

CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING OF WASTES  
AND OTHER MATTER – LONDON, 1972

First meeting of Contracting Parties – London, 17-19 December 1975

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RECORD OF THE MEETING – 17 DECEMBER 1975

ADDRESS OF WELCOME

1. Mr T P Hughes CB, Deputy Secretary, Department of the Environment, extended a warm welcome from Her Majesty's Government to delegates and observers, and wished them a successful outcome to their discussions. He congratulated Contracting Parties for ratifying and acceding the Convention, and bringing it into force so quickly.

ELECTION OF CHAIRMAN

2. The Canadian delegation proposed and the United Arab Emirates delegation seconded the nomination of the head of the UK delegation (Mr A Fairclough) as Chairman. The Meeting agreed to the nomination.

ELECTION OF VICE-CHAIRMEN

3. The Chairman expressed his thanks to the Meeting and invited nominations for two Vice-Chairmen. The USSR delegation proposed and the Spanish delegation seconded the nomination of the head of the Mexican delegation (Senor J L Vallarta) as first Vice-Chairman. The USA delegation proposed and the UK delegation seconded the nomination of the delegate of the Philippines (Dr de la Paz) as second Vice Chairman. These nominations were agreed by the Meeting.

ADOPTION OF AGENDA

4. The proposed agenda (LDC (1) Rev 1) was adopted.

RULES OF PROCEDURE

5. The provisional rules of procedure (LDC (2)) were adopted subject to the deletion in Rule 1, lines 2 and 3, of "by depositing an instrument of" and its substitution by "by notifying a depositary government of its".

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SECRETARY-GENERAL'S ANNOUNCEMENT

6. The Secretary-General suggested that the record of the Meeting should contain only the principal arguments, and statements made, and agreements reached. The Meeting agreed to this.

DESIGNATION OF A COMPETENT ORGANISATION TO BE RESPONSIBLE FOR SECRETARIAT DUTIES PURSUANT TO ARTICLE XIV(2) OF THE CONVENTION

7. The Secretary to the 3rd Committee of the UN Law of the Sea Conference made a short statement reporting progress in preparing negotiating texts for the Conference. He stressed the willingness of the UN Secretariat and of the UN Office of legal affairs to assist and co-operate with whatever body was designated.

8. The observer from UNEP described the current and projected activities of UNEP on the prevention of marine pollution. He stated that UNEP would be willing to assume any responsibility required of them by the Meeting and would be willing to co-operate with any Organisation designated by the Meeting to provide the Secretariat of the London Dumping Convention.

9. The observer from Portugal and the delegates from Norway and Sweden stressed that the Organisation selected to provide the Secretariat should have proven experience in the matters covered by the Convention and in other problems of environmental pollution, maritime science and navigation. It would also be important to ensure that the designated Organisation was ready and able to accept the responsibilities involved.

PROPOSAL FOR AMENDMENT

10. The proposal for amendment (LDC (6)) was adopted subject to the deletion in Para 1, lines 2 and 3, of "by depositing an instrument of" and its substitution by "by notifying a competent government of its".

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10. The UK delegation welcomed the remarks of the previous speakers. Taking into account the requirements of the Organisation to be appointed to carry out the Secretariat duties of the convention it was the United Kingdom's considered view that IMCO was the most appropriate Organisation being a specialised agency of the United Nations with global coverage and a close interest in preventing marine pollution through its Marine Environment Protection Committee. The UK delegation introduced jointly with the Mexican delegation a resolution to this effect which also stressed the need for co-operation with other UN agencies, particularly UNEP. (LDC(5)).

11. The USSR delegation reviewed their government's involvement in pollution control work and expressed their support for international co-operation in this field and supported the UK's proposal. IMCO had Secretariat duties under the London Convention of 1973 and it was logical to place the Secretariat duties for the London Convention in the same hands.

12. The Secretary General of IMCO informed the meeting of the organisation's activities in the prevention of pollution at sea. It was the only specialised agency of the United Nations dealing with maritime affairs, had 92 members, two-thirds of whom were from developing countries, and was a universally accepted maritime organisation, especially in relation to pollution from ships, a subject which had been entrusted to it since its inception. He referred particularly to the assistance which IMCO was giving developing countries in forming legislation to deal with pollution at sea. He added that the governing body of IMCO had authorised it to accept the role of Secretariat to the London Dumping Convention should it be asked and

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budgetary provision had been made. IMCO appreciated the importance of the designated organisation co-operating fully with other international agencies particularly UNEP.

13. Observers from Italy, Portugal, and German Democratic Republic and the delegate of Afghanistan spoke in favour of the UK proposal. The Italian delegation added that the necessary constitutional steps had been taken for the early ratification of the convention by Italy. Observers from Algeria, France, Australia, Brazil, Indonesia and Argentina explained that their governments were actively considering the question of ratification or were already taking steps to ratify. The Indonesian delegation said that their government would require technical assistance to enable it to ratify.

14. There was general agreement amongst delegates and observers who spoke that IMCO was the most appropriate Organisation.

15. Further discussion centred on questions posed by the draft resolution LDC (5). The Spanish and Norwegian delegations and the observer from France suggested that the resolution should be less general and specify clearly the responsibilities of the Secretariat.

Clarification was sought on whether IMCO if designated, would determine its own duties as Secretariat and what the budgetary and workload implications of its assuming responsibility would be. The relation between IMCO's other functions and its responsibilities for this Convention would also need to be clarified. It was also felt that relationships with contracting parties and with other international bodies,

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particularly UNEP, should be explained in greater detail. The New Zealand delegation stressed that there should be no ambiguity in where the secretariat responsibilities lay. He also argued that it would be undesirable to specify the secretariat duties exhaustively; the main purpose of the resolution was to ensure that the designated organisation would be able to start operations immediately. It would help if IMCO could state whether they were in a position to do so.

16. The Chairman summarised the points that had been made and invited the Secretary-General of IMCO to reply. The Secretary-General stated that the Assembly had authorised the Secretariat to accept the duties if they were offered. He would ensure that IMCO would perform any Secretariat function which contracting parties asked of it. The workload would depend upon the wishes of the contracting parties. To this end, a budgetary provision of \$60,000 had been made for extra staff for the first year and IMCO would therefore both be able to assume responsibility and be able to start acting at once. Contracting states who were members of IMCO would contribute to the Secretariat costs by means of their normal contributions; the costs incurred by non-member contracting states would have to be assessed periodically in accordance with Article XIV. The most important Secretariat duties had already been laid down in the convention, principally in Article XIV, but naturally these could be added to by decision of the Contracting States. The Secretary-General of IMCO would ensure that clear functional relationships were established to discharge these duties without establishing a separate Secretariat. He wished to re-emphasise the wish of the Organisation to co-operate closely and fully with other specialised agencies and in particular with UNEP and WHO.



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17. The Danish delegation proposed that in view of the comments made about the terms of the draft resolution a small group should be established to examine it in more detail. The Meeting accepted this proposal in principle, and the Chairman promised an announcement the next day about its composition. He asked that, to help this Committee, delegations should submit proposals for textual amendments to the resolution as soon as possible.