) presented here with regard to proposals to prohibit sea disposal of industrial wastes.

4.2 The Amendment Group had proposed to the Meeting that with regard to amendments to the Convention and its Annexes a two-track approach should be followed: inclusion of decisions with regard to the banning of dumping of industrial waste, incineration at sea and sea disposal of radioactive waste should be achieved by amendment of the Annexes to the Convention (fast-track). A more thorough review of the provision of the Convention would follow thereafter (slow-track).

4.3 The Meeting agreed to convene a diplomatic or special conference with a view to adopting amendments not later than 1996. To prepare for such a conference, a meeting of the Amendment Group in 1994 would be required in addition to the Seventeenth Consultative Meeting. If a meeting of the Amendment Group would also be necessary in 1995, the necessary financial

resources would have to be provided by the Contracting Parties, or the IMO Council would have to amend the IMO budget which had already been adopted for the biennium 1994/1995. A more precise time-table would be decided by the next Consultative Meeting.

4.4 The Meeting adopted resolution LC.48(16) formulating this two-track approach for the review of the Convention as set out at annex 2.

4.5 After a general debate, two working groups were established to consider the amendment proposals in more detail and to prepare final draft texts for agreement. The Working Group on Sea Disposal of Industrial Wastes and Incineration at Sea met under the chairmanship of Mr. J. Campbell (United Kingdom) to consider amendment proposals on the disposal of industrial wastes and incineration at sea. The Working Group on Matters Related to the Disposal of Radioactive Wastes at Sea met under the Chairmanship of Mr. A. Sielen (United States) to consider the amendment proposals on radioactive wastes.

Sea disposal of industrial waste

4.6 On the issue of sea disposal of industrial wastes, the Working Group agreed to take as a starting point for its discussions the draft definition of industrial waste as contained in document LC 16/4/1/Add.1, Appendix, page 1 under "option 2", on the understanding that if agreement would not be reached on the text under that option, the definition of industrial waste as contained in resolution LDC.43(13) would have to be included in the text of the amendment.

4.7 In considering these amendments, the Consultative Meeting agreed not to include additional categories of wastes to be exempted from the definition of industrial waste. In this respect the observer from the Republic of Korea had proposed to include:

- .1 organic materials resulting from food and beverage processing operations; and
- .2 organic industrial sludges or materials discharged from biological wastewater treatment facilities (plants).

4.8 The Consultative Meeting further noted that wastes identified by the observer from the Republic of Korea under paragraph 4.7.1 above were covered by one of the other exemption categories.

Global Waste Survey

4.9 The Consultative Meeting noted the conclusions of the Global Waste Survey which indicated difficulties that Contracting Parties and non-Contracting Parties, developing countries in particular, may have in phasing out sea disposal of industrial waste by the 1995 deadline. The Meeting also noted the obligations of Contracting Parties with regard to annual reporting on their sea disposal activities and the benefits that arise therefrom, in particular with regard to assessing potential needs for technical assistance among Contracting Parties.

4.10 The representative of UNEP/Secretariat of the Basel Convention noted that, according to the provisions of the London Convention 1972, discharges of

wastes into the sea from land-based sources including the deep sea injection from land were not covered by the Convention.

4.11 The Meeting concluded that there were a number of options to be considered to assist developing countries in the transition from sea disposal of industrial waste to environmentally sound land-based waste management alternatives, including:

- .1 implementation of an improved technical co-operation programme to facilitate access to and transfer of environmentally sound technologies to developing countries; and
- .2 provision of a short-term window or a period of grace in the 1995 ban for existing industry in developing countries.

4.12 A number of delegations stated that the short-term window option was important in order to ensure the effectiveness of the Convention and fairness with respect to the obligations of developing countries, in conformity with Chapter 17 of Agenda 21 and commensurate with their individual technological and financial capacities and priorities in allocating resources for development needs. It was further pointed out that this approach would be more amenable to developing countries wishing to become Contracting Parties to the London Convention 1972, and that it could also be appropriate for Contracting Parties for whom new obligations might be difficult to implement despite their wish to accept these initiatives.

4.13 A number of other delegations expressed concern over the short-term window alternative and felt that further consideration was required, specifically with regard to:

- .1 a recognized definition of "developing country";
- .2 developing countries that are currently Contracting Parties to the London Convention versus developing countries that may wish to become Contracting Parties in the future;
- .3 identification of existing sea disposal practices involving industrial waste in developing countries and the delineation of a ceiling on such practices;
- .4 exemptions from the short-term window of enterprises such as new industries and investments in developing countries and multi-national companies operating in developing countries; and
- .5 reporting and monitoring of progress being made by developing countries towards a phase-out of sea disposal practices.

4.14 The Meeting agreed that the Amendment Group be requested to develop a mechanism to give better definition to the short-term window proposed for developing countries in the 1995 ban on ocean dumping of industrial wastes.

4.15 The Australian delegation noted the difficulty that one company in Australia was experiencing in complying with the 1995 deadline of the sea disposal ban with respect to jarosite wastes. Measures were being taken to

provide processing and waste treatment and disposal alternatives so that sea disposal would no longer be necessary, but there was concern that the system may not be in place to meet the 1995 deadline. The delegation assured the Consultative Meeting that in no circumstances would dumping of jarosite extend beyond 31 December 1997 and that a stringent monitoring and management requirement will be maintained on the company for the duration.

4.16 The Australian delegation proposed to reflect their problems and commitments with regard to the phasing out of sea disposal of jarosite wastes as described above in a Technical Memorandum of Agreement for approval by the Consultative Meeting. The Meeting was reluctant to accept such a memorandum. Consequently, the Australian delegation withdrew its proposal.

Amendments to the Annexes

4.17 The delegation of the United Kingdom drew attention to resolution LDC.43(13) on Phasing out Sea Disposal of Industrial Waste which in its definition of industrial waste excluded radioactive matter pending the completion of the review of the Convention with regard to the issue of sea disposal of radioactive wastes. The Meeting agreed to insert a clause in the draft resolution on Phasing Out Sea Disposal of Industrial Waste, stating that the provisions in Annex I on industrial waste, as amended, do not apply to radioactive wastes referred to in paragraph 6 of that Annex.

4.18 The Netherlands delegation pointed out that a number of regional agreements for the protection of the marine environment had adopted more stringent provisions than were proposed at present for the London Convention 1972. The Meeting recognized that these more stringent regional agreements and measures were encouraged pursuant to Article VII(5) of the Convention.

4.19 The Italian delegation, supported by other delegations, expressed its reservation to exempt "uncontaminated organic materials of natural origin" from the definition of industrial waste, but, in the spirit of compromise, delegations were willing to accept this exemption at this stage.

4.20 The Meeting agreed that the Amendment Group be requested to consider this exemption and that the Scientific Group be requested to consider the need for developing specific guidance for sound environmental management of uncontaminated organic materials of natural origin. In this context, the Italian delegation was invited to submit relevant information for consideration by the Scientific Group.

4.21 The Consultative Meeting unanimously adopted a draft resolution on amendments to Annexes I and II of the Convention concerning Phasing Out Sea Disposal of Industrial Waste, as prepared by the Working Group. Resolution LC.49(16) is attached hereto as annex 3.

4.22 The Meeting agreed to also request the Scientific Group to review the present substances and materials mentioned under Annex II, Section A, as amended.

Incineration at sea

4.23 The Working Group on Sea Disposal of Industrial Wastes and Incineration at Sea addressed the issue of incineration at sea using the draft text in LC 16/4/1/Add.1, Appendix, page 3, Case 1, as a starting point for discussion.

4.24 The Working Group prepared a draft resolution on amendments to Annex I of the Convention concerning incineration at sea. In discussing the draft resolution, the Consultative Meeting emphasized the need to revisit existing regulations and guidelines developed under the Convention, taking into account information from other competent sources, such as the OSPAR Commission and the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO).

4.25 The Consultative Meeting unanimously adopted the draft resolution as resolution LC.50(16) as shown in annex 4. Although a number of delegations had preferred a complete prohibition of incineration at sea of all wastes, they agreed, in the spirit of achieving a consensus, to the resolution as accepted.

4.26 The Consultative Meeting noted the requirement to issue special permits for incineration at sea of those wastes which are exempt from the prohibition. The delegation of Japan indicated it had preferred to include the possibility for issuance of general incineration permits for certain wastes, where appropriate.

Matters related to the disposal of radioactive wastes at sea
(see also section 5 of this report)

4.27 The Working Group on Matters Related to the Disposal of Radioactive Wastes at Sea was instructed to prepare amendments to formalize the prohibition of disposal at sea of radioactive wastes and other radioactive matter. The Chairman of the Working Group reported on the outcome of his Group, as summarized in paragraphs 4.28 to 4.35 below, and presented a draft resolution to amend Annexes I and II of the Convention to prohibit disposal at sea of radioactive wastes and other radioactive matter (LC 16/WP.2/Add.1).

4.28 Discussions of the options on disposal at sea of radioactive waste as presented by IGPRAD (IGPRAD 6/5) had revealed a preference for option 7 which involved a total ban on radioactive waste disposal at sea. The Working Group began its discussions with an examination of proposals introduced by France, the United States and the Russian Federation and the United Kingdom. The Working Group considered in detail as to whether a provision should be included to allow a Contracting Party to withdraw from a ban on radioactive waste dumping at some future date. Other issues, such as the nature and extent of any scientific or "other" review of a decision on a ban, and the issue of exempting trivial - or "de minimis" levels of radioactivity from a ban, were also discussed.

4.29 The Group also discussed the problem on how to ensure that the "voluntary" moratorium adopted by Contracting Parties in 1983 in resolution LDC.14(7) would continue during the interim period between the Sixteenth Consultative Meeting and the time an amendment to Annex I to the Convention banning radioactive waste disposal at sea would enter into force.

4.30 Another issue discussed was the position regarding the suspension of emplacement of radioactive wastes into sub-sea-bed repositories accessed from the sea. Resolution LDC.41(13) on Disposal of Radioactive Wastes into Sub-Sea-Bed Repositories accessed from the Sea, which ruled that such disposal would be subject to resolution LDC.21(9), had been adopted by a majority vote, with certain Parties opposing the moratorium.

4.31 The Group then addressed the question of de minimis or "exempt" levels of radioactivity. It was generally recognized that de minimis levels of radioactivity would - as a matter of practicality - have to be exempt from any ban. It was also appreciated that a definition of de minimis levels was not an essential prerequisite to the imposition of a ban. As several delegations noted, the moratorium under the Convention has been in place for ten years without such an agreed international definition being available. It was agreed that some reference to "de minimis" should be made in the amendment to Annex I.

4.32 In relation to the de minimis issue, the continued and important role of the IAEA for the Convention was noted. It was concluded that the main responsibility for developing scientific and technical advice on radioactive waste issues under the Convention should continue to be that of the IAEA with that advice being adopted by the Consultative Meeting. This would give Contracting Parties the opportunity to review and comment on advice from the IAEA, before adoption. This conclusion is also reflected in the resolution.

4.33 The potential future review of a decision to ban disposal at sea of radioactive substances generated considerable interest and was addressed in various forms in proposals made by France, the United Kingdom, and the United States. There was some debate as to whether any review should be limited to scientific considerations, or be open to include other issues. This is reflected in the texts of the resolution and amendment to Annex I, both of which refer to a scientific study to be carried out 25 years after entry into force of the amendment, "taking into account such other factors as Parties consider appropriate."

4.34 The Group then addressed the particular problems with the land-based disposal of radioactive waste now being encountered by the Russian Federation. There was considerable debate as to whether Article V of the Convention dealing with force majeure at sea and emergency situations on land might provide a vehicle for addressing these problems. It was concluded that, in view of the available information regarding the difficulties faced by the Russian Federation, this would be inappropriate. The Working Group acknowledged the value of continuing dialogue on this subject with the Russian Federation.

4.35 The Working Group opposed any measure to permit Contracting Parties discretion to withdraw from a ban at a future date. However, two delegations strongly favoured the inclusion of such a proposal, and tabled written proposals to that effect. The two delegations favouring such an option provided helpful explanations of their reasons for favouring such a provision and stressed the value they assign to the achievement of consensus within the London Convention 1972.

Action by the Consultative Meeting concerning proposals on the future of radioactive waste disposal at sea

4.36 In the ensuing discussion of the draft resolution prepared by the Working Group, the French and the United Kingdom delegations proposed an alternative amendment to Annex I, referring to the possibility of Contracting Parties to opt out after fifteen years:

"In the case of the following Contracting Parties, [], paragraph 6 (i.e. the prohibition of dumping radioactive materials at sea) shall only apply until 1 January 2008.

These Contracting Parties shall take steps to explore land-based options for disposal of low-level radioactive waste, with a view to subscribing in full to paragraph 6 at the earliest possible date."

4.37 The delegations of France and the United Kingdom believed that, by the above proposed formula, at least 15 years of cessation of dumping of radioactive wastes could be achieved globally and this period could possibly be extended. In their view, this formulation was intended to secure greater coherence on this substantive matter in the Convention. The Consultative Meeting could not agree to the proposal. It was pointed out that France and the United Kingdom could include in a statement items of their proposed addition to the amendments shown above as part of their Notification of Acceptance, i.e. that they would be bound only until 1 January 2008.

4.38 The Meeting then discussed the amendments prepared by the Working Group (LC 16/WP.2/Add.1, annex). Some delegations proposed to amend the interval of the study referred to in proposed paragraph 12 of Annex I so that it be shortened from 25 to 15 years in order to coincide with the time span of the prohibition proposed by the delegations of France and the United Kingdom. However, the French and United Kingdom delegations were unable to agree with the indefinite prohibition, even if the span was shortened.

4.39 The delegation of the Russian Federation proposed an additional paragraph which would make the amendment to paragraph 6 applicable to the Russian Federation as from 31 December 1995 only, so that the Russian Federation could accept the proposed amendments. It was, however, unable to get sufficient support from other Contracting Parties.

4.40 Upon the request of the delegation of France, and supported by Belgium, a vote, extended to a roll call vote, as proposed by Denmark, was taken for the adoption of the resolution on disposal at sea of radioactive wastes and other radioactive matter.

4.41 The results of the voting were as follows:

.1 Those voted for:

ARGENTINA
AUSTRALIA
BRAZIL
CANADA
CHILE

NAURU
NETHERLANDS
NEW ZEALAND
NIGERIA
NORWAY

CYPRUS
DENMARK
EGYPT
FINLAND
GERMANY
GREECE
ICELAND
IRELAND
ITALY
JAPAN
LUXEMBOURG
MALTA
MEXICO
MOROCCO

OMAN
PAPUA NEW GUINEA
PHILIPPINES
POLAND
PORTUGAL
SOLOMON ISLANDS
SOUTH AFRICA
SPAIN
SWEDEN
SWITZERLAND
UKRAINE
UNITED STATES
VANUATU

- .2 Those voted against: None
.3 Those abstained:

BELGIUM
CHINA
FRANCE
RUSSIAN FEDERATION
UNITED KINGDOM

4.42 The Chairman announced that the results of the votes were 37 for, 0 against and 5 abstentions; he declared the proposed amendments as adopted. The text of resolution LC.51(16), including the amendments to Annexes I and II, is set out at annex 5 to this report.

4.43 The Meeting agreed that the adoption of the three resolutions (LC.49(16), LC.50(16) and LC.51(16)) was understood to be agreement both in principle and formally, pursuant to the provisions set out in resolution LDC.10(V), paragraph 7. The Meeting acknowledged that the above mentioned amendments will enter into force 100 days after their adoption, i.e. on 20 February 1994, in accordance with Article XV(2) of the London Convention 1972 except for those Contracting Parties that before the end of the 100 days make a declaration to the Organization that they are not able to accept the amendments at that time.

Statements of delegations of Contracting Parties which abstained from the vote

4.44 The delegation of Belgium stated the following:

"The territory of Belgium is extremely small, and its population density is high. Its nuclear industry is expanding. For Belgium, it is therefore particularly difficult and burdensome to develop large storage sites on its territory.

However, studies are presently in progress to examine the feasibility of storage on land of waste of only slight to moderate radioactivity.

The findings of these studies, on which the final political decision will depend, are awaited in the near future. In the meantime, the Belgian Government wishes to keep an open door for any alternative solutions, and to retain the current moratorium."

4.45 The Chinese delegation made a statement as follows:

"The Chinese delegation stated that it was in favour of a ban on sea disposal of radioactive wastes and other radioactive matter. It stressed that such a ban should take due account of the studies and assessment being carried out by the IAEA and that the moratorium previously decided by the Consultative Meeting could be prolonged until final results were available. That delegation reiterated that China had neither in the past disposed of any radioactive wastes or other radioactive matter at sea, nor would it in the future intend to do so. It further stated that its abstention did not mean that, had the Meeting decided to adopt the resolution by consensus, this delegation would hinder it."

4.46 The French delegation provided a statement which reads as follows:

"Now that the amendment to paragraph 6 of Annex I is being formally adopted, my delegation wishes to confirm its reservation as to both form and substance.

We stated our position on Monday concerning the wording of the amendment, and I will not repeat it.

Concerning the substance, we regret that the efforts made by my delegation have fallen on deaf ears. All of us here are working towards the same ends, and France is and remains a strong supporter of the London Convention.

France has opted for land-based storage of its radioactive waste, including waste of low radioactivity. France is not disposing of radioactive waste at sea, and does not at this stage intend to practice such dumping. It is not therefore seeking to defend any special interests.

Its opposition in principle - and I emphasise that this is in principle - to an outright ban is based solely on commonsense. Any decision on the matter must be based on objective scientific grounds, that is, on basic rules and on recommendations emanating from experts and from the competent bodies, in this instance the IAEA.

In our view, it would be unwise at this time to turn our backs on a solution which may later turn out, in certain cases, to be the best possible solution from the viewpoint of health, the environment and the preservation of the marine environment.

The French delegation notes that it has not been possible, as regards article 6 of Annex I, to achieve a consensus within the working group to reconcile the principle of prohibiting dumping of waste of low to moderate radioactivity, on which everybody agrees and which France of course supports, with the modalities sought by France for the implementation of this principle.

The French Government will, however, consider carefully the new situation which has arisen with the adoption of this amendment by the Conference of Parties."

4.47 The delegation of the Russian Federation abstained in the vote on the draft resolution for the following reasons:

"As it was stated earlier the Russian Federation is in favour of an approach that dumping of radioactive wastes at sea is to be banned. However, under current circumstances as explained earlier to this Meeting, the Russian Federation cannot join the ban at this stage as it was proposed, and thus take legal obligations which it cannot implement. Therefore, the Russian Federation did put forward a proposal which, if accepted, would have given the Russian Federation a grace period until 31 December 1995. Unfortunately, the Meeting did not agree with it and the Russian Federation has no other choice than to abstain.

The Russian Federation would also like to draw the attention of the Meeting to the fact that the proposed amendments to the Convention were adopted while available only in working but not in all official languages as required. The legal consequences of such breach of the Convention should be examined."

Kiribati/Nauru proposal of 1983 to amend the Convention

4.48 The delegation of Nauru formally withdrew the proposal it had submitted in 1983 jointly with Kiribati concerning amendments to the Annexes with a view to prohibiting any disposal at sea of radioactive wastes and other radioactive matters.

5 MATTERS RELATED TO THE DISPOSAL OF RADIOACTIVE WASTES AT SEA

5.1 Under this agenda item, the Meeting had before it the following documents: LC 16/5, LC/INF.14 and LC 16/INF.16 (Secretariat), LC 16/INF.2 (Russian Federation), LC 16/5/1, LC 16/INF.4, LC 16/INF.5 and LC 16/INF.11 (Greenpeace International), LC 16/INF.10 (IASAP and IAEA), LC 16/INF.16 and LC 16/INF.19 (IAEA) and LC 16/INF.20 (Norway/Russian Federation).

Report of IGPRAD

5.2 The final report of the Inter-Governmental Panel of Experts on Radioactive Waste Disposal at Sea (IGPRAD 6/5) was presented by the Chairman of IGPRAD, Ambassador G.E. do Nascimento e Silva (Brazil). The Chairman of IGPRAD briefly recalled the six years of work by the Panel which started at the request of the Tenth Consultative Meeting in 1987 to examine or undertake studies and assessments of:

- .1 the wider political, legal, economic and social aspects of radioactive waste dumping at sea;
- .2 the issue of comparative land-based options and the costs and risks associated with these options; and
- .3 the question of whether it can be proven that dumping of radioactive wastes and other radioactive matter at sea will not harm human life and/or cause significant damage to the marine environment.

5.3 The Chairman of IGPRAD noted that the Panel discussed many divergent topics and that an evolution occurred during the seven years, particularly after UNCED, including the growing awareness within national and international communities concerning effective measures that are needed to protect the marine environment. He drew the attention of the Consultative Meeting to the seven options from which the Consultative Meeting might choose with regard to the future of disposal at sea of radioactive wastes (LC/IGPRAD 6/5, annex 2, section C, reproduced in LC 16/5).

5.4 The Chairman of the Consultative Meeting expressed appreciation to the Panel for the difficult work it has accomplished and to Ambassador Nascimento e Silva for his leadership. Appreciation was also expressed to the first Chairman, the late Mr. A. Voipio (Finland), the subsequent Chairman Mr. D. de Stoop (Australia) and Chairmen of Working Groups, Mr. A. Sielen (United States) and Mr. J.M. Bewers (Canada).

5.5 In connection with the IGPRAD Report, the Consultative Meeting also took note of information papers related thereto, as submitted by the IAEA (LC 16/INF.16) and by Greenpeace International (LC 16/INF.4).

5.6 The Consultative Meeting discussed actions to be taken on the basis of the IGPRAD report and related material and in particular the options set out in the report.

5.7 A large majority of the Parties preferred option 7: the Convention and/or its Annexes would be amended to include the prohibition of dumping at sea of radioactive waste. One or two delegations expressed preference for:

Option 1: lifting of the moratorium on dumping at sea of low-level radioactive waste, so that disposal at sea of such wastes could be resumed in accordance with the current provisions of the Convention and in accordance with IAEA's definition and recommendations; or

Option 4: the moratorium on dumping at sea of low-level radioactive waste would be prolonged for an indefinite period or for a period to be determined; or

Option 6: the dumping at sea of radioactive waste would be prohibited by amending the Convention and/or its Annexes, subject to the right of named Contracting Parties to opt out after a certain time period.

5.8 The Consultative Meeting approved the final report of the Inter-Governmental Panel of Experts on Radioactive Waste Disposal at Sea (IGPRAD 6/5) and after acknowledgement, dissolved the Panel.

5.9 The Consultative Meeting requested the Secretariat to prepare both the final report of IGPRAD and the report of the earlier Expanded Panel of Experts on the Disposal at Sea of Radioactive Wastes (LDC 9/4) for publication by IMO.

5.10 The Consultative Meeting established a working group to review proposed amendments concerning formalization of a prohibition of sea disposal of radioactive wastes and other radioactive matter, taking into account a draft text prepared by the Secretariat (LC 16/4/1, paragraphs 12 to 14).

5.11 The outcome of the work of the Working Group and adoption of amendments are recorded in section 4 of this report.

Report on joint Russian-Norwegian investigations

5.12 The Meeting took note of the information concerning investigations carried out in 1992 by a joint Russian-Norwegian Expert Group on radioactive contamination of the Barents and Kara Seas (LC 16/INF.20), and preliminary results of the latest joint expedition in the Kara Sea in 1993.

International Arctic Seas Assessment Project (IASAP)

5.13 The IAEA representative informed the Meeting on its International Arctic Seas Assessment Project (IASAP) (LC 16/INF.10) which had been established with a view to:

- assessing the risks to human health and to the environment associated with the radioactive waste dumped in the Kara and Barents Seas;
- examining possible remedial actions related to the dumped wastes and advising on whether they are necessary and justified.

5.14 The IAEA is also directly involved in the technical aspects of the Arctic Sea Studies. IAEA experts have taken part in the exploratory cruises carried out by the Russian-Norwegian expert group to investigate the dumping areas in 1992 and 1993. The IAEA Marine Environment Laboratory (MEL) is carrying out independent analyses of samples obtained during the cruises. It is also offering intercomparison services to the participating countries.

5.15 As requested, the IAEA intends to report the findings of the International Arctic Seas Assessment Project to the Contracting Parties to the London Convention as soon as possible. The preliminary results of the 1992 and 1993 exploratory cruises sponsored by the Russian-Norwegian Expert Group showed that the levels of radionuclides in sediment and water samples taken near to several of the dumped waste sites are low and usually indistinguishable from those from other sites. It seems, therefore, that the wastes are not causing a risk to health at the present time.

Waste dumping in the North-West Pacific

5.16 In response to the concerns of some Contracting Parties over the dumping of radioactive wastes in the North-West Pacific by the former USSR and more recently by the Russian Federation, the IAEA has made it clear to concerned States that it is prepared to co-ordinate an international assessment project. The objective of the project would be to provide an independent assessment by a group of international experts on the environmental impact and risks to human health resulting from the radioactive waste dumped in the North-West Pacific. The proposed project would be implemented if the concerned States are prepared to provide the necessary support.

Updating of the Inventory of Radioactive Material Entering the Marine Environment (IAEA Tecdoc-488)

5.17 This document has been revised to take account of information provided by the Russian Federation on the dumping of radioactive wastes in the Arctic Seas and the North-West Pacific Ocean. It will be published in the near future.

Risk comparisons relevant to sea disposal of low-level radioactive wastes (IAEA Tecdoc-725)

5.18 This document (LC 16/INF.16) deals specifically with the request to the IAEA to undertake a comparison of risks from sea dumping of radioactive wastes with other risks prevalent in society. It first presents an explanation of risk and harm and outlines numerical values of the risks of fatality commonly experienced by members of the public. It then provides a basis, with definitions and explanation, for estimating and comparing risks that are most similar to those associated with sea dumping of low-level radioactive wastes. The report then presents estimates of communal harm and individual risk associated with marine foodstuff pathways of human exposure to natural radionuclides, and to a small number of organic chemical contaminants assumed to be human carcinogens. These estimates of harm and individual risk are compared with the harm and risks associated with fatal cancer induction arising from sea disposal of radioactive wastes. The document was presented for the final meeting of IGPRAD as a draft text approved for publication and was referred to extensively in the report of the sixth and final meeting of IGPRAD.

Report on disposal of radioactive wastes in seas adjacent to the territory of the Russian Federation

5.19 A report was introduced by the delegation of the Russian Federation prepared by its Governmental Commission on Matters Related to Radioactive Waste Disposal at Sea (LC 16/INF.2). This report, referred to as the "White Paper", consists of four sections that respectively examine international aspects of the problem of radioactive waste disposal at sea, present details and data on radioactive waste disposal in the seas adjacent to the territory of the Russian Federation, provide information on conditions in marine disposal areas in the North and Far East, and discuss ways of solving problems concerning wastes produced by the Navy and Russian shipping companies.

5.20 From 1959 to 1990, the former USSR disposed of at sea liquid and solid radioactive wastes with various levels of activity; many details concerning the physical and chemical composition of these wastes are either unknown or inaccessible. It appears impossible to establish with the desired accuracy the amounts of radionuclides that entered the sea through dumping activities carried out by the former USSR. According to data currently available, the activity of wastes dumped at sea was 325 kCi. However, expert estimates refer to an activity of 2,500 kCi of wastes disposed of at sea.

5.21 In 1991 and 1992 the Navy of the Russian Federation continued disposal of radioactive wastes in the Barents Sea as well as in the Far Eastern Seas. Such disposal at sea operations are foreseen as having to be continued until 1995. Existing storage facilities are overfilled and treatment plants lack the capacity to handle such wastes. Accordingly, disposal at sea is the most appropriate option to safeguard human health and the environment.

5.22 Several plants for the treatment of liquid radioactive wastes have been planned to deal with low-level liquid radioactive wastes in an environmentally sound manner. However, these treatment plants will not be completed before 1996. Surveillance and monitoring studies carried out so far have not shown any significant ecological impact; these studies include assessments of health effects on critical groups (e.g. populations of fishermen).

5.23 With regard to recent dumping activities carried out in the Sea of Japan, the Russian Federation informed the meeting that 900m³ of liquid waste containing 0.38 Ci had been dumped. This liquid waste was discharged some 120 km from land within the Russian Economic Zone. The amounts of radioactivity involved were so small that no ecological follow-up is warranted.

5.24 The full text of a statement on the above activities made by the Minister of Environmental Protection and Natural Resources of the Russian Federation is reproduced in annex 6 to this report. In the discussion of the paper submitted by the Russian Federation (LC 16/INF.2) many delegations welcomed the paper as a first step on disclosure of the information and expressed the need for more openness. They regretted that dumping of radioactive wastes and radioactive matter was conducted contrary to the agreed moratorium and was in contravention of the IAEA recommendations as well as to the promise given by the delegation of the Russian Federation at the Fifteenth Consultative Meeting. These delegations urged the Russian Federation to stop the dumping at sea of radioactive wastes and other radioactive matter. Several delegations offered assistance to the Russian delegation in order to overcome the difficulties. Various examples of the investigation, monitoring and other ongoing work conducted through international co-operation were cited.

5.25 The Japanese delegation, referring to the White Paper of the Russian Federation, renewed its request to the Russian Federation to suspend immediately all the dumping activities of radioactive waste at sea. The latest dumping of radioactive waste carried out by the Russian Federation in the Sea of Japan has raised deep concern and heightened the awareness about this sensitive issue among the people of Japan. At the strong request of the Government of Japan, the Russian Federation decided to halt the planned second dumping operation in the Sea of Japan. The Japanese delegation, after having stressed that the Russian Federation was primarily responsible for adequate management and disposal of radioactive waste, expressed the readiness of its Government to explore the possibilities of extending support to the efforts of the Russian Federation with a view to resolving remaining difficulties that it may encounter with the issue of radioactive waste disposal.

5.26 The Japanese delegation believed that a fundamental solution to the issue of radioactive waste disposal would be attained only when international co-operation and international framework are firmly established. That delegation understood that the sea disposal of low-level radioactive waste carried out in full accordance with the standards set out in the recommendations of the IAEA would not cause serious damages. However, the issue of sea disposal of low-level radioactive waste needs to be addressed and considered carefully, not only from scientific and technical viewpoints, but also from social, economic and political considerations. Therefore Japan decided to exclude ocean dumping as a possible option for the disposal of low-level radioactive wastes.

5.27 The United Kingdom delegation noted that the IGPRAD report indeed confirmed that there were no serious scientific problems with controlled disposal of low- and medium-level radioactive wastes at sea and it sought clarification on how consideration of the above amendment conformed to Article XV(2).

5.28 The Republic of Korea, associating itself with the Japanese delegation, expressed great concern about the recent dumping of radioactive waste to the Far East Sea by the Russian Federation and urged the Russian Federation to cease any further dumping at sea of radioactive waste immediately. This concern was also expressed in a resolution adopted by the National Assembly of the Republic of Korea on 25 October 1993. The delegation of the Republic of Korea further stressed that investigation and research should be carried out jointly by the Republic of Korea, Japan and the Russian Federation in order to examine the degree of hazard of that dumping to the human being and impact on the environment including marine living resources and the Republic of Korea expressed its willingness to work together bilaterally as well as multilaterally to resolve the problem.

5.29 The observer from the Democratic People's Republic of Korea also expressed the concern of his country about the recent disposal at sea of radioactive wastes carried out by the Russian Federation. He noted that his country fully supports the amendment of the Annexes to the Convention with a view to prohibiting sea disposal of any radioactive wastes and other matter.

5.30 The United States delegation informed the Meeting that the ocean dumping of radioactive waste by the former USSR and more recently by the Russian Federation, is a matter of grave and growing concern in the United States. It is fundamentally a matter of obligation and responsibility, on the one hand, and a matter of setting priorities, on the other.

5.31 Those that would use nuclear power, be it for civilian or military purposes, bear a special responsibility of extraordinary care to deal adequately and safely with the waste and other materials associated with this use. Russia has resources and the technical capability. The United States delegation cannot be convinced that if the Russian Government so chose, it could not reallocate its priorities and immediately build and quickly have in place adequate storage and processing facilities.

5.32 In the view of the United States delegation, the Russian Federation at this time needs to make additional efforts in three important areas. First, full disclosure: about past dumping and about present needs, what are the plans to deal with the need, and what are the alternatives. Secondly, verification: from access to past ocean dump sites; access to present land-based storage facilities, including those not completed and those in the planning stages. Finally, commitment: not just for the future, but, also, a reallocation of policy and budget priorities within the Russian Federation to address this issue.

5.33 In response to the comments made by the various delegations, the Russian Federation reiterated its position regarding future radioactive waste dumping at sea, clarified the amounts and activity of the liquid waste dumped in the Sea of Japan in October 1993 and explained the situation that necessitated this latter operation. In response to the United States intervention, with regard to the setting of priorities, the Russian Federation also noted that it was unrealistic to expect them to be able to scale down disposal at sea activities related to their military operations immediately. Neither was it realistic to expect all of the resources of the Russian Federation to be devoted to resolving the problems that make sea dumping necessary.

5.34 The delegation of Australia, together with the delegations from the South Pacific region, referred to the conclusions of the South Pacific Forum regarding disposal at sea of radioactive wastes (LC 16/INF.14).

5.35 Several delegations, noting the statement of the Russian Federation delegation that it would be able to cease dumping of radioactive wastes in 1995 and possibly in 1994, only if technical and other assistance were available, offered to investigate the possibility of defining the need for assistance and ways and means of providing them.

Action by the Consultative Meeting concerning disposal at sea of low-level radioactive wastes carried out by the Russian Federation

5.36 The Consultative Meeting noted the statement made by the delegation of the Russian Federation that it will not dispose of at sea solid radioactive wastes and that it entirely supports the prohibition of dumping of radioactive wastes at sea. However, the Meeting also noted the difficulties encountered by the Russian Federation with regard to treatment, conditioning and storage facilities which made it impossible to discontinue the sea disposal of liquid radioactive waste. Adequate facilities for treatment and storage of liquid radioactive waste facilities were planned to be built and operational in 1995, or possibly in 1994, if there was sufficient international support.

5.37 The Consultative Meeting called upon the Russian Federation to exert its best efforts to give a high priority to the early establishment of low-level liquid radioactive waste storage and treatment facilities and it requested interested Contracting Parties to the London Convention 1972, and in particular Japan, Norway, the United Kingdom and the United States as well as the Republic of Korea and the IAEA:

- to form a technical advisory assistance team consisting of experts in radioactive waste management;
- to explore the possibilities of international co-operation and assistance to the Russian Federation regarding the implementation of alternative land-based methods of radioactive waste disposal for the purpose of avoiding sea disposal of radioactive wastes;
- to report, in co-operation with the Russian Federation, to the Seventeenth Consultative Meeting of Contracting Parties to the London Convention 1972 on the results of international co-operation.

5.38 The Consultative Meeting called upon the Russian Federation to co-operate with the above mentioned advisory assistance team and also to provide no later than by 1 February 1994 to the Office for the London Convention for distribution to all Contracting Parties:

- an inventory of the low-level liquid radioactive wastes, including amounts (volume, mass and activity), radio isotopic content, origin, location and nature of containment, for which present storage and treatment facilities are regarded as insufficient to relinquish the option of sea disposal;
- an inventory of storage and treatment capabilities, including location and remaining free capacities;

- an inventory of the additional low-level liquid radioactive wastes and other radioactive material which are expected to be generated prior to 1 January 1996; and
- a statement of its plans for dealing with its storage and treatment needs both before and after 1 January 1996.

5.39 The Russian Federation was further requested to report to the Seventeenth Consultative Meeting on the progress made with regard to the establishment of treatment and storage facilities for low-level radioactive wastes.

5.40 The Meeting urged the Russian Federation to observe the prohibition on dumping of radioactive waste at sea as contained in resolution LC.51(16).

6 CONSIDERATION OF THE REPORT OF THE SCIENTIFIC GROUP

Introduction

6.1 The Chairman of the Scientific Group, Mr. J. Campbell (United Kingdom), provided a comprehensive review of the activities carried out by the Scientific Group since the Fifteenth Consultative Meeting, highlighting the major discussions and recommendations of the Group (LC/SG 16/14 and summarized in LC 16/6).

6.2 The Chairman of the Scientific Group noted that the sixteenth meeting of his Group had been attended by delegates from 23 Contracting Parties, and by observers from four non-Contracting Parties as well as by observers from a wide range of intergovernmental and non-governmental organizations.

Scientific and Technical Aspects of Amending the London Convention 1972

6.3 The Scientific Group had extensive discussions on the 13 core issues which had been identified by the Fifteenth Consultative Meeting as the focus of the amendment of the Convention. A number of the core issues were of a policy nature and as such did not fall within the terms of reference of the Group. Many of the issues, however, did contain technical aspects and the Group had prepared advice as appropriate. This information had been taken into account by the Amendment Group (LC/AM 1/9).

Implementation of the Waste Assessment Framework (WAF)

6.4 The Chairman of the Scientific Group recalled the endorsement of the Fifteenth Consultative Meeting that the Waste Assessment Framework was technically suitable for implementation, pending the resolution of a number of policy issues. At the request of the Consultative Meeting the Scientific Group focussed its discussion on the development of the Action List approach.

6.5 The Chairman noted that this was a considerable task given the aim of the Action List to provide an objective means of characterizing the content of wastes and the potential environmental effects of the substances present in these wastes. The Consultative Meeting took note of the proposal to address, in the first instance, a restricted range of 'indicative substances'. In this regard the Consultative Meeting endorsed the request made by the Scientific

Group that Contracting Parties submit in good time for the seventeenth meeting of the Scientific Group information relating to:

- cadmium as an indicative Annex I substance;
- tributyltin oxide as an indicative Annex II substance; and
- chlorobenzenes.

The Consultative Meeting also encouraged Contracting Parties to submit, information on these substances in dredged materials, taking into account regional variations and natural background concentrations, as appropriate.

6.6 The Scientific Group had been asked by the Fifteenth Consultative Meeting to discuss the implementation of a reverse listing approach within the Waste Assessment Framework (WAF). The outcome of this discussion had been reported to the first meeting of the Amendment Group.

Progress of the Global Waste Survey

6.7 The Scientific Group had been informed of the latest progress within the Global Waste Survey, including the outcome of the Second Global Waste Survey Workshop which had been held at IMO in the week immediately preceding the meeting of the Scientific Group. The Scientific Group recognized that the Global Waste Survey provided a fertile source of information for the work of the Convention especially in its potential for assisting Contracting Parties to eliminate the need for sea disposal of industrial wastes.

6.8 Participants attending the Scientific Group meeting had also been provided with copies of the computerized database that had been prepared from data received as part of the Global Waste Survey.

6.9 The Consultative Meeting noted the discussions within the Scientific Group and also noted the continuing commitment of the Group to participate in the work of the Global Waste Survey.

6.10 The Consultative Meeting also recognized the relevance of the Global Waste Survey to the work of a number of other agencies, including UNEP and the Secretariat of the Basel Convention. The representative of UNEP noted that the results of the survey so far were indeed of considerable interest and value to the Basel Convention in particular, and that progress would be brought to the attention of the next meeting of Parties to the Basel Convention. However, it was not possible at present to indicate whether financial support for this important initiative would be available.

6.11 The Secretariat also noted contacts it had made with a number of units of UNEP dealing with the problems of hazardous substances and wastes with a view to gauging the level of interest in the results of and potential financial support for carrying out the Global Waste Survey. In this regard the Secretariat informed the Meeting that IMO activities related to the Global Waste Survey were financially covered until late summer 1994, but that there was not interest or financial support by IMO to continue beyond that date. The Consultative Meeting had already identified UNEP as the institution which should maintain and update the survey at regular intervals. However, the Secretariat noted that so far UNEP had not been able to enter into a firm commitment.

6.12 The Consultative Meeting urged UNEP to investigate every possibility for taking over responsibilities related to the maintenance and updating of the Global Waste Survey and its database.

Beneficial uses and alternative disposal of dredged material

6.13 The Chairman of the Scientific Group recalled that the Group had reviewed at earlier meetings a number of informative documents on beneficial uses of dredged material and alternative disposal strategies. The Group considered further submissions and the Consultative Meeting noted the value of this work to the proposed revision of the Guidelines for the Application of the Annexes to Dredged Material.

6.14 The Consultative Meeting also noted that the revision of the Guidelines is now planned to commence at the seventeenth meeting of the Scientific Group to be convened in 1994, and that more time might be needed to complete this work than the two years presently indicated in the work plan of the Group (LC/SG 16/14, annex 2).

6.15 The Secretariat recalled that it had contacted all Contracting Parties, via LC.2/Circ.301, regarding the implementation of Article VI 2(b) of the Convention, whereby permits were required in respect of the disposal of dredged material from vessels registered in countries that were Contracting Parties to the London Convention operating in waters of countries that were not Contracting Parties to the Convention. The Secretariat reported that there had been a good response to the questionnaire and that no such incidences had yet been reported. The Consultative Meeting urged Contracting Parties that had not responded to questionnaire LC.2/Circ.301 to do so as soon as possible.

6.16 The Consultative Meeting also urged Contracting Parties to initiate their preparations for the review of the dredged material guidelines as early as possible and to submit papers by 15 April 1994. In this regard responses from Contracting Parties were also expected as soon as possible to Circular LC.2/Circ.317 requesting information regarding existing practices and methods for evaluating dredged material, particularly with regard to the application of the "trace contaminant" provision of Annex I.

6.17 The Chairman of the Scientific Group also sought the view on whether it would be appropriate to structure the revision of the Guidelines along the lines of the Waste Assessment Framework. The Consultative Meeting considered that this was an appropriate starting point for the review of the Dredged Material Guidelines.

Notifications under the Prior Reporting Procedure (PRP)

6.18 The Chairman of the Scientific Group recalled the decision of the Fifteenth Consultative Meeting to institute the Prior Reporting Procedure (PRP) in the case of permits for the sea disposal of industrial wastes. At its sixteenth meeting, the Scientific Group reviewed the first submission under the PRP, namely, notification by Australia for a permit issued for sea disposal of jarosite wastes from a zinc refinery plant.

6.19 The Scientific Group had discussed in some detail the viability of land-based alternatives to sea disposal for jarosite wastes, in the light of experience of other Contracting Parties in their management of jarosite and similar mineral wastes. A number of Contracting Parties offered to provide written technical comments to the Australian delegation.

6.20 The Consultative Meeting, in noting these discussions and exchange of information, again urged Contracting Parties to apply the Prior Reporting Procedure by informing the Secretariat of existing and new permits for industrial waste disposal with a view to improving the exchange of experience and technical assistance concomitant with the Waste Assessment Framework.

Monitoring and disposal activities at sea

6.21 The Scientific Group was unable to review up-to-date information on permits issued for the disposal of wastes and other matter at sea reported to the Secretariat. Reports dealing with permits issued in 1989 and 1990 have subsequently been issued as LC.2/Circ.322 and LC.2/Circ.321 respectively. These documents were made available for the first meeting of the Amendment Group. The Consultative Meeting also recalled the opening address of the Secretary General of the IMO in which he indicated his intention to remind Contracting Parties by letter concerning, *inter alia*, their reporting obligations under the Convention.

6.22 The Scientific Group had reviewed a number of reports of monitoring disposal at sea activities. The submission of reports of monitoring activities to the Scientific Group is an important means of assessing the impact of wastes and other matter on the marine environment. The Consultative Meeting, therefore, urged Contracting Parties to submit information on the monitoring of their disposal at sea activities to the Scientific Group for review and discussion, in particular where an impact hypothesis approach has been used.

Guidelines, Manuals and Standards

6.23 The Chairman of the Scientific Group noted that a Memorandum of Understanding had been agreed between IMO and a number of dredging industry associations for the establishment of a computerized bibliography related to the environmental effects of dredging. The Consultative Meeting welcomed this initiative and noted that a prototype of the system will probably be available at the seventeenth meeting of the Scientific Group.

6.24 A number of Contracting Parties and non-governmental organizations indicated their willingness to contribute to the bibliography at the appropriate time.

Co-operation and information exchange

6.25 The Chairman of the Scientific Group noted that a number of international conferences and seminars had been brought to the attention of the Group. These included the recent International Ocean Pollution Symposium held in Beijing. The Group had also been informed of the extension of the scope of the work of GESAMP to cover aspects related to marine environmental protection. To reflect this change in emphasis, the full title of the group had been changed to the Group of Experts on the Scientific Aspects of Marine Environmental Protection although the acronym for the group was unchanged.

Future work programme

6.26 The Scientific Group had developed a three-year work programme identifying priority dates for reporting to the Consultative Meeting (LC/SG 16/14, annex 2). The Consultative Meeting briefly reviewed this programme under agenda item 13 and agreed on a list of substantive items for inclusion in the seventeenth, eighteenth and nineteenth meetings of the Scientific Group, taking into account issues arising from the amendment process identified under agenda item 4. The agreed work programme appears at annex 7.

Election of Chairman and Vice-Chairman

6.27 The Consultative Meeting noted that the Scientific Group had unanimously re-elected its Chairman, Mr. J. Campbell (United Kingdom) and Vice-Chairman, Mr. J. Karau (Canada), to serve for the intersessional period and for the seventeenth meeting of the Scientific Group.

Any other business

6.28 The Chairman of the Scientific Group reported his continuing contact with the International Energy Agency on the question of the disposal of solid carbon dioxide in the deep ocean. That organization had hosted a technical conference in Oxford, United Kingdom in 1992 at which the international legal requirements for disposal at sea had been discussed. The Chairman offered to maintain this contact and to bring any developments to the notice of the Scientific Group as appropriate.

6.29 The Meeting took note of a document submitted by Hong Kong (LC 16/INF.3) providing information on dredging activities in Hong Kong. Hong Kong is currently undergoing a massive programme of port and airport development involving both land reclamation as well as navigational dredging projects. These activities are giving rise to substantial quantities of sandy and muddy sediments. In addition there is a large requirement for sea-dredged sand for fill. Muddy sediments removed for channel creation and deepening, as well as overburden from marine sand deposits, are deposited at designated disposal sites under control of the Hong Kong authorities. Certain of the muddy sediments are contaminated and are subject to detailed testing by the permitting authorities before they can be deposited at sea or authorised for deposit in special containment areas.

6.30 The Meeting welcomed this information and invited Hong Kong to submit its paper to the seventeenth meeting of the Scientific Group as a contribution to the forthcoming review of the Dredged Material Guidelines. The Meeting also encouraged Hong Kong to submit information on disposal site monitoring activities to the next meeting of the Scientific Group.

7 SEA DISPOSAL OF INDUSTRIAL WASTES

7.1 At the request of the Meeting, information concerning the Global Waste Survey (LC 16/INF.12) was introduced by the Secretariat.

7.2 The Consultative Meeting noted that the Global Waste Inventory and Database, containing waste management information on 102 countries and territories world-wide, had been completed and was being distributed to

national focal points which had contributed to the survey. The Meeting recognized with appreciation the eighteen countries from five economic/geographic regions that had completed a detailed review of their national capabilities and capacities in the management of industrial and hazardous wastes during the intersessional period.

7.3 The Meeting took note of the interim conclusions of the Global Waste Survey, namely:

- disposal at sea is currently being employed as a means of industrial waste disposal, both by countries that are Contracting Parties to the London Convention, as well as by countries that are Non-Contracting Parties;
- some industrialized countries are likely to have difficulties in establishing acceptable land-based waste management alternatives for industrial wastes currently being dumped at sea before the ban deadline of 31 December 1995;
- a number of technical and economic difficulties will arise for developing countries that have provided details on their current capability and capacity to manage industrial waste, when disposal at sea is phased out, namely:
 - identification and characterization of industrial wastes currently being dumped at sea;
 - availability of environmentally sound interim facilities/technologies for managing industrial wastes until permanent land-based options are commissioned;
 - education and training in proper handling and management of industrial wastes;
 - waste generators remaining or becoming "invisible" through uncontrolled/illegal practices;
 - integration of short-term, interim solutions to ocean dumping into medium and long-term plans for industrial and hazardous waste management; and
 - justification of the financial burden of transitional, short-term solutions to ocean dumping of industrial wastes.

7.4 The Meeting noted that its working groups on industrial wastes and incineration at sea, established under agenda item 4 above had considered the information and conclusions from the Global Waste Survey in their deliberations concerning amendments to the Annexes.

8 INFORMATION EXCHANGE ON WASTE PREVENTION AND CLEAN PRODUCTION METHODS

8.1 No papers had been submitted for consideration or information under this agenda item.

8.2 The Chairman urged the Meeting to provide information under this agenda item to the next Consultative Meeting, in view of comments in recent years by several delegations that this was an extremely important topic. In particular, information on clean production methods, waste reduction/recycling initiatives and national strategies for waste prevention audits was requested.

9 TECHNICAL ASSISTANCE, CO-OPERATION AND DEVELOPMENT

General

9.1 The Secretariat introduced two papers under this agenda item, LC 16/INF.9 and LC 16/INF.17.

9.2 The Meeting was reminded of a request made to all Contracting Parties concerning provision of information on current technical co-operation initiatives in hazardous and industrial waste management (LC.2/Circ.320). It was noted that there had been little reaction to this request.

9.3 The Secretariat identified three ways in which technical co-operation could be structured to enhance implementation of Article IX of the Convention, namely:

establishment of a fund in trust, in which Contracting Parties would provide funds on a voluntary basis to address problems and issues deemed appropriate by the Consultative Meeting;

utilization of the Office for the London Convention as a clearing house for technical co-operation activities, by which requests for technical assistance would be matched with the available expertise and finances of Contracting Parties; and

bi-lateral/multi-lateral agreements between/among Contracting Parties.

9.4 The Meeting noted the different funds and modalities for technical assistance which had been suggested by the Secretariat. A fourth method put forward by the delegation from Canada included partnerships and co-operation among UN agencies in achieving common goals.

9.5 Several delegations supported the idea that the Amendment Group be tasked with exploring the four possibilities in the review of Article IX. The Meeting further encouraged the Secretariat to complete an overview of major international and other funding sources for technical co-operation for consideration by the Amendment Group.

Global Waste Survey

9.6 The Meeting acknowledged the provisions made by the Government of Germany for allocating an officer for technical co-operation to IMO. This officer will assist the Office for the London Convention in developing a technical co-operation programme.

9.7 The Secretariat outlined fundamental technical co-operation needs of developing countries and countries with economies-in-transition which had been identified by participating countries during the Global Waste Survey, namely:

- .1 development of appropriate and adequate legislation for industrial and hazardous waste management;
- .2 implementation of national monitoring, enforcement and compliance systems;
- .3 activation of national systems for identifying and registering industrial and hazardous waste generators and existing methods of waste treatment and disposal;
- .4 execution of early measures to identify and implement waste minimization/waste prevention in industrial sectors, as well as other sectors of society;
- .5 commissioning interim waste treatment and disposal facilities over the short-term, to aid governments in identifying waste generators and to achieve early environmental improvement;
- .6 advancement of public sector-private sector partnerships to facilitate medium and long-term administrative, technological, scientific and financial commitments to improved industrial and hazardous waste management; and
- .7 development of human resources with the technical, scientific, legal and administrative skills to successfully implement and manage national programmes.

9.8 The Meeting noted the recommendations which had been put forward by countries during an international workshop, organized as part of the Global Waste Survey in May 1993, including:

- .1 extension of the development of National Waste Management Profiles beyond the initial 16 countries, using the general approach and documentation which was developed and demonstrated during the Global Waste Survey, with the general objective of responding to the ocean protection and waste management goals of UNCED's Agenda 21;
- .2 furthering UN inter-agency co-operation for completion of National Waste Management Profiles world-wide. Co-operation and co-ordination among UN bodies and agencies, including UNEP, UNIDO, WHO, ESCAP and IMO and intergovernmental organizations such as OECD, the World Bank and regional financial institutions, were identified as key components to the successful development and application of the profiles;
- .3 implementation of national programmes in waste minimization auditing, particularly in developing countries. Good housekeeping and good manufacturing practice, together with low-cost process changes could then be identified and put in place with limited capital investment, resulting in reduced waste production and improved profitability;

- .4 identification of mechanisms to encourage the use of cleaner production technologies when new investments are being made in developing countries and in countries with economies-in-transition. Further work is required by funding institutions, national governments and international/intergovernmental organizations to develop guidelines and policies on new investments and the utilization of cleaner production technologies; and
- .5 completion of case studies on various aspects of national waste management programme implementation, to help countries take appropriate steps in developing a comprehensive industrial and hazardous waste management system, including actions for phasing out sea disposal of industrial waste.

9.9 The Meeting recognized the importance of the results of the Global Waste Survey in identifying the needs of developing countries and countries with economies-in-transition and potential areas for future technical co-operation.

9.10 The delegation from Japan confirmed to the Meeting that a sum of \$350,000 had recently been committed by the Government of Japan to the budget of the Global Waste Survey. That delegation welcomed the progress and the results that had been achieved so far and it strongly encouraged the completion of the project in accordance with the time and work schedule which had been approved by the Fifteenth Consultative Meeting.

9.11 The Chairman, on behalf of Contracting Parties, expressed sincere gratitude to the Government of Japan for its strong support of the Global Waste Survey.

9.12 The delegation from Brazil recommended that the Consultative Meeting, either directly or through IMO, report the results of the Global Waste Survey and the importance that this issue is receiving in the London Convention amendment process to the UN Commission on Sustainable Development. The Brazilian delegation also stated that the Consultative Meeting should instruct the Amendment Group to attach highest priority to issues related to technical and scientific co-operation and that further discussions be guided by UNCED Agenda 21, Chapter 34. Amendments of Article IX to this effect were crucial to the implementation of an amended London Convention.

9.13 The Meeting encouraged the Secretariat to work closely with other international and intergovernmental agencies in the development and implementation of the case studies of the Global Waste Survey, as well as the development of a strategy and action plan, including partnerships with other UN agencies, in technical co-operation.

9.14 The Secretariat of the Basel Convention, with reference also to a request for UNEP's support shown in paragraph 6.11 above, emphasized the need for close co-operation with the Office for the London Convention concerning the Global Waste Survey. However, the current 1993/1994 budget did not include provisions which would allow any financial support of the Global Waste Inventory. A proposal would be made to the second meeting of the Conference of Contracting Parties to the Basel Convention in 1994 with a view to obtaining support for future maintenance, updating and expansion of the Global Waste Survey.

Other related issues

9.15 The delegation from the Russian Federation cited the co-operation between his country and Norway in the Barents and Kara Seas as an example of Contracting Parties assisting each other. The delegation stressed the importance of scientific and technical co-operation among countries in monitoring and technology transfer.

9.16 The Secretariat was requested to prepare an overview paper and possible funding sources for technical co-operation and assistance for consideration by the Amendment Group.

10 RELATIONS WITH OTHER ORGANIZATIONS

Advisory Committee on Protection of the Sea (ACOPS)

10.1 The observer from ACOPS informed the Meeting of its Conference on Pollution of the Coasts of the CIS with Special Emphasis on the Arctic, which had been held from 19 to 23 July 1993 in Arkhangelsk, Russian Federation (LC 16/INF.13). A number of existing and potential threats to the Arctic Ocean from land-based and other sources, including increased development of Arctic offshore and onshore areas, storage and disposal of nuclear wastes in Russia's Arctic, alleged dumping in the 1940's and 1950's of warfare chemicals in the White Sea, were discussed during the Conference. Thirteen recommendations encompassing legal, administrative, scientific and technical actions for preventing degradation of the Arctic environment were developed. The recommendations, which are reproduced in LC 16/INF.13, will be submitted to Governments of Arctic countries and relevant intergovernmental and non-governmental organizations, in particular those representing indigenous people.

2nd International Ocean Pollution Symposium (2IOPS)

10.2 The Meeting was advised that the Second International Ocean Pollution Symposium (2IOPS), which had been held in Beijing, China from 4 to 8 October 1993, was attended by more than fifty scientists from Asia, Europe and North America. Technical sessions on the environmental impact of metals, radionuclides and nutrients, biological effects of contaminants, environmental effects of petroleum and organic compounds, coastal zone management and pollution management, stabilized waste ash and artificial reefs and physical processes and circulation studies were conducted during the five-day programme. The Chairman of the Consultative Meeting presented a keynote address on the London Convention, while a staff member of the Office for the London Convention chaired a technical session on the results and application of outputs of the Global Waste Survey.

10.3 The Consultative Meeting noted that proceedings of the Symposium will be published in a special issue of the journal, Chemistry and Ecology, in early 1994, and extended congratulations to the organizers for a successful symposium.

UNEP/Secretariat of the Basel Convention

10.4 The Secretariat of the Basel Convention informed the Meeting on the implementation of resolution LDC.45(14) concerning the development of technical guidelines for the environmentally sound management of wastes

subject to the Basel Convention, taking into account the requirements of the London Convention 1972. Other information provided by the Basel Convention Secretariat related in particular to activities carried out with a view to developing a liability and compensation scheme.

11 FUTURE WORK PROGRAMME AND DATE OF NEXT SESSION

Seventeenth Consultative Meeting

11.1 The Meeting agreed that the Seventeenth Consultative Meeting should be convened from 3 to 7 October 1994, and agreed on the substantive items to be included in the provisional agenda of the Seventeenth Consultative Meeting as shown in annex 8.

Scientific Group

11.2 The Meeting approved the three-year programme as proposed by the Scientific Group for its seventeenth to nineteenth sessions (LC/SG 16/14, annex 2) as shown in annex 7.

11.3 The Meeting agreed that the Scientific Group should meet from 18 to 22 July 1994.

Other subsidiary bodies

11.4 The Meeting agreed that the Amendment Group should meet from 9 to 13 May 1994. This meeting would be convened with interpretation in the official languages; a provisional agenda would be prepared by the Secretariat in consultation with the Chairman of the Consultative Meeting.

11.5 The Meeting agreed that there would be no intersessional meeting of its ad hoc Group of Legal Experts on Dumping.

12 ANY OTHER BUSINESS

Liability and compensation for damage as a result of sea disposal

12.1 The Secretariat drew the attention of the Meeting to the question of inclusion of acts of dumping (LC 16/INF.8) in the draft International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS).

12.2 The Sixteenth Consultative Meeting agreed that Governments should ensure that their delegations attending the seventieth session of the IMO Legal Committee (21 to 25 March 1994) are made fully aware of the requirements of the London Convention 1972 and of decisions made by Consultative Meetings.

World Coast Conference 1993

12.3 The Netherlands delegation presented a document (LC 16/INF.21) reflecting the final statements as agreed by more than 90 countries attending the World Coast Conference, which was held in the Netherlands (1 to 5 November 1993).

12.4 As an elaboration of relevant Principles in the Declaration of Rio de Janeiro, this Conference focused on the need and the capabilities to develop Integrated Coastal Zone Management as a tool for achieving sustainable development in coastal States, including States with boundaries on inland seas.

Preliminary announcement to amend the 1985 Montreal Guidelines for the Protection of the Marine Environment Against Pollution from Land-based Sources

12.5 The Canadian delegation provided information (LC 16/INF.22) on Revisiting the 1985 Montreal Guidelines on the Control of Land-based Sources of Marine Pollution. A meeting will be held from 6 to 10 June 1994 as a follow-up to UNCED Agenda 21 and will discuss possible amendments to the 1985 Montreal Guidelines. The meeting will also discuss preparations for the 1995 Intergovernmental Meeting on Land-based Sources of Marine Pollution. The meeting programme and additional information will be distributed in due course.

Work methods and organization of work in IMO Committees and their subsidiary bodies

12.6 The French delegation drew attention to IMO resolution A.18/Res.777 of 4 November 1993 concerning working methods within the Organization. The Meeting requested the Secretariat to prepare a document for consideration at the Seventeenth Consultative Meeting outlining the applicability of IMO resolution A.18/Res.777 to work carried out within the framework of the London Convention 1972.

13 ELECTION OF CHAIRMAN AND VICE-CHAIRMEN

13.1 The Consultative Meeting recognized that Mr. Dik Tromp of the Netherlands had served as Chairman of the Consultative Meeting for the four years allowed for in accordance with its Rules of Procedure. However, it was the consensus of the Meeting that the present situation with regard to the importance of decisions affecting the amendment of the Articles and Annexes of the Convention was a special and unique situation that warranted continuity in the direction provided to the Consultative Meeting. The Meeting therefore decided to suspend Rule of Procedure No 19 and requested Mr. Tromp and the existing first and second Vice-Chairmen, Mr. A. Sielen (United States) and Mr. G. do Nascimento e Silva (Brazil) to continue in their present positions for the intersessional period and throughout the Seventeenth Consultative Meeting.

13.2 The subsequent agreement of the officers concerned was unanimously accepted by the Consultative Meeting.

14 CONSIDERATION AND ADOPTION OF THE REPORT

The report of the Sixteenth Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (the London Convention 1972) including resolutions set out in annexes to the report, was adopted on the final day of the Meeting (12 November 1993).

ANNEX 1

AGENDA FOR THE SIXTEENTH CONSULTATIVE MEETING

- 1 Adoption of the agenda

 LC 16/1 - Secretariat
 LC 16/1/1 - Secretariat
- 2 Status of the London Convention 1972

 LC 16/2 - Secretariat

 LC 16/INF.7 - Secretariat
- 3 Long-term strategy for the Convention

 No documents submitted under this agenda item
- 4 Amendments to the Convention and its Annexes

 LC 16/4 - Secretariat
 LC 16/4/1 - Secretariat
 LC 16/4/1/Add.1 - Secretariat
 LC 16/4/2 - Denmark
 LC 16/4/3 - Australia
 LC 16/4/4 - Canada
 LC 16/4/5 - IAPH
 LC 16/4/6 - Japan
 LC 16/4/7 - Secretariat
 LC 16/4/8 - Secretariat
 LC 16/4/9 - New Zealand

 LC 16/INF.6 - Greenpeace International
 LC 16/INF.12 - Secretariat
 LC 16/INF.18 - Germany/Sweden

 LC 16/WP.1 - Secretariat
 LC 16/WP.3 - Working Group
 LC 16/WP.3/Add.1 - Working Group (Continued)
 LC 16/WP.4 - Brazil & Solomon Islands
- 5 Matters related to the disposal of radioactive wastes at sea

 LC 16/5 - Secretariat
 LC 16/5/1 - Greenpeace International

 LC 16/INF.2 - Russian Federation
 LC 16/INF.4 - Greenpeace International
 LC 16/INF.5 - Greenpeace International

- LC 16/INF.10 - IAEA
- LC 16/INF.11 - Greenpeace International
- LC 16/INF.14 - Secretariat
- LC 16/INF.15 - Secretariat
- LC 16/INF.16 - IAEA
- LC 16/INF.19 - IAEA
- LC 16/INF.20 - Russian Federation/Norway

- LC 16/WP.2 - Working Group
- LC 16/WP.2/Add.1 - Working Group (continued)
- LC 16/WP.7 - Netherlands

6 Consideration of the report of the Scientific Group

- LC 16/6 - Secretariat
- LC 16/INF.3 - Hong Kong

7 Sea disposal of industrial wastes

- LC 16/INF.12 - Secretariat

8 Information exchange on waste prevention and clean production methods, waste production and disposal

No documents submitted under this agenda item

9 Technical assistance, co-operation and development

- LC 16/INF.9 - Secretariat
- LC 16/INF.12 - Secretariat
- LC 16/INF.17 - Secretariat

10 Relations with other organizations

- LC 16/INF.13 - ACOPS

11 Future work programme and date of next session

No documents submitted under this agenda item

12 Any other business

- LC 16/INF.8 - Secretariat
- LC 16/INF.21 - Netherlands
- LC 16/INF.22 - Canada

13 Election of Chairman and Vice-Chairmen

No documents submitted under this agenda item

14 Consideration and adoption of the report

- LC 16/14 - Report
- LC 16/WP.6 - Secretariat
- LC 16/WP.6/Add.1 - Secretariat
- LC 16/INF.1 - List of Participants

ANNEX 2

RESOLUTION LC.48(16)

REVIEW OF THE LONDON CONVENTION, 1972

THE SIXTEENTH CONSULTATIVE MEETING,

RECALLING the responsibilities of Contracting Parties to individually or collectively promote the effective control of all sources of pollution of the marine environment as required by Article I of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention 1972),

RECOGNIZING the obligation of Contracting Parties as set out in the above Article to take all practicable steps to prevent the pollution of the sea by the dumping of waste and other matter that is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea,

RECALLING ALSO resolution LDC.13(7) which emphasizes the value of the London Convention 1972 as a global basis for the application of sea-disposal principles and practices with regard to waste management and the importance of the Convention to supply the co-ordination, assistance and comprehensive approach needed to consolidate the jurisdiction at regional and national levels,

RECALLING FURTHER the statement to the Preparatory Committee of the United Nations Conference on Environment and Development made by the Thirteenth Consultative Meeting emphasizing the substantial expertise which resides within the London Convention 1972 on matters related to waste disposal at sea specifically, and to broader marine pollution, as well as to the important refinements of allowable practices that have been forged during discussions and debate in the Consultative Meetings of Contracting Parties, with intersessional guidance from subsidiary bodies,

RECOGNIZING ALSO that existing pollution control approaches, under the London Convention 1972, have been strengthened by shifting the emphasis from a system of controlled dumping based on the assumptions of the assimilative capacity of the marine ecosystem, to approaches based on precaution and prevention,

RECALLING resolution LDC.40(13) addressed to the United Nations Conference on Environment and Development recommending that States and appropriate international fora should actively pursue a precautionary approach in addressing waste management problems by inter alia focusing on environmentally preferable land-based alternatives to disposal of waste at sea, while ensuring that pollution is not transferred to other parts of the environment via other disposal routes,

MINDFUL of the urgent need to reduce harmful wastes of all description and the need for the speedy adoption of clean production technology and processes to reduce and eliminate the generation of harmful wastes, and that the prohibition of ocean dumping of harmful wastes will encourage this,

RECALLING ALSO resolution LDC.44(14) including agreement on a definition and the application of a precautionary approach in environmental protection within the framework of the London Convention, as well as the steps that Contracting Parties shall take to ensure the effective implementation of the precautionary approach,

TAKING NOTE of Agenda 21 adopted by the United Nations Conference on Environment and Development which, inter alia, requests States, acting individually, bilaterally, regionally or multilaterally and within the framework of IMO and other relevant international organizations, whether subregional, regional, or global, as appropriate, to assess the need for additional measures to address degradation of the marine environment from dumping, by supporting wider ratification, implementation and participation in relevant conventions on dumping at sea, including early conclusion of a future strategy for the London Convention 1972, and by encouraging Contracting Parties to the London Convention 1972 to take appropriate steps to stop ocean dumping and incineration of hazardous substances,

RECOGNIZING FURTHER the crucial importance of enhanced international co-operation for adequate compliance by developing countries and countries with economies in transition of the London Convention 1972, as amended and that such co-operation should be pursued strictly in line with the relevant provisions of the United Nations Conference on Environment and Development, particularly those of Chapters 17, 20, 22, 31 and 34 of Agenda 21 relating to transfer of clean technology and capacity-building,

NOTING that the Convention for the Protection of the Marine Environment of the North-East Atlantic, 1992 (the OSLO/PARIS (OSPAR) Convention) and the Convention on the Protection of the Marine Environment of the Baltic Sea, 1992 (the Helsinki Convention) have been agreed with a view to extending the coverage of the Conventions which are currently in force for these seas and with a view to incorporate new approaches and principles on marine environment protection,

NOTING ALSO the proposals for amendments to the London Convention 1972 submitted by Contracting Parties and evaluated by the Amendment Group established for that purpose by the Fifteenth Consultative Meeting,

TAKING INTO ACCOUNT the recommendations of the Amendment Group as set out in its report LC/AM 1/9 that certain proposed amendments need urgent decision, namely those made with regard to the status of disposal at sea of industrial wastes, radioactive wastes and incineration of wastes at sea, and that respective amendments could be made to the Annexes to the Convention which would enter into force in accordance with the provisions of Article XV of the Convention,

HAVING ADOPTED amendments to the Annexes to the Convention concerning Phasing out Sea Disposal of Industrial Waste (LC.49(16)), Incineration at Sea (LC.50(16)) and Disposal at Sea of Radioactive Wastes and Other Radioactive Matter (LC.51(16)).

NOTING FURTHER that it had also been recommended by the Amendment Group that a number of proposed amendments submitted by Contracting Parties would need further careful consideration and evaluation and require a thorough review of the Convention that should result in a package of proposed amendments to be considered by a future Consultative Meeting or Special Meeting or Conference with a view to adoption,

AGREES that:

- 1 an overall and thorough review of the existing provisions of the London Convention 1972 and the proposed amendments thereto should be carried out in the near future;
- 2 a special meeting or conference be convened no later than 1996 with a view to amending the London Convention 1972 through a single instrument; and
- 3 the International Maritime Organization be requested to include in the programme of the Organization the convening of meetings of the LC 1972 Amendment Group in 1994, 1995 and 1996, as appropriate, as well as a special meeting or conference in 1996, and to take the necessary financial provisions for convening the meeting or conference into account when considering the respective budgets or amendments thereto.

ANNEX 3

RESOLUTION LC.49(16)

AMENDMENTS TO THE ANNEXES TO THE
CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING
OF WASTES AND OTHER MATTER, 1972
CONCERNING PHASING OUT SEA DISPOSAL OF INDUSTRIAL WASTE

THE SIXTEENTH CONSULTATIVE MEETING,

RECALLING Articles I and II of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter which state, inter alia, that Contracting Parties shall individually and collectively promote the effective control of all sources of pollution of the marine environment and that they shall harmonize their policies to prevent marine pollution caused by dumping,

RECOGNIZING the commitment of Contracting Parties under Article IX of the Convention in respect of technical assistance,

NOTING in this regard the undertaking reached by UNCED, Agenda 21, Chapter 34.14(b) on "Transfer of environmentally sound technology, co-operation and capacity-building",

RECALLING ALSO resolution LDC.43(13) by which Contracting Parties agreed, inter alia, that the dumping of industrial waste at sea would cease by 31 December 1995 at the latest and that they should endeavour to adopt individual or regional commitments to cease dumping of industrial waste before 31 December 1995,

RECALLING FURTHER resolution LDC.44(14) on the application of a precautionary approach in environmental protection within the framework of the London Convention 1972,

NOTING ALSO that several Contracting Parties, individually or under regional agreements covering the dumping of wastes, have already phased out sea disposal of industrial waste,

WELCOMING the efforts undertaken within the framework of other Conventions in order to develop and adopt technical guidelines for the environmentally sound management of hazardous wastes on land,

RECALLING the encouragement by UNCED, Agenda 21, Chapter 17.30(b)(ii) to the Contracting Parties to take appropriate steps to stop ocean dumping of hazardous substances,

REAFFIRMING the agreement that Contracting Parties commit themselves to take all necessary steps to enable all Contracting Parties to comply with phasing out of sea disposal of industrial waste, including the promotion of technical assistance to this end taking into account the outcome of the Global Waste Survey,

REAFFIRMING ALSO the agreement that Contracting Parties facilitate access to, and transfer of, environmentally sound technologies particularly to developing countries to promote:

- the modification of industrial processes in such a way as to reduce and eliminate the amount of waste generated;
- the recycling of wastes or the reuse of them in other industries;
- the environmentally sound management of wastes on land;
- the further development of alternative and environmentally sound means of disposal,

REAFFIRMING FURTHER the agreement that a better protection of the marine environment by cessation of dumping of industrial waste should not result in unacceptable environmental effects elsewhere,

ADOPTS the following amendments to the Annexes to the Convention in accordance with Articles XIV(4)(a) and XV(2) thereof:

- (a) amendments to Annex I; and
- (b) amendments to Annex II;

the texts of which are set out in the attachment to this resolution,

REQUESTS the Secretary-General of the International Maritime Organization to inform the Contracting Parties of the above mentioned amendments in accordance with Article XV(1)(b) of the Convention,

ATTACHMENT

ANNEX I

- 1 The following text is added to Annex I as a new paragraph 11:

"11 Industrial waste as from 1 January 1996.

For the purposes of this Annex:

"Industrial waste" means waste materials generated by manufacturing or processing operations and does not apply to:

- (a) dredged material;
- (b) sewage sludge;
- (c) fish waste, or organic materials resulting from industrial fish processing operations;
- (d) vessels and platforms or other man-made structures at sea, provided that material capable of creating floating debris or otherwise contributing to pollution of the marine environment has been removed to the maximum extent;
- (e) uncontaminated inert geological materials the chemical constituents of which are unlikely to be released into the marine environment;
- (f) uncontaminated organic materials of natural origin.

Dumping of wastes and other matter specified in subparagraphs (a) - (f) above shall be subject to all other provisions of Annex I, and to the provisions of Annexes II and III.

This paragraph shall not apply to the radioactive wastes or any other radioactive matter referred to in paragraph 6 of this Annex."

- 2 The following phrase is added to the beginning of the existing text of paragraph 9:

"Except for industrial waste as defined in paragraph 11 below, ..."

- 3 In paragraph 9, the word "spoils" is replaced by "material".

ANNEX II

- 1 "Beryllium, chromium, nickel and vanadium and their compounds" are moved from Annex II, paragraph B to paragraph A of Annex II. The remainder of the text of paragraph B is deleted. The subsequent sections are redesignated accordingly.
- 2 The existing text of paragraph F is replaced by the following:

Materials which, though of a non-toxic nature, may become harmful due to the quantities in which they are dumped, or which are liable to seriously reduce amenities.

ANNEX 4

RESOLUTION LC.50(16)

AMENDMENT TO ANNEX I TO THE
CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING
OF WASTES AND OTHER MATTER, 1972
CONCERNING INCINERATION AT SEA

THE SIXTEENTH CONSULTATIVE MEETING,

RECALLING Article I of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter which states that Contracting Parties shall individually and collectively promote the effective control of all sources of pollution of the marine environment,

RECALLING ALSO resolutions LDC.35(11), LDC.39(13) and LC.47(15) on the status of incineration of noxious liquid wastes at sea and resolution LDC.44(14) on the application of a precautionary approach in environmental protection within the framework of the London Convention 1972,

RECALLING FURTHER the encouragement by UNCED Agenda 21, Chapter 17.30(b)(ii) to the Contracting Parties to take appropriate steps to stop ocean incineration of hazardous substances,

RECOGNIZING that Contracting Parties should give priority to no-waste and low-waste technology within the hierarchy of waste management,

NOTING that the incineration at sea of noxious liquid wastes by Contracting Parties ceased in February 1991,

REAFFIRMING the agreement that, in case Contracting Parties face difficulties in finding methods for environmentally sound management of their incinerable wastes, Contracting Parties take upon themselves to consider favourably requests for technical or scientific assistance, including transfer of relevant publicly available information, taking into account the outcome of the Global Waste Survey,

ADOPTS the following amendment to Annex I to the Convention in accordance with Articles XIV(4)(a) and XV(2) thereof, the text of which is set out in the attachment to this resolution,

REQUESTS the Secretary-General of the International Maritime Organization to inform the Contracting Parties of the above mentioned amendments in accordance with Article XV(1)(b) of the Convention.

ATTACHMENT

ANNEX I

The existing text of Annex I, paragraph 10 is replaced by the following:

- "(a) Incineration at sea of industrial waste, as defined in paragraph 11 below, and sewage sludge is prohibited.
- (b) The incineration at sea of any other wastes or matter requires the issue of a special permit.
- (c) In the issue of special permits for incineration at sea Contracting Parties shall apply regulations as are developed under this Convention.
- (d) For the purpose of this Annex:
 - (i) "Marine incineration facility" means a vessel, platform, or other man-made structure operating for the purpose of incineration at sea.
 - (ii) "Incineration at sea" means the deliberate combustion of wastes or other matter on marine incineration facilities for the purpose of their thermal destruction. Activities incidental to the normal operation of vessels, platforms or other man-made structures are excluded from the scope of this definition."

ANNEX 5

RESOLUTION LC.51(16)

AMENDMENTS TO THE ANNEXES TO THE
CONVENTION ON THE PREVENTION OF MARINE POLLUTION
BY DUMPING OF WASTES AND OTHER MATTER, 1972 CONCERNING
DISPOSAL AT SEA OF RADIOACTIVE WASTES AND OTHER
RADIOACTIVE MATTER

THE SIXTEENTH CONSULTATIVE MEETING,

RECALLING Articles I and II of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter which state, inter alia, that Contracting Parties shall individually and collectively promote the effective control of all sources of pollution of the marine environment and that they shall harmonize their policies to prevent marine pollution caused by dumping,

BEING AWARE that the dumping of high level radioactive wastes or other high level radioactive matter is prohibited under Article IV in connection with Annex I, paragraph 6 of the Convention,

NOTING resolution LDC.21(9) on the suspension of all dumping at sea of radioactive wastes and other radioactive matter and recognizing that, such suspension shall continue until the entry into force of the amendment to Annex I, paragraph 6 of the Convention,

NOTING ALSO that the International Atomic Energy Agency (IAEA) is the competent international body to define waste and other matter considered to be radioactive for purposes of regulatory control under the Convention and has been requested by Contracting Parties to develop quantitative limits for de minimis (exempt) levels of radioactivity,

RECOGNIZING that in the interim, the Parties shall be guided by IAEA Safety Series 78 and 89, and decisions and recommendations taken at the Consultative Meetings,

NOTING FURTHER that amendments to the Convention relating to the issue of inclusion of sub-sea-bed repositories accessed from the sea in the definition of "dumping" are under consideration by the Contracting Parties,

RECALLING ALSO resolution LDC.44(14) on the application of a precautionary approach to environmental protection within the framework of the London Convention 1972,

BEING ALSO AWARE of the encouragement by UNCED Agenda 21, Chapter 22.5(b) to the Contracting Parties to expedite work to complete studies on replacing the current voluntary moratorium on disposal of low level radioactive waste at sea by a ban, and

NOTING FURTHER the conclusions and the options on disposal at sea of radioactive waste as contained in the final report (LC/IGPRAD 6/5) of the Inter-governmental Panel of Experts on Radioactive Waste Disposal at Sea which was established on the basis of resolution LDC.28(10) and expressing its appreciation to the experts involved in the preparation of this final report,

HAVING ADOPTED amendments to Annex I to the Convention by resolution LC.49(17) concerning phasing out sea disposal of industrial waste,

ADOPTS the following amendments to the Annexes to the Convention in accordance with Articles XIV(4)(a) and XV(2) thereof:

- (a) amendment to Annex I, paragraphs 6, 8, 9 and insertion of a new paragraph 12; and
- (b) amendment to Annex II, section D

the texts of which are set out in the attachment to this resolution,

REQUESTS the Secretary-General of the International Maritime Organization to inform the Contracting Parties of the above mentioned amendments in accordance with Article XV(1)(b) of the Convention,

REAFFIRMS that, with respect to any Party as to which the amendment to paragraph 6 of Annex I is not in force, the suspension of all dumping of radioactive wastes and other matter established by resolution LDC 21(9) shall continue until the entry into force of the amendment to Annex I, paragraph 6 of the Convention,

AGREES that the disposal of radioactive wastes and other radioactive matter into sub-sea-bed repositories accessed from the sea in accordance with resolution LDC.41(13) is suspended until such time as the Parties determine otherwise, noting that whether such disposal is "dumping" within the meaning of the Convention is under consideration by the Consultative Meeting,

RESOLVES FURTHER that Contracting Parties shall endeavour to co-operate in assisting countries with special problems relating to the safe disposal of radioactive wastes to meet effectively their international obligations under the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter.

ATTACHMENT

ANNEX I

- 1 The existing text of paragraph 6, Annex I, is replaced by the following:
"6 Radioactive wastes or other radioactive matter."
- 2 The following phrase is added at the beginning of paragraph 8, Annex I:
"8 With the exception of paragraph 6 above, ..."
- 3 The second sentence of the existing text, paragraph 9, Annex I, is replaced by the following:
"Paragraph 6 above does not apply to wastes or other materials (e.g. sewage sludges and dredged materials) containing de minimis (exempt) levels of radioactivity as defined by the IAEA and adopted by the Contracting Parties. Unless otherwise prohibited by Annex I, such wastes shall be subject to the provisions of Annexes II and III as appropriate."
- 4 The following text is added to Annex I as a new paragraph 12:
"12 Within 25 years from the date on which the amendment to paragraph 6 enters into force and at each 25 year interval thereafter, the Contracting Parties shall complete a scientific study relating to all radioactive wastes and other radioactive matter other than high level radioactive wastes or matter, taking into account such other factors as the Contracting Parties consider appropriate, and shall review the position of such substances in Annex I in accordance with the procedures set forth in Article XV."

ANNEX II

The present text of Annex II, section D is deleted and the subsequent sections are redesignated accordingly.

ANNEX 6

STATEMENT MADE ON 10 NOVEMBER 1993
BY MR. V.I. DANILOV-DANILYAN, MINISTER OF ENVIRONMENTAL
PROTECTION AND NATURAL RESOURCES OF THE
RUSSIAN FEDERATION, AT THE SIXTEENTH CONSULTATIVE MEETING
OF CONTRACTING PARTIES TO THE LONDON CONVENTION
ON THE DUMPING OF WASTES AT SEA, 1972

Mr. Chairman, ladies and gentlemen,

Let me inform you on what has been done by the Russian Federation with regard to the matter of radioactive waste handling.

The White Paper, a national report of the Russian Federation on matters of radioactive waste disposal at sea, was published in spring 1993, which contained absolutely all information that was obtained and available, or reconstructed relating to radioactive waste disposal by the former USSR in the northern and far-eastern seas.

This report has included the data on geographical co-ordinates of all sites of the dumping as well as the volume and activity of the dumped radioactive waste.

Far from all nations could state that they had provided similar detailed and in-depth information on radioactive waste dumping.

The above-mentioned Report also contains data on the impact of the radioactive waste disposals on the environment and the pattern of its contamination.

This data of course could hardly be full and comprehensive in so far as the research work requires extra time and expenditure. As to the forecasts, we sometimes lack the fundamental scientific knowledge to make a reliable forecast.

And now I would like to refer to a one-time low-radioactive waste disposal performed in the Sea of Japan on 16 October 1993.

I would like to highlight some points which have been totally ignored by the press.

The additional data specifies that the total activity of the dumped low-radioactive waste was 0.38 Ci, its volume 900m³.

It is an absolutely insignificant activity, which practically complies with a permissible level as set out in the IAEA recommendations.

I will not excuse anybody now, but due to irresponsibility of the Navy of the Russian Federation a situation was brought about when there was an urgent need to prevent a tanker accident in the bay (one tanker was in emergency condition, another one was fully loaded, and no facilities were available to

handle low-radioactive waste on land). This situation resulted from a total neglect of the environmental protection matters by the Soviet Army and the military industries of the former USSR.

Therefore, we had to carry out the discharge in question with full regard to the recommendations of Article V of the London Convention relating to emergency situations.

Furthermore, I would like to point out that the situation in Russia has significantly changed since the time when the White Paper was prepared and published. And while the White Paper was setting a tentative date of the halting of radioactive waste disposal for 1997, I would confidently state that this date could be changed for 1995 and, under certain favourable circumstances, for 1994.

This depends on the funds required and available as well as the amount of scientific and technological assistance rendered to us.

So far, it is not quite clear to us whether it will be required prior to the commissioning of the radioactive waste handling facilities, to carry out one or two low-radioactive waste discharges, or the future situation will enable us to fully discontinue such discharges.

I thank you for your kind attention.

ANNEX 7

FUTURE WORK PROGRAMME OF THE SCIENTIFIC GROUP
(SEVENTEENTH, EIGHTEENTH AND NINETEENTH MEETINGS)

		<u>1994</u> <u>17th</u>	<u>1995</u> <u>18th</u>	<u>1996</u> <u>19th</u>	<u>TARGET</u> <u>COMPLETION</u> <u>DATE</u>
1	Matters relating to the amendment of the Convention	XX	X		1996
2	Implementation of the Waste Assessment Framework: Action List	XX	XX	XX	1996
3	Global Waste Survey	XX	XX		1995
4	Monitoring and disposal activities at sea	X	X	X	Continuous
5	Waste Management Issues: comparative assessments; mitigation of the impact of dumping; source reduction; recycling and cleaner technology (case studies), guidelines, manuals, bibliographies, PRP submissions	X	X	X	Continuous
6	Review and assessment of the dredged material guidelines	XX	XX	(X)	1995
7	Management and disposal of municipal sewage	X	X	X	Continuous
8	Technical co-operation and assistance	X	X	X	Continuous

ANNEX 8

LIST OF SUBSTANTIVE ITEMS AGREED FOR INCLUSION IN THE
AGENDA FOR THE SEVENTEENTH CONSULTATIVE MEETING

- 1 Consideration of the report of the Scientific Group
 - 2 Consideration of the report of the Amendment Group
 - 3 Follow-up actions to UNCED Agenda 21
 - 4 Global Waste Survey: Status and results
 - 5 Technical assistance, co-operation and development
 - 6 Waste prevention and clean production methods, waste production and disposal.
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