



FIRST CONSULTATIVE MEETING OF
CONTRACTING PARTIES TO THE
CONVENTION ON THE PREVENTION
OF MARINE POLLUTION BY DUMPING
OF WASTES AND OTHER MATTER -
20-24 September 1976
Agenda item 17

IMCO

REPORT OF THE FIRST CONSULTATIVE MEETING

	<u>Table of Contents</u>	<u>Paragraph Nos.</u>
I.	INTRODUCTION	1 - 5
II.	ADOPTION OF THE AGENDA	6
III.	RULES OF PROCEDURE	7 - 15
IV.	STATE OF RATIFICATION OF THE CONVENTION	16 - 19
V.	ADMINISTRATIVE AND FINANCIAL ARRANGEMENTS	20 - 24
VI.	PROCEDURES FOR SETTLEMENT OF DISPUTES	25 - 29
VII.	PROCEDURES AND CRITERIA FOR DETERMINING EMERGENCY SITUATIONS	30 - 31
VIII.	NOTIFICATIONS UNDER ARTICLES IV(3) AND VI(4) OF THE CONVENTION	32 - 44
IX.	RIGHT AND RESPONSIBILITY OF A COASTAL STATE TO APPLY THE CONVENTION IN A ZONE ADJACENT TO ITS COAST	45 - 46
X.	DEFINITION AND RECOMMENDATIONS OF IAEA CONCERNING RADIOACTIVE WASTES AND OTHER MATTER	47 - 54
XI.	ESTABLISHMENT OF WORKING RELATIONSHIP WITH REGIONAL ORGANIZATIONS	55 - 60
XII.	PROMOTION OF TECHNICAL ASSISTANCE	61 - 71
XIII.	OCEAN INCINERATION	72 - 77
XIV.	FUTURE WORK PROGRAMME AND DATE OF NEXT SESSION	78 - 92

ANNEXES

- Annex I - Agenda for the First Consultative Meeting
- Annex II - Rules of Procedure for the Consultative and Special Meetings of the Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter
- Annex III - Interim Procedures and Criteria for Determining Emergency Situations
- Annex IV - Draft Interim Procedure for Notification Under Article VI(4) of the Convention
- Annex V - Summary of the statement by the IAEA Observer
- Annex VI - Resolution on Incineration At Sea
- Annex VII - Action Plan for the Consultative Meeting
- Annex VIII - Draft Agenda for the Second Consultative Meeting
- Annex IX - Draft Agenda for the Meeting of the Ad Hoc Scientific Group

I. INTRODUCTION

1. The First Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter convened in accordance with Article XIV(3)(a) of that Convention, was held at IMO Headquarters, London, from 20 to 24 September 1976.

2. The Meeting was attended by delegations from the following States, Contracting Parties to the Convention:

AFGHANISTAN
CANADA
DENMARK
ICELAND
JORDAN
MEXICO
NIGERIA

NORWAY
PHILIPPINES
SPAIN
SWEDEN
USSR
UNITED KINGDOM
UNITED STATES

by observers from the following States not being Contracting Parties to the Convention:

AUSTRALIA
BELGIUM
CHILE
FINLAND
FRANCE
GERMANY, FEDERAL REPUBLIC OF
GREECE
INDIA
IRAN
IRELAND
ITALY
JAPAN

MONACO
NETHERLANDS
OMAN
POLAND
PORTUGAL
SAUDI ARABIA
SINGAPORE
SOUTH AFRICA
SWITZERLAND
THAILAND
UNITED REPUBLIC OF CAMEROON

by observers from the following United Nations organizations:

UNITED NATIONS
UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP)
INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

by observers from the following inter-governmental organizations:

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD)
COMMISSION OF THE EUROPEAN COMMUNITIES (EEC)
OSLO COMMISSION
INTERIM PARIS COMMISSION
GROUP OF EXPERTS ON THE SCIENTIFIC ASPECTS OF MARINE POLLUTION (GESAMP)

and by observers from the following non-governmental organization:

INTERNATIONAL CHAMBER OF SHIPPING (ICS).

3. In opening the Meeting, the Secretary-General welcomed the delegates and observers and wished the Meeting every success as it embarked on this important new work. Referring to the First Meeting of Contracting Parties, held in London from 17-19 December 1975, and its unanimous decision to designate IICO as the Organization to perform secretariat duties in relation to the London Dumping Convention, he stated that the IICO Council had expressed satisfaction at this decision and assured the Meeting that the Secretariat and IICO organs were ready to provide all possible assistance in implementing the Convention.

4. The Meeting unanimously elected Mr. H.R. Bardarson (Iceland) Chairman and Dr. V. Kotliar (USSR) and Contralmirante G. Lopez-Lira (Mexico) the First and Second Vice Chairmen, respectively.

5. The Chairman thanked the Secretary-General for his assurances and, on behalf of the Contracting Parties, expressed confidence in the ability of the staff of IICO to perform the secretariat functions relating to the London Dumping Convention, in view of their previous experience in dealing with Conventions relating to the prevention of pollution from ships.

II. ADOPTION OF THE AGENDA

6. The Agenda for the Meeting, as adopted, is shown at Annex I. This includes, under each item, a list of the documents which were considered.

III. RULES OF PROCEDURE

7. The Meeting considered draft Rules of Procedure of the Consultative Meeting (LDC I/3) prepared by the Secretariat on the basis of the decisions of the First Meeting of Contracting Parties and the Rules of Procedure of the IICO organs.

8. While the draft was considered to be generally acceptable, various suggestions were made by delegations for improvements to the draft. After general discussion, the Meeting set up an ad hoc group of experts to examine in detail the draft Rules, taking into account the substantive comments made during the discussion.

9. The Meeting considered the redraft prepared by the ad hoc group and annexed to its report (LDC I/WP.2, LDC I/WP.2/Add.1) and with certain amendments adopted the Rules of Procedure as set out in Annex II.

10. The Meeting noted that Article XV(1)(a) of the Convention which deals with amendments to the Convention contains the phrase "majority of those present". The Meeting gave consideration to the question whether this term might need further clarification and, if this was the case, what would be the most appropriate means to do so. The Meeting decided not to include in the Rules of Procedure a provision dealing with the matter at this stage with the understanding that it might be desirable to revert to the issue at a subsequent Meeting.

11. With reference to the question raised on the interpretation of the second sentence of Rule 11, the Meeting agreed that the intention was merely to exclude the applicability to subsidiary bodies of those Rules which by their very nature, could not be applied to such bodies.

12. The Meeting agreed on the inclusion in Rule 24 of the Spanish language as a working language of the Meeting on the understanding that this provision should be implemented progressively in conformity with the UNCO Assembly Resolution A.354(IX).

13. It was furthermore the understanding of the Meeting that the last sentence of Rule 30 did not preclude the matter which had been rejected being raised again at a subsequent Meeting.

14. Some delegations felt that the second sentence of Rule 36 implied that procedural notions were to be circulated in advance. The Meeting, however, agreed that the proper interpretation of that provision was that it made clear that amendments and procedural notions in particular, would frequently arise at such short notice that it would be unreasonable to apply the normal rule to them.

Inter-governmental and non-governmental organizations
to be invited to Consultative Meetings

15. The Meeting considered the list of inter-governmental and non-governmental organizations to be invited to the Second Consultative Meeting pursuant to Rule 3(d) and (e) of the Rules of Procedure. In the absence of any specific recommendation made by the ad hoc group on the Rules of Procedure, the Meeting requested the Secretary-General to circulate to the Contracting Parties the list contained in LDC I/2/2, Annex II, with respect to inter-governmental and non-governmental organizations which were invited to the

First Consultative Meeting, requesting them to submit to the Secretary-General any proposed changes to this list. On the basis of their comments, the Secretary-General may draw up a revised list which he could use for the purposes of the Second Consultative Meeting. The participation of these organizations should be subject to approval by the Second Consultative Meeting on the opening day.

IV. STATE OF RATIFICATION OF THE CONVENTION

16. The Meeting took note of the current status of the London Dumping Convention, as reported by the Secretary-General (LDC I/4), in particular the fact that, since the First Meeting of Contracting Parties in December 1975, seven more States (Byelorussian SSR, German Democratic Republic, Hungary, Nigeria, Yugoslavia, Tunisia and the Ukrainian SSR) had ratified or acceded to the Convention, thus raising the total number of acceptances from 22 to 29.

17. The observers from France, Finland and Greece informed the Meeting that they are in the course of ratifying the Convention. The observer from Japan described the state of development of anti-pollution legislation in that country, including regulations governing the dumping of wastes from ships which substantially conform to the requirements of the London Dumping Convention. The Japanese Government is presently undertaking further studies and preparing changes needed to ratify the Convention.

18. The USSR delegation expressed the view that, following the Conference on Security and Co-operation in Europe, concluded in Helsinki in 1975, conditions are particularly favourable for the development of international co-operation in the field of conservation of the environment and its protection from pollution. In this connexion reference was made to the implementation of the provisions of the London Dumping Convention. The constant positive attention of the USSR to these matters is also evidenced by the Soviet Government's well-known proposal for the development of all-European co-operation in the field of protection of the environment. The USSR delegation supported the appeal by the Secretary-General to other States to ratify or accede to the London Dumping Convention in the near future in order to ensure the widest possible implementation of the Convention.

19. Several delegations also supported the appeal by the Secretary-General. The Meeting requested him to take all possible steps to urge States which had not yet ratified or acceded to the Convention to do so as soon as possible (see paragraph 65).

V. ADMINISTRATIVE AND FINANCIAL ARRANGEMENTS

20. The Meeting took note of a report by the Secretary-General (LDC I/5) describing the administrative and financial arrangements made by IMCO for the performance of the Secretariat duties in relation to the Convention. In particular, the Meeting noted with satisfaction the action taken by the IMCO Council and Assembly on the work programme and budget for the current biennium which included the following provisions:

- (a) one meeting week for each year (1976 and 1977) had been allocated for ocean dumping;
- (b) a sum of \$10,000 had been specifically earmarked for each year (1976 and 1977) for utilization on activities of the Organization relating to marine pollution, including ocean dumping, which are not covered elsewhere in the budget;
- (c) a new P.5 post (Assistant Director, Marine Environment Division) together with a G.5 Secretary post had been created in the IMCO Secretariat to carry out duties relating to ocean dumping.

21. With reference to the financial contributions to be made under Article XIV(2) of the Convention by Contracting Parties who are not Members of IMCO, the Meeting noted and endorsed the action taken by the Secretary-General in accordance with the decision of the IMCO Council at its thirty-sixth session, inviting the States concerned to make appropriate contributions to expenses incurred by the Organization in performing the secretariat duties. The Meeting requested the Secretary-General to keep it informed of further developments in the implementation of this decision.

22. The Meeting considered the need for, and desirability of, preparing Annual Reports of the following types:

- (a) Reports to be submitted to the Organization by the Contracting Parties; and
- (b) Reports to be prepared by the Secretariat and approved by the Consultative Meeting.

23. During discussion attention was drawn to the need to harmonize reporting procedures adopted for the purposes of the London Dumping Convention with those formulated with respect to regional agreements. It was also suggested that Reports should generally cover the items mentioned in Article XIV of the Convention and be sufficiently comprehensive to provide a useful basis for further action. However, in view of the relationship of this question to matters to be discussed under items 8 and 11 of the Agenda, the Meeting decided to defer further consideration until those items had been dealt with.

24. The view was expressed that the prime responsibility for decisions on questions of an administrative and financial nature under the Convention should rest with the Consultative Meeting. In this connexion the Secretary-General, while recognizing the sovereign authority of the Contracting Parties with respect to the implementation of the London Dumping Convention, stated that the IMCO Council is responsible for overall co-ordination of the activities of the Organization, including the activities in relation to the London Dumping Convention. If the Organization was required to make additional financial or administrative provisions to cover activities of the Consultative Meeting, he would have to submit the proposals to the IMCO Council for consideration. The views of IMCO Council would be communicated to the Contracting Parties. It was his view, however, that in regard to this matter, a pragmatic approach would be appropriate. As the governing bodies of IMCO and the Contracting Parties to this Convention shared fully the common objective of preventing the pollution of the sea, he felt confident that no real problems were likely to arise in respect of any reasonable proposals.

VI. PROCEDURES FOR SETTLEMENT OF DISPUTES

25. In accordance with Article XI of the Ocean Dumping Convention the Meeting considered procedures for the settlement of disputes concerning the interpretation and application of the Convention. As a basis for discussion, the Meeting had before it a compilation (LDC I/6) prepared by the Secretariat of existing dispute settlement procedures contained in:

- (a) the 1969 Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties;

- (b) the International Convention for the Prevention of Pollution from Ships, 1973;
- (c) the Convention for the Prevention of Marine Pollution from Land-based Sources, 1974;
- (d) the Convention for the Protection of the Mediterranean Sea against Pollution, 1976;
- (e) the Single Negotiating Text prepared by the International Conference on the Law of the Sea (A/CONF.62/WP.9/Rev.1).

26. It was generally recognized that, in view of the continuing discussions on this subject in the UN Conference on the Law of the Sea, it would not be advisable to enter into detailed substantive discussion of this subject at this time.

27. Several delegations made, however, general and preliminary observations outlining their conceptions of a system of dispute settlement. The delegation of the Netherlands emphasized that, first of all, disputes should be discouraged by measures which would facilitate early negotiated settlement. The primary objective would be to avoid fully-fledged disputes, but if negotiation failed, a method of third party settlement, e.g. mediation or conciliation, should be employed, for which the 1969 Intervention Convention could provide a model. The next stage of procedure, in the view of the Netherlands delegation, would entail a binding decision, which could be achieved through a judicial body or arbitration. Amendments to the Rules of Court of the International Court of Justice made settlement in chambers possible, and the Annexes to the Paris and Barcelona Conventions of 1974 and 1976 contained arbitration procedures.

28. The Swedish delegation also contributed to the preliminary exchange of views, calling for an expeditious, impartial and binding procedure for settling disputes. Parties should be able to decide, by mutual agreement, to take advantage of any of the methods of settlement mentioned in the Charter of the United Nations but, if they could not agree on a procedure, either Party should be entitled to refer the dispute to arbitration.

29. At the conclusion of this exchange of views during which some other delegations expressed support for the general principles set out above a

suggestion was made that a special Working Group should be created to examine the subject during the inter-sessional period. The majority felt, however, that it would be premature to establish such a working group before the next Meeting, pending further deliberations by the Law of the Sea Conference on this matter. The Meeting nevertheless agreed to review the subject at the next meeting (see paragraph 83).

VII. PROCEDURES AND CRITERIA FOR DETERMINING EMERGENCY SITUATIONS

30. The Meeting considered suggestions put forward by the Secretariat (LDC I/7) with regard to the procedures referred to in Article V(2) of the Convention including:

- (a) basic criteria for determining exceptional or emergency situations; and
- (b) procedures for consultative advice and safe disposal of matter in such circumstances, including the designation of appropriate dumping areas.

31. After a preliminary exchange of views certain minor amendments to the text were agreed and incorporated into the document, a copy of which is shown at Annex III. The Meeting decided to adopt the procedure, as amended, on an interim basis on the understanding that it will be reviewed at the Third Consultative Meeting in the light of experience of its practical implementation. With this in mind Contracting Parties were invited to study the document and submit comments and proposals to the Secretariat prior to the Third Consultative Meeting.

VIII. NOTIFICATIONS UNDER ARTICLES IV(3) AND VI(4) OF THE CONVENTION

32. The Meeting considered the form and manner of notifications under Articles IV(3) and VI(4) of the Convention on the basis of the Secretariat paper (LDC I/8) which had been prepared taking account of a proposal submitted by Canada, informal suggestions submitted by the United States, and the procedures devised by the Oslo Commission. The subject included the following two aspects:

- (a) the notifications which should be submitted to the Organization by Parties under Articles IV(3) and VI(4) of the Convention; and

- (b) corresponding reports to be conveyed to the Contracting Parties by the Organization as a result of such notifications.

33. In a general discussion of the document, some delegations emphasized that, to avoid duplication of effort, the procedures to be adopted with respect to notification and reporting under the London Dumping Convention and those in use or being developed under regional agreements such as the Oslo Convention should be compatible. It was suggested that the Secretariat should make efforts to achieve such harmonization.

34. With particular reference to the manner in which reports are submitted and circulated, it was suggested that Contracting Parties to the London Dumping Convention which are also Parties to a regional agreement should, as a general rule, submit their reports through the appropriate regional commission to the Secretariat of the London Dumping Convention. It was also emphasized that an appropriate procedure should be initiated as soon as possible.

35. After general discussion, the Meeting decided to establish an ad hoc group to consider the suggested procedures in detail.

Notification under Article IV(3)

36. In considering the report of the ad hoc group the Meeting recognized the diversity of legal and administrative procedures in various countries, and concurred with the conclusion of the group that development of a specific format for notifications under Article IV(3) is impractical. The Meeting nonetheless urged all Contracting Parties to forward such notifications in a timely fashion. In this regard, the Secretary-General was requested to remind States, at the time of their ratifying or acceding to the Convention, of their obligation under this Article. The Meeting adopted the recommendation of the group and endorsed the suggestion of the Secretariat (LDC I/8, paragraph 4) that it would be helpful for such reports to contain a brief statement of the reasons underlying the prohibition by Parties on dumping of particular substances or other materials.

Notification under Article VI(4)

37. The Meeting concurred with the view of the group that the objectives of notification under Article VI(4) are:

- (i) to demonstrate compliance with the requirements of the Convention;

- (ii) to assist in securing the uniform application of the Convention by standardizing the form in which information about dumping is recorded; and
- (iii) to disseminate information obtained for the purposes of the Convention on the actual dumping conducted and the state of seas.

38. In relation to the obligation on Contracting Parties to report the nature and quantities of all matter permitted to be dumped the Meeting adopted the Interim Procedure for Notification which is set out at Annex IV hereto, as recommended by the group. The Interim Procedure specifies two types of notification, i.e. immediate notification of each Special Permit issued and annual notification by 31 March in each year of the record of General Permits issued in the previous calendar year, and sets out the list of items each notification should contain which, the Meeting noted, was based on, and compatible with, the Administrative report required by the Oslo Commission.

39. The Meeting agreed that, for the purposes of the Interim Notification Procedure and until further experience has been gained, the words "containing significant amounts of" in the definition of materials requiring a Special Permit (Annex II, Section A), should be interpreted to mean "in which 0.1% or more by weight of the quantities of waste for disposal consists of one of". This question should, however, be reviewed at the Second Consultative Meeting.

40. The Meeting endorsed the conclusion of the group that, although Article VI(4) of the Convention permits Contracting Parties who are also Parties to a regional agreement to report to the Organization through the Secretariat established under that agreement, this indirect reporting could cause delay in reporting the issue of Special Permits. The Meeting, therefore, agreed to urge such Contracting Parties to send their reports simultaneously to the Secretariats of regional organizations and to the IICO Secretariat. The Meeting agreed that annual records of General Permits issued would be submitted through a regional Secretariat, where appropriate, in order to avoid unnecessary duplication.

41. The Meeting noted that the Interim Procedure did not cover the report on the nature and actual quantity of waste dumped and the report on monitoring

the condition of the seas and agreed to consider these matters at a future meeting. In this connexion, the Meeting requested:

- (i) the Oslo Commission to make available the result of their work on forms of notification for a "scientific report", which deals with the actual dumping done and forms an important basis for monitoring the condition of the seas;
- (ii) the Secretariat to prepare a summary survey of present and planned monitoring activities on the basis of information obtained from the Contracting Parties, the Signatories and the Secretariats of appropriate regional and international organizations.

Notification by the Organization

42. The Meeting agreed to request the Secretary-General to circulate to the Contracting Parties:

- (i) a copy of each notification of the issue of a Special Permit as soon as practicable after its receipt; and
 - (ii) a summary of the Special and General Permits issued during each calendar year, to be circulated by 30 June in the following year on the basis of the notifications received by the Organization up to 31 March.
43. The annual summary should contain, at least, the following information:
- (i) number of permits issued by countries and types of wastes (e.g. sewage sludge);
 - (ii) quantity of wastes permitted to be dumped by types of wastes and by sea areas;
 - (iii) location and designation of dumping sites.

States which are not Contracting Parties

44. The Meeting concurred with the view of the ad hoc group that it would materially assist the implementation of the Convention if States which are not yet Contracting Parties would submit to the Organization reports on the permits they issued. The Meeting agreed to invite such States to do this, and that any State which agreed to do so should receive notifications issued by the Organization in accordance with paragraph 42 above.

IX. RIGHT AND RESPONSIBILITY OF A COASTAL STATE TO APPLY THE CONVENTION IN A ZONE ADJACENT TO ITS COAST

45. Pursuant to Article XIII of the Convention, the Meeting considered this subject on the basis of a note by the Secretariat (LDC I/9) which included the relevant extracts from the Revised Single Negotiating Text developed to date by the United Nations Conference on the Law of the Sea.

46. Having in mind that negotiations about the rights and responsibilities of a coastal State are still in progress at the Law of the Sea Conference, the Meeting decided to defer substantive discussion on the matter until the outcome of that Conference is sufficiently clear to provide a basis for defining rights and responsibilities of States in the context of the London Dumping Convention.

X. DEFINITION AND RECOMMENDATIONS OF IAEA CONCERNING RADIOACTIVE WASTES AND OTHER MATTER

47. On this subject, the Meeting had before it:

- (a) the IAEA report entitled "Provisional Definition and Recommendations concerning Radioactive Wastes and Other Radioactive Matter referred to in Annexes I and II of the Convention" (INF CIRC/205/Add.1);
- (b) a note by the Secretariat (LDC I/10) summarizing the work of IAEA on this subject and containing suggestions for possible courses of action by the Consultative Meeting on the IAEA report.

48. The observer from IAEA outlined the continuing work programme envisaged by IAEA for the improvement of the Definition and Recommendations, which would be carried out in close co-operation with IMCO and other appropriate organizations. The following schedule of meetings was envisaged:

- (a) a meeting of consultants on oceanographic modelling to be held from 13 to 17 December 1976;
- (b) an Advisory Group Meeting to review the oceanographic basis of the Definition and Recommendations to be held early in March 1977;
- (c) an Advisory Group Meeting, to review the resulting Definition and Recommendations, to be held in mid-July 1977.

By this schedule, it was envisaged that the revised Recommendations could be submitted to the IAEA Board of Governors by February 1978 and, if approved, could be submitted to the Consultative Meeting in 1978.

49. The Meeting noted the importance of the work done by IAEA and expressed appreciation for its work. The Meeting then gave a brief examination to its report, during which the following comments were expressed:

- (a) Consideration should be given to including in the definition under Annex I of the Convention a qualitative, as opposed to a quantitative standard; for example, a standard prohibiting ocean dumping of "first cycle wastes" from fuel reprocessing, irradiated fuel and irradiated fuel cladding.
- (b) A strategy of isolation and containment should be considered as an alternative to the general strategy of dilution and dispersion implicit in the Provisional Definition.
- (c) The oceanographic model should be reconsidered, in accordance with the conclusions reached by the IAEA Advisory Group on the Development of a Generalized Oceanographic Model related to the Dumping of Radioactive Wastes at Sea (February 1975).
- (d) Consideration should be given to a general prohibition on disposal of radioactive wastes in water depths of less than 4,000 metres, as contrasted with the current provisions of paragraph C.2.1(2) of page 5 of the English text of the IAEA document.
- (e) Consideration should be given to recommendations under Annex II of the Convention on methods, procedures and restrictions for the disposal of liquid and unpackaged low-level radioactive wastes.
- (f) The concept of de minimis levels of radioactivity, alluded to in paragraph 2.3.13 should be elaborated, possibly with a numerical standard.
- (g) Consideration should be given to establishing a limit on the number of disposal sites.

- (h) The definition in paragraph A.1.1 should be based on a specified standard container in addition to maximum dumping rate and average gross mass, etc.

50. A question was raised as to the status of the IAEA Provisional Definition and Recommendations, in particular whether the Provisional Definition should be treated as a mandatory provision under Annex I, paragraph 6 of the Convention. The United States delegation expressed its concern with the adequacy of the definition as presently developed by IAEA, and made reservation on the operative status of the IAEA Provisional Definition of high level radioactive waste, in view of the indication in the IAEA report (INF CIRC/205/Add.1) that the Definition and Recommendations are provisional and the implication in document LDC I/10 that the definition has not been finalized.

51. The observer from IAEA stated that although the Definition and Recommendations were at this stage provisional and would be subject to further improvement, they had been prepared in fulfilment of IAEA's responsibilities under the Convention. In the opinion of IAEA, therefore, the Provisional Definition should be regarded as mandatory for the purposes of Annex I, paragraph 6 of the Convention, and the Recommendations should be treated as such that Contracting Parties should take them into account in issuing special permits for dumping under Annex II, Section D. Many delegations indicated that they shared that opinion.

52. Some delegations were of the opinion that dumping of radioactive matter in the sea should be restricted to the maximum possible extent and that alternative methods of disposal of the matter concerned should be considered before any such dumping operation is permitted. Consideration should therefore be given to the establishment of an appropriate notification and prior consultation procedure which would enable other Contracting Parties and competent international bodies to make suggestions on these aspects before dumping is carried out.

53. In this connexion the observer from OECD reported that studies had been carried out in that Organization with a view to bringing national activities related to disposal of high-level and low-level radioactive wastes under appropriate regional control. It was also recalled that procedures for notification and prior consultation for non-radioactive wastes had been developed by the Oslo Commission in relation to the Oslo Convention. In view

of the above it was suggested that the development of the relevant procedures, if established under the London Dumping Convention, should take full account of these regional activities.

54. In conclusion, the Meeting decided:

- (a) to take note of the Provisional Definition and Recommendations developed by the IAEA (INF CIRC/205/Add.1) and the statement made by the observer from IAEA during this meeting, as recorded in Annex V, including a description of the continued work programme of the IAEA for the improvement of the Definition and Recommendations;
- (b) to request the Secretary-General to circulate the Definition and Recommendations to the Contracting Parties and Signatories for the purposes of implementation of the Convention;
- (c) to request the IAEA to improve further the Definition and Recommendations in response to the comments made at this Meeting;
- (d) to request the Secretariat to study, in co-operation with the IAEA and the OECD and other international organizations, the question of notification and prior consultation procedures with regard to dumping of radioactive waste as provided for under the Convention, and report on the matter to the Second Consultative Meeting.

XI. ESTABLISHMENT OF WORKING RELATIONSHIP WITH REGIONAL ORGANIZATIONS

55. With reference to Article XIV(4)(d) of the Convention the Meeting took note of a paper submitted by the Secretariat (LDC I/11) summarizing informal consultations with the Oslo Commission Secretariat. Attached to this paper was a copy of the First Annual Report of the Oslo Commission which summarized their activities during the period from February 1972 to October 1975.

56. The Meeting noted with satisfaction the action already taken by the IICO Secretariat towards establishing working arrangements with the Oslo Commission Secretariat, in particular in the following matters:

- (a) exchange of documentation and other information;
- (b) mutual representation at meetings;
- (c) harmonization of certain reporting procedures.

57. Several delegations emphasized the desirability of establishing such close co-operation with organizations responsible for the implementation of regional agreements, which in effect are complementary to the London Dumping Convention as a global instrument. In this connexion, the United Kingdom delegation, speaking on behalf of the Oslo Commission Secretariat, stated that the Commission wished to continue to develop such co-operation which would be helpful to all concerned. With regard to the Helsinki Convention, the observer from Finland stated that all the Signatories had indicated a desire to establish close co-operation with the Contracting Parties to the London Dumping Convention. The Spanish delegation stated that fourteen States and the European Economic Community (EEC) were Signatories to the Barcelona Convention which he hoped will enter into force in the near future. It was the expressed wish of these States to achieve control over all forms of pollution in the Mediterranean Sea and, to this end, additional protocols are being developed. Furthermore, they would seek maximum co-ordination and co-operation with all interested bodies, especially the Contracting Parties to the London Dumping Convention.

58. The Meeting requested the Secretariat to continue their discussions with the Oslo Commission Secretariat on possible forms of co-operation and to initiate similar discussions with the Secretariats of other regional organizations.

59. The Meeting noted that regional agreements to prevent marine pollution may have to impose more stringent requirements than the London Dumping Convention where this is justified in the light of the characteristics of the region concerned, and the Helsinki and Barcelona Conventions provide examples of this. Some delegations also emphasized that more stringent regional requirements of this kind should equally be observed within that region by States who are not Parties to the regional agreement concerned. In this connexion the observer from Finland, on behalf of the Signatories of the Helsinki Convention, expressed the opinion that both Baltic and non-Baltic States should refrain from any dumping in the Baltic Sea.

60. Since the harmonization of reporting procedures is closely related to the notification procedures under Articles IV(3) and VI(4) of the Convention, which were being dealt with under Agenda item 8, the Meeting referred this subject to the ad hoc group established under Agenda item 8 (see paragraph 35).

XII. PROMOTION OF TECHNICAL ASSISTANCE

61. With reference to Article III of the Convention, the Meeting noted a paper prepared by the Secretariat (LDC I/12) which summarized their preliminary thoughts on technical assistance in relation to the provisions of the London Dumping Convention and related ocean dumping matters. The paper brought to the attention of the Meeting the various existing arrangements within the Organization which might be utilized, and explored ways of identifying technical assistance requirements, obtaining information on training and research facilities, and determining the state of existing scientific and technical information on this topic.

62. The Secretary-General drew attention to the increasing importance which the IMCO Council and Assembly have attached to the provision of technical assistance in relation to all aspects of IMCO's activities, including ocean dumping. As a result, the capability of the Organization to deal with requests for assistance had been greatly enhanced by strengthening the Secretariat and by the appointment of Regional Maritime Advisers for Africa, Latin America and Asia. Requests for assistance can be channeled through these officers, who spend much of their time in the field and are in close touch with the problems and needs of their region. In addition, inter-regional advisers have been appointed in specialist fields, such as maritime legislation. The technical assistance programmes to be pursued at the request of individual States would normally be channeled through UNDP, UNEP or national aid programmes, e.g. SIDA.

63. It was agreed that existing channels for technical assistance should be utilized as far as possible, so as to avoid unnecessary duplication of machinery.

64. The observer from IAEA explained the arrangements under which technical assistance is provided through IAEA, and suggested that these would be relevant to questions involving radioactive substances arising under the Convention.

65. The Meeting recognized that there are countries engaged in dumping operations who are not Parties to the London Dumping Convention and that there is a particular need in such cases to assist governments in the setting up of the necessary institutions and in taking legislative and other measures required to implement the Convention. Bearing in mind the decision it had

taken under Agenda item 4 on the status of the Convention (see paragraph 19), the Meeting requested the Secretary-General to write to all Governments urging them to accept the Convention as soon as possible, and asking them to indicate any specific problems they may have and any assistance they may require to implement the Convention.

66. The observer from UNEP drew attention to a resolution of the Fourth Session of the Governing Council of UNEP requesting the Executive Director to continue to assist Governments in drafting environmental legislation. IICO was invited to work with UNEP in providing the assistance needed in such cases.

67. The observer from Portugal drew attention to the Oceanological Station at Santa Maria Island in the Azores. This laboratory was particularly well placed to monitor the environmental effects of dumping in the Atlantic and he offered to place these facilities at the disposal of Parties to the London Dumping Convention.

68. In stressing that dumping operations corresponded to new techniques, the observer from France pointed out that action on training in this field should be pragmatic and progressive.

69. The Meeting agreed that the paper in its present form was generally satisfactory as a basis for its further work on technical assistance in implementing Article IX of the Convention. The present document should therefore stand until the next Consultative Meeting, at which time the Secretariat would submit a further report. Governments were invited to submit any comments on specific issues which might assist the Secretariat in preparing such a report.

70. The observer from the United Republic of Cameroon expressed his Government's interest in regard to the training of personnel in the field of pollution as well as to other maritime activities of IICO and expressed the wish that ample information on existing institutions on the subject should be communicated by the Organization to his State in order to enable the latter to prepare its requests accordingly.

71. Several delegations expressed the hope that the Secretariat would start the preparation of a roster of experts, as suggested in paragraph 11 of LDC I/12, and that Contracting Parties would submit information concerning training courses and research activities as proposed in paragraph 8 of LDC I/12.

XIII. OCEAN INCINERATION

72. The Meeting considered a paper submitted by France (LDC I/13) to which was annexed a draft resolution moved by the United Kingdom, that special provisions in the form of a Protocol to the London Dumping Convention should be developed and implemented for the prevention of marine pollution by incineration at sea. Further papers on this subject, submitted by the Secretariat (LDC I/13/1, LDC I/13/1/Add.1 and LDC I/INF.2) and the Secretariat of the Oslo Commission (LDC I/INF.3) raised questions regarding the need for specifying:

- (a) appropriate identification signals for ships engaged in incineration at sea; and
- (b) other safety measures, including the possible need for specifying a suitable route for incinerator vessels on a trans-Atlantic voyage.

73. Several delegations expressed their appreciation and support in principle for the suggestion put forward by France but expressed reservations regarding the form in which special regulations for the control of vessels engaged in incineration at sea would ultimately be adopted.

74. Some other delegations expressed their concern about incineration at sea and stated that such methods of waste disposal should only serve as an interim measure until such time as alternative methods are more fully considered. It was stated that in the interim such operations should only be accepted under very careful control. Noting that the Oslo Commission has had this matter under extensive consideration, and in view of the current proposal for some vessels to burn wastes during trans-Atlantic voyages, the need for international control measures was recognized.

75. Some delegations expressed the view that the definition of "dumping" in Article III of the Convention excludes incineration at sea from the scope of the Convention, while many other delegations expressed an opposing view. The Meeting agreed that the practice of incineration at sea and the application of the Convention thereto should be studied as a matter of urgency, and adopted a Resolution, shown at Annex VI, to pursue such studies.

76. Some delegations were in favour of asking the Maritime Safety Committee of IMCO to consider the safety aspects of incinerator vessels, including navigational and identification measures, in view of the fact that several such vessels are currently operating. Other delegations were not in favour of such action as it would be an implicit encouragement of the practice of incineration at sea.

77. After discussion, the Meeting agreed that problems of maritime safety are not within the scope of the London Dumping Convention but are a matter for the Maritime Safety Committee of IMCO. In this connexion several delegations considered it desirable that any action by the Committee should not prejudice the outcome of the studies as called for by the Resolution in Annex VI.

XIV. FUTURE WORK PROGRAMME AND DATE OF NEXT SESSION

78. The Meeting considered its future work programme on the basis of a note prepared by the Secretariat (LDC I/14). The formulation of this programme involved the following aspects:

- (a) preparation of an Action Plan identifying specific tasks, the action to be taken with respect to each task and the priority which should be given to such action;
- (b) development of an appropriate method of work, particularly with regard to means for obtaining scientific advice when required;
- (c) identifying items for inclusion in the Agenda for the Second Consultative Meeting; and
- (d) indicating any necessary budgetary provisions required for the next biennium.

Action Plan

79. The Meeting considered the draft Action Plan (LDC I/14, Annex I) in the light of the work accomplished during the First Consultative Meeting, together with certain additional items put forward by the Secretariat for possible inclusion (LDC I/14, paragraphs 4-13).

80. With regard to the question whether "other man-made structures at sea" in Article III(1) of the Convention would include pipelines, it was the general view of the Meeting that, since the Convention applies to dumping of wastes or other matter which have been loaded on to vessels, aircraft, platforms or other man-made structures at sea, pipelines should not be considered as being subject to it.

81. The Meeting, whilst agreeing that the dumping of tank washing wastes transferred from ships to floating reception facilities would be subject to the London Dumping Convention, saw no need to develop any special procedures for the issue of special or general permits for such dumping.

82. Following this discussion, the Meeting agreed on the Action Plan shown at Annex VII.

83. The Meeting, whilst recognizing that substantive discussion of liability and the settlement of disputes (under items 8 and 9 of the Action Plan) could not be pursued pending the outcome of the Law of the Sea Conference, agreed that these questions are very important for the implementation of the Convention. The Spanish delegation expressed the view that these subjects should be dealt with irrespective of the outcome of the Law of the Sea Conference. With this in view the Spanish delegation expressed its intention to submit proposals regarding the settlement of disputes for consideration at the Second Consultative Meeting.

84. The Meeting considered the disposal of munitions but concluded that there was no need to make this a special item. Since this activity is normally conducted by vessels entitled to Sovereign immunity, it is covered in part by Item 6 of the Action Plan. Munitions may also fall into the category of containers, scrap metal, etc. (Annex II, Section C), which is covered by Item 16.

Method of Work

85. With reference to Article XIV(4)(b) of the Convention, the Meeting noted with appreciation that GESAMP, at its eighth session, had expressed its readiness to provide scientific advice to the Consultative Meeting on matters falling within its terms of reference and within the resources available; and a statement by the observer from UNEP that UNEP would consider providing assistance to GESAMP within the limitations of the funds available to it.

86. Although some delegations favoured the use of GESAMP for this purpose, other delegations felt it would be preferable to establish an advisory body or bodies within the framework of the Consultative Meeting, in which SACS and other regional scientific advisory bodies could be represented. There was general agreement, however, that any unnecessary proliferation of such advisory bodies should be avoided as far as possible, and therefore no permanent advisory body should be established under the Consultative Meeting.

87. It was suggested that, whereas certain items of mainly scientific nature could be referred to GESAMP, items involving both scientific and policy aspects should be dealt with by an advisory body under the Consultative Meeting.

88. After discussion at some length, the Meeting decided that, in addition to the advice provided by IAEA on radioactive wastes:

- (a) Item 14 of the Action Plan should be referred to GESAMP;
- (b) an ad hoc scientific group should be established under the Consultative Meeting, and should meet in conjunction with the Second Consultative Meeting to consider other items of the Action Plan which call for scientific advice;
- (c) the Secretariat would arrange an expert consultation on incineration at sea in connexion with the study as agreed upon under Agenda item 13 (see Annex VI).

Schedule of Consultative Meetings

89. Having regard to the amount of work to be carried out and to the budgetary provisions made by IMO, it was agreed in principle that the Meeting should be held annually for the present. In this connexion the Spanish delegation expressed the view that Consultative Meetings should take place biennially and that, if additional meetings were required, they should be treated as Special Meetings or other meetings dealing with specific subjects.

Items to be considered at the Second Consultative Meeting

90. On the basis of the Action Plan, the Meeting identified items to be included in the Agendas for the Second Consultative Meeting and the above-mentioned Ad Hoc Scientific Group. The draft Agendas agreed by the Meeting are shown at Annexes VIII and IX respectively.

Budgetary requirements for the next biennium

91. To enable the work programme to be implemented effectively, the Meeting requested the Secretary-General to invite the IMCO Council to make provision in the budget for the next biennium for the following:

- (a) one meeting week in each year (1978 and 1979) for activities in relation to the London Dumping Convention;
- (b) an appropriate increase in the allocation in each year for activities of the Organization related to marine pollution in order to provide for increased activity in relation to ocean dumping (see paragraph 20(b) above).

Date of next session

92. The Meeting agreed that the Second Consultative Meeting should be held from 26 to 30 September 1977. It was agreed that, during this Meeting, the Ad Hoc Scientific Group will meet from 27 to 28 September and the Consultative Meeting in plenary on 26, 29 and 30 September.

ANNEX I

AGENDA FOR THE FIRST CONSULTATIVE MEETING

1. Election of Chairman and Vice-Chairman
LDC I/1 - Secretariat
2. Adoption of the Agenda
LDC I/2/Rev.1 - Provisional Agenda
LDC I/2/1 - Annotations to Draft Provisional Agenda
LDC I/2/2 - Secretariat
LDC I/2/2/Corr.1 - Secretariat
LDC I/2/3 - Secretariat
3. Consideration and Adoption of Rules of Procedure
LDC I/3 - Secretariat
LDC I/MP.2 - Ad Hoc Working Group
LDC I/MP.2/Add.1 - Secretariat
4. Report of the Secretary-General on the State of Ratification of the Convention
LDC I/4 - Secretary-General
5. Report of the Secretary-General on Administrative, Financial and Other Arrangements
LDC I/5 - Secretary-General
6. Procedures for the Settlement of Disputes Concerning the Interpretation and Application of the Convention (Article XI)
LDC I/6 - Secretariat
7. Consideration of Procedures Referred to in Article V(2) of the Convention, including Basic Criteria for Determining Exceptional and Emergency Situations
LDC I/7 - Secretariat
8. Consideration of the Form and Manner of Notifications to the Organization by Contracting Parties under Articles IV(3) and VI(4) of the Convention in Relation to Permitted Dumping, and of Corresponding Notifications by the Organization to Contracting Parties
LDC I/8 - Secretariat
LDC I/MP.5 - Ad Hoc Working Group

9. Consideration of the Nature and Extent of the Right and the Responsibility of a Coastal State to Apply the Convention in a Zone Adjacent to its Coast (Article XIII)

LDC I/9 - Secretariat

10. Consideration of the IAEA Report "The Definition Required by Annex I, Paragraph 6 to the Convention and the Recommendations Required by Annex II, Section D"

LDC I/10 - Secretariat
LDC I/MP.1 - Sweden, USSR, USA

11. Establishment of a Working Relationship with Regional Organizations

LDC I/11 - Secretariat

12. Promotion of Technical Assistance Under Article IX of the Convention

LDC I/12 - Secretariat

13. Ocean Incineration

LDC I/13 - France
LDC I/13/1 - Secretariat
LDC I/13/1/Add.1 - Secretariat
LDC I/INF.2 - Secretariat
LDC I/INF.3 - Secretariat of the Oslo Commission
LDC I/MP.3 - USA, UK

14. Formulation of a Work Programme to Pursue Matters Arising from the Convention, Particularly Scientific and Technical Matters

LDC I/14 - Secretariat

15. Date of Next Meeting

LDC I/15 - Secretariat

16. Any other business

17. Consideration and Adoption of the Report of the Meeting

LDC I/16 - Report
LDC I/MP.4 - Secretariat
LDC I/MP.4/Add.1 - Secretariat
LDC I/MP.4/Add.2 - Secretariat
LDC I/MP.4/Add.3 - Secretariat

ANNEX II

RULES OF PROCEDURE FOR THE CONSULTATIVE AND SPECIAL MEETINGS OF THE
CONTRACTING PARTIES TO THE CONVENTION ON THE PREVENTION OF MARINE
POLLUTION BY DUMPING OF WASTES AND OTHER MATTER

Definitions

Rule 1

For the purposes of these Rules of Procedure:

- (a) "Convention" means the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter;
- (b) "Organization" means the Inter-Governmental Maritime Consultative Organization, which by Resolution of 18 December 1975, was designated as the Organization responsible for Secretariat duties in relation to the Convention;
- (c) "Secretary-General" means the Secretary-General of the Inter-Governmental Maritime Consultative Organization;
- (d) "Meeting" means a Consultative Meeting or a Special Meeting convened in accordance with Article XIV(3)(a) of the Convention;
- (e) "Contracting Party" means a State which has deposited an instrument of ratification or accession and for which the Convention is in force;
- (f) "Chairman" means the officer elected in accordance with Rule 19 or either of the Vice-Chairmen when exercising the functions of the Chairman.
- (g) "Contracting Parties present and voting" means Contracting Parties casting an affirmative or negative vote. Contracting Parties abstaining from voting shall be considered as not voting.

Participation

Rule 2

A Meeting shall be open to all Contracting Parties who shall be invited thereto by the Secretary-General.

Rule 3

The Secretary-General shall send invitations, to be represented by observers at each meeting, to the following:

- (a) States which have signed or acceded to the Convention and which will not be Contracting Parties at the time of the Meeting;
- (b) States which have not signed or acceded to the Convention, but which have indicated to the Secretary-General their interest in becoming a Contracting Party;
- (c) the United Nations, its Specialized Agencies and the International Atomic Energy Agency;
- (d) any other inter-governmental organization which the Contracting Parties, at a Meeting, have decided to invite;
- (e) any non-governmental international organization with specialized technical expertise relating to the objectives of the Convention, which the Contracting Parties, at a Meeting, have decided to invite.

Rights of Observers in Meetings

Rule 4

- (1) All Observers shall have the right to receive the provisional agenda and other appropriate documents relating to the Meeting. They may, with the approval of the Contracting Parties at the Meeting, submit relevant documents.
- (2) Observers from States, from the United Nations, its Specialized Agencies and the International Atomic Energy Agency and from other inter-governmental organizations may participate without vote in the deliberations at the Meetings.
- (3) Observers from non-governmental international organizations may, upon invitation by the Chairman and with approval of the Contracting Parties at the Meeting, participate in plenary meetings in the deliberations on matters of direct concern to them without vote.

Rule 5

For each Meeting, a Contracting Party shall designate a representative and such alternates, advisers and experts as may be required.

Credentials

Rule 6

Each State and international organization intending to participate in a Meeting shall notify the Secretary-General in writing as soon as possible, and in any case not later than the opening day of the Meeting, of the composition of its delegation or observers to such Meeting.

Rule 7

For a Meeting convened for the purpose of adopting amendments to the Convention in accordance with Article XV thereof, each Contracting Party shall transmit to the Secretary-General the credentials of its representative and alternates, if any. Credentials shall be issued by the Head of State or by the Head of Government or by the Minister for Foreign Affairs, or by an appropriate authority properly designated by one of them for the purpose. The credentials of each representative and alternate shall be examined by the Secretary-General who shall report thereon to the Meeting. Pending a decision of the Meeting on their credentials, representatives and their alternates, if any, shall be entitled to participate provisionally in the Meeting.

Meetings

Rule 8

Meetings shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of a previous Meeting.

Rule 9

The Secretary-General, acting on the direction of the Chairman, shall notify the States and organizations referred to in Rules 2 and 3 at least two months in advance of the holding of a Meeting.

Rule 10

A Meeting may decide to hold meetings in private or public. In the absence of a decision to hold meetings in public, they shall be held in private.

Subsidiary Bodies

Rule 11

A Meeting may establish such subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow the present Rules of Procedure so far as they are applicable. At each Consultative Meeting, the desirability of continuing the existence of any subsidiary body shall be reviewed.

Agenda

Rule 12

The provisional agenda for a Meeting shall be prepared by the Secretary-General and approved by the Chairman; it shall normally be communicated with the basic supporting documents to the States and organizations invited thereto at least two months before the opening of the Meeting.

Rule 13

The first item on the provisional agenda for a Meeting shall be the adoption of the agenda.

Rule 14

Any item of the agenda of a Meeting, consideration of which has not been completed at that Meeting, shall be included in the agenda of a subsequent Meeting unless otherwise decided by the Meeting.

Rule 15

The provisional agenda for a Meeting shall include, inter alia:

- (a) All items the inclusion of which has been requested by a previous Meeting.
- (b) Any item proposed by a Contracting Party.
- (c) Any amendment to the Convention proposed by a Contracting Party.

Rule 16

The Secretary-General shall report on the technical, administrative and financial implications of any substantive agenda items submitted to a Meeting and, unless the Meeting decides otherwise, no such item shall be considered until the day after the Secretary-General's report has been made available to the Meeting.

Rule 17

In exceptional circumstances the Secretary-General, with the approval of the Chairman, may propose in a supplementary provisional agenda any suitable question which may arise between the despatch of the provisional agenda and the opening day of the Meeting; the supplementary provisional agenda shall be circulated at the earliest possible date. The Meeting shall examine the supplementary provisional agenda together with the provisional agenda.

Rule 18

Unless it determines otherwise, the Meeting shall not proceed to the discussion of any item on the agenda until the day after the relevant documents have been made available to Contracting Parties in all working languages.

Chairman and Vice-Chairman

Rule 19

The Consultative Meeting shall elect from among Contracting Parties the following officers: a Chairman, a first Vice-Chairman and a second Vice-Chairman, who shall each hold office until the next Consultative Meeting. They shall all be eligible for re-election but may not hold the same office continuously for more than four years. The Chairman or a Vice-Chairman acting as Chairman shall not vote.

Rule 20

If the Chairman is absent from any part of a Meeting, the first Vice-Chairman or in his absence the second Vice-Chairman, shall preside. If the Chairman, for any reason, is unable to complete his term of office, the first Vice-Chairman or in his absence the second Vice-Chairman, shall act as Chairman pending the election of a new Chairman.

Secretary-General

Rule 21

The Secretary-General shall act as Secretary of the Meeting. He may designate any staff member of the Organization to perform any of his functions.

Rule 22

The Secretary-General, or any staff member of the Organization designated by him, may make either oral or written statements concerning any questions under consideration in a Meeting.

Rule 23

Upon reception, the Secretary-General shall provide for translation and circulation to participants of all reports, resolutions, recommendations and other documents of the Meeting and any subsidiary bodies.

Languages

Rule 24

The official languages of a Meeting are English, French, Russian and Spanish; the working languages are English, French and Spanish.

Rule 25

Speeches at a Meeting shall be made in one of the official languages and will be interpreted into the other three official languages.

Rule 26

(1) All supporting documents to agenda items of a Meeting shall be issued in the working languages.

(2) All reports, resolutions, recommendations and decisions of a Meeting shall be drawn up in one of the official languages and translated into the other three languages.

Voting

Rule 27

Each Contracting Party represented at a Meeting shall have one vote.

Rule 28

Unless otherwise provided for in the Convention, decisions of a Meeting shall be taken, elections determined and reports, resolutions and recommendations adopted by a majority of the Contracting Parties present and voting, provided the requirements of Rule 34 are satisfied.

Rule 29

(1) A Meeting shall normally vote by show of hands; however, any Contracting Party may request a roll-call which shall be taken in the alphabetical order of the names of the Contracting Parties in English, beginning with the Contracting Party whose name is drawn by lot by the Chairman.

(2) Upon the proposal of any Contracting Party and with the consent of a majority of the Contracting Parties present and voting, the voting procedure of (1) may be set aside and a secret ballot held.

Rule 30

If a vote taken under Rule 28 is equally divided, a second vote shall be taken. This second vote shall be taken at the same meeting and, if possible, on a subsequent day to that on which the first vote was taken. If this vote also is equally divided, the proposal shall be regarded as rejected.

Rule 31

In a secret ballot two scrutineers shall, on the proposal of the Chairman, be appointed by the Meeting from the delegations present. All invalid votes cast shall be reported to the Meeting.

Elections

Rule 32

The Chairman and Vice-Chairmen shall be elected by secret ballot, unless the Consultative Meeting decides otherwise.

Rule 33

(1) If no candidate obtains a majority of the votes cast in the first ballot, a second ballot shall be taken. The second ballot shall be confined to the two candidates obtaining the largest number of votes, except that:

- (a) where two or more candidates obtain the same highest number of votes, the second ballot shall be confined to those candidates;
- (b) where two or more candidates obtain the same second highest number of votes, the second ballot shall be confined to those candidates and to the candidate obtaining the highest number of votes.

(2) If necessary, further ballots shall be held until under this Rule the number of candidates is reduced to two. If on the final ballot between two candidates the votes are equally divided the election shall be deferred until the following day, when, if another tie results, the Chairman shall decide between the candidates by drawing lots.

Quorum

Rule 34

The quorum for a meeting shall be two-fifths of the total number of Contracting Parties or twenty, whichever shall be less.

Conduct of Business

Rule 35

In addition to exercising the powers conferred upon him elsewhere by these Rules, the Chairman shall declare the opening and closing of a meeting. He shall direct the discussion and ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions resulting from the voting.

Rule 36

Contracting Parties shall normally introduce proposals and amendments thereto in writing and hand them to the Secretary-General who shall have copies circulated to participants. As a general rule, no proposal shall be discussed or put to the vote unless copies of it have been made available in all working languages to participants not later than the day preceding the discussion of that proposal. The Chairman may, however, permit the discussion and determination of amendments or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 37

A Meeting may, on the proposal of the Chairman or a Contracting Party, decide to limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 38

(1) During the discussion of any matter a Contracting Party may rise to a point of order and the point of order shall be decided immediately by the Chairman, in accordance with these Rules of Procedure. A Contracting Party may appeal against the ruling of the Chairman. The appeal shall be put to the vote immediately and the Chairman's ruling shall stand unless overruled by a majority of the Contracting Parties present and voting.

(2) A Contracting Party rising to a point of order may not, at that time, speak on the substance of the matter under discussion.

Rule 39

(1) Subject to the provisions of Rule 38 the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

- (a) to suspend a meeting;
- (b) to adjourn a meeting;
- (c) to adjourn the debate on the question under discussion; and
- (d) for the closure of the debate on the question under discussion.

(2) Permission to speak on a motion falling within (1)(a) to (d) shall be granted only to the proposer and in addition to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 40

If two or more proposals relate to the same question, a Meeting, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 41

Parts of a proposal or amendment thereto shall be voted on separately if the Chairman, with the consent of the proposer, so decides, or if any Contracting Party requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to

speaking on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 42

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 43

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 44

If two or more amendments are moved to a proposal, a Meeting shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all amendments have been put to the vote. The Chairman shall determine the order of voting on the amendments under this Rule.

Rule 45

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Contracting Party having the right to submit such a motion.

Rule 46

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting unless a majority of the Contracting Parties present and voting decides in favour of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter and to two speakers opposing the motion, after which it shall be put immediately to the vote.

Amendments of Rules of Procedure

Rule 47

These Rules of Procedure may be amended by decision of a Meeting, taken by a majority of the Contracting Parties present and voting. A Meeting may decide by a majority vote of Contracting Parties present and voting, to suspend the application of a particular rule or rules for the duration of a meeting or reconsideration of a particular matter.

Application of the Rules

Rule 48

In the event of any conflict between any provision of these Rules and any provision of the Convention, the Convention shall prevail.

ANNEX IIIINTERIM PROCEDURES AND CRITERIA FOR
DETERMINING EMERGENCY SITUATIONS

1. Under Article V(2), a Contracting Party may issue a special permit for the dumping of wastes or other matter listed in Annex I in emergencies posing an unacceptable risk relating to human health and admitting no other feasible solution. Before doing so the Party is obliged to consult any other country or countries that are likely to be affected and the Organization which, after consulting other Parties and international organizations as appropriate, shall, in accordance with Article XIV promptly recommend to the Party the most appropriate measures to adopt.
2. In this connexion Article XIV(4)(e) states that Contracting Parties may develop or adopt, in consultation with appropriate international organizations, procedures referred to in Article V(2) including:
 - (a) basic criteria for determining exceptional or emergency situations; and
 - (b) procedures for consultative advice and safe disposal of matter in such circumstances, including the designation of appropriate dumping areas.

ACTION REQUIRED TO IMPLEMENT ARTICLE V(2)

3. In the implementation of the above provisions the following sequence of actions can be envisaged:
 - (a) In order to decide that an emergency does in fact exist, the Party proposing to issue a permit for the dumping of Annex I materials would:
 - (i) investigate the situation to decide whether or not it poses an unacceptable risk relating to human health;
 - (ii) investigate possible alternative methods of disposal in order to decide that no feasible solution other than ocean dumping can be found.

- (b) Having decided that ocean disposal is necessary, the Party concerned would:
 - (i) consult with other countries that may be affected; and
 - (ii) consult with the Organization for recommendations as to the most appropriate procedures to adopt.
- (c) Upon being informed of the situation, the Organization would:
 - (i) consult with other Parties;
 - (ii) consult with other appropriate international organizations; and
 - (iii) decide upon and promptly recommend to the Party the most appropriate procedures to adopt.
- (d) In issuing the special permit for the dumping operation the Party concerned would:
 - (i) follow the Organization's recommendations to the maximum extent feasible consistent with the time within which action must be taken and with the general obligation to avoid damage to the marine environment; and
 - (ii) inform the Organization of the action taken.

ACTION BY THE PARTY CONCERNED

Assessment of the Emergency Situation

4. With reference to paragraph 3(a) above, it is apparent that when an emergency situation involving Annex I materials occurs, the first step to be taken by the Party is to assess the risk to human health. Such assessment should include the following factors:

- (a) Circumstances of the emergency:
 - (i) type including chemical composition of material involved;
 - (ii) location and cause of release;
 - (iii) amount lost into the environment;
 - (iv) potential for further release and expected rate.

(b) Risk relating to human health:

(i) toxicity to human life:

- by inhalation
- by ingestion
- by skin absorption;

(ii) method of contact:

- direct contact with material
- water supply
- food sources;

(iii) impact on health of present and future generations:

- chronic toxicity
- carcinogenic, teratogenic and mutagenic properties of the material
- potential for causing long-term effects.

5. The feasibility of ocean disposal should only be considered by the Party after an evaluation of alternative methods of disposal, taking into account the following factors:

(a) Alternatives to be considered including cost:

- (i) land fill and soil disposal;
- (ii) well injection;
- (iii) incineration on land or at sea;
- (iv) reclamation and recycling;
- (v) biological, chemical or physical treatment;
- (vi) storage;
- (vii) partial treatment prior to ocean disposal.

- (b) Assessment of environmental impact of each alternative:
 - (i) adverse environmental effects of alternative actions;
 - (ii) impact on living and non-living marine resources, navigation, recreation and other uses of the ocean;
 - (iii) evaluation to determine which alternative has least overall environmental impact.
- (c) Disposal site designation and monitoring:
 - (i) physical, chemical and biological information relating to the proposed dump site;
 - (ii) proposed method of release of material at the site;
 - (iii) proposed times and dates of disposal;
 - (iv) monitoring to assess the impact of the material on the marine environment.

Consultation with other countries which may be affected

6. With reference to paragraph 3(b)(i) above, once it has been determined that an unacceptable risk to human health exists and that ocean disposal is the only feasible solution the Party should consult with other countries which may be affected. All the significant information used in making the determination, listed in paragraph 4 above, should be provided and include:

- (a) type including chemical composition of material;
- (b) amount of material to be dumped, location of disposal site and dates of disposal;
- (c) risk to human health;
- (d) adverse impact on the marine environment;
- (e) alternatives considered;
- (f) potential impact of action on other countries;
- (g) proposed actions to minimize potential adverse impacts;
- (h) proposed monitoring programme to determine impact.

Consultation with the Organization

7. With reference to 3(b)(ii) above, the information provided to the Organization initially by the Party proposing dumping will be dependent upon the urgency of the emergency situation. As a minimum the information provided to other countries (paragraph 6 above) should be submitted to the Organization and also include:

- (a) countries the Party has consulted with;
- (b) recommendations of the other countries;
- (c) extent to which the recommendations have been adopted.

In addition, the Party should submit to the Organization all significant information mentioned in paragraph 4 above.

ACTION TO BE TAKEN BY THE ORGANIZATION

Consultation within the Organization

8. In implementation of paragraph 3(c) above the Organization might undertake a sufficient review of the submissions by the Party to ensure that the Party has done the following:

- (a) demonstrated an unreasonable risk to human health;
- (b) evaluated other alternatives and found no other feasible solution;
- (c) avoided damage to the marine environment to the maximum extent possible;
- (d) established procedures to monitor the impact of the proposed action;
- (e) consulted with other countries that may be affected and incorporated their recommendations into the proposed action.

9. If the Organization finds that further review and analysis is needed, the following action should be taken:

- (a) refer specific questions to appropriate international organizations;
- (b) consult with other Parties or countries which may be affected;
- (c) consult with independent experts nominated by Contracting Parties.

Recommendations by the Organization

10. The Organization should, after consultation with other organizations, experts and Parties, recommend appropriate procedures which should be adopted by the Party prior to disposal. Due account should also be taken of any recommendations made by countries which may be affected by the proposed action.

REPORTING BY THE PARTY ON ACTION TAKEN

11. The Party should inform the Organization forthwith of the action taken and any additional facts relating to the disposal of the material. The Secretariat should inform all Parties of the emergency situation and actions taken as soon as practicable.

PROCEDURE FOR CONSULTATION

12. With a view to facilitating consultation between Parties and organizations, it would seem appropriate for each Contracting Party to designate a specific officer to act as a "focal point" for all communications of this nature. The Secretariat would collect the requisite information from Governments (name, designation, address, telephone and telex numbers, etc.) and prepare a comprehensive list for circulation to all concerned. The Secretariat would also communicate with other organizations such as UNEP, WHO, FAO, UNESCO/IOC and IAEA in order to arrange for the nomination of a suitable "focal point" in each case to expedite consultations relative to the Convention.

13. Upon being informed by the Party concerned of the circumstances of the emergency situation including the views of other States consulted by the Party, the Secretariat should proceed to arrange for consultations with a view to formulating appropriate recommendations. The procedure for consultation might be according to one of the following alternatives:

- (a) convening a Special Meeting of Contracting Parties in accordance with Article XIV(3)(a) of the Convention to consider the problem; or
- (b) establishing a smaller Panel of Contracting Parties which could be convened or consulted by the Secretariat at short notice.

14. The choice between alternatives (a) and (b) above would depend on the time available for consultation. If (a) is adopted, provision for (b) procedure might also be made for use in urgent cases, it being understood that the recommendations made by the Panel in such cases could be reviewed by all Parties at the next regular Consultative Meeting.

15. It also seems possible that consultation with other organizations might proceed simultaneously with the consultation with other Parties, either by the attendance of representatives of the organizations concerned at meetings of the Parties or by making direct enquiries on specific questions by telephone or telex as and when required. The Contracting Parties might also consider the possibility of inviting countries likely to be affected, to be represented at such meetings during consideration of the proposed dumping.

16. To facilitate the consideration of future cases involving emergency disposal of prohibited substances, the Secretariat will assemble and keep on file for ready reference, useful information and data relating to Annex I substances, particularly with regard to their hazards to human health, living marine resources and amenities, together with information on actual cases dealt with, including details of methods of disposal adopted, etc.

ANNEX IVDRAFT INTERIM PROCEDURE FOR NOTIFICATION UNDER ARTICLE VI(4)
OF THE CONVENTION

1. The Contracting Parties should immediately notify the Organization of each Special Permit issued, and should send to the Organization by 31 March in each year a record of the General Permits issued in the previous calendar year.

2. The notifications should contain the following information, for each Special and General Permit (unless in any case a particular item of information is clearly inappropriate):

- (a) Issuing Authority.
- (b) Date issued.
- (c) Country of origin of wastes or other matter and port of loading.
- (d) General description of waste or other matter and the process from which the waste is derived.
- (e) Form in which waste or other matter is presented for disposal (i.e., solid, liquid or sludge).
- (f) Total quantity (in metric units) of waste or other matter covered by the permit.
- (g) Period for which permit is valid.
- (h) Expected frequency of dumping.
- (i) Chemical composition of waste or other matter (this should be sufficiently detailed to provide adequate information to other countries on the nature and composition).
- (j) Properties of waste or other matter:
 - (i) solubility;
 - (ii) density;
 - (iii) pH.

- (k) Method of packaging.
- (l) Method of release.
- (m) Procedure and site for subsequent tank washing.
- (n) Approved dumping site:
 - (i) geographical position (latitude and longitude);
 - (ii) depth of water;
 - (iii) distance from nearest coast.
- (o) Additional information (Relevant factors listed in Annex III of the Convention, e.g., toxicity, other biological properties).

3. The following examples are given solely to illustrate the degree of detail expected under certain headings; they have no other significance:

EXAMPLE:

(1) Dredging Spoil

<u>Item</u>	<u>Response</u>
(d) Dredgings from (source: estuary, harbour, etc.)	
(i) 60% solids content:	
	Levels of contaminants present, e.g., oil: 200 ppm; Hg: 1 ppm; Cd: 2 ppm; Cu: 50 ppm; Pb: 100 ppm; Zn: 150 ppm; Cr: 50 ppm.
(j) (i) 60% insoluble	
(ii) 1.5 g/ml	
(iii) 7	
(k) Not applicable.	
(l) Immediate release from barge from bottom opening doors.	

(2) Sewage Sludges

(d) Primary/digested sewage from (source: town, city).

(i) 5% organic; 4% suspended solids; levels of components, e.g.

oil: 50 ppm; Cd: 0.1 ppm; Hg: 0.1 ppm; Zn: 100 ppm;

Cu: 50 ppm; Cr: 50 ppm; Ni: 10 ppm; PB: 40 ppm; N: 0.21%;

P: 500 ppm.

(j) (i) 4% insoluble solids

(ii) 1.01 g/ml

(iii) 6

(k) Not applicable.

(l) Release at 1000 tonnes/hr from bottom of moving vessel
(capacity 2000 tonnes).

(3) Acid Residues from Titanium Dioxide Manufacture

(d) As title.

(i) 10% Hydrochloric acid;

3% Iron sulphate;

Level of other metals: V, Cr, Zn, Cu, Cd analysed;

2% suspended solids.

(j) (i) 2% insoluble solids

(ii) 1.1 g/ml

(iii) 0.5

(k) Not applicable.

(l) Discharged at 250 tonnes/hr into the wake of a vessel (1000 tonnes
capacity) moving at 8 knots. Position of discharge 5m below surface.

(o) Acute toxicity to (e.g., brown shrimp): 96 hr LC₅₀ of 200 ppm.

(4) Wastes and Other Matter covered by Annex II C to the Convention

- (d) Identity in the case of ships or aircraft;
- (f) Dimensions;
- (o) Associated residues of contents of containers of any sort
(including in the case of ships or aircraft, cargoes, fuel, etc.,);
precautions required to prevent pollution by such associated
materials; measures taken to ensure wastes will sink and remain
in place.

(5) Radioactive Wastes and Other Radioactive Matter

The details given should reflect the information required under
appropriate IAEA Recommendations.

ANNEX V

SUMMARY OF THE STATEMENT BY THE IAEA OBSERVER

1. The process of elaborating the definition and recommendations required under the Convention with respect to radioactive materials was started by the IAEA in early 1973 and provisionally completed in September 1974. It involved the holding of a meeting of consultants, a panel of experts and a working group during that period. Qualified international organizations were associated in this work, and the IAEA Board of Governors and Member States were provided with several opportunities for comments.
2. The Provisional Definition and Recommendations thus established were submitted to the Board of Governors in September 1974. On the whole, they were considered as providing an initial basis for meeting the Convention's requirements, but further work was deemed to be necessary with regard to a number of areas covered by them. In authorizing transmission of the Definition and Recommendations to the United Kingdom Government in accordance with Article XIV(3) of the Convention, the Board of Governors laid emphasis on two points:
 - (a) The Provisional Definition and Recommendations established by the IAEA for the purposes of the Convention should not be taken as encouraging in any way the dumping at sea of radioactive material; and
 - (b) they were to be subject to periodic review and revision by the IAEA.
3. The review process scheduled by the IAEA was started in February 1975 with the holding of an Advisory Group Meeting on the Development of a Generalized Oceanographic Model Related to the Dumping of Radioactive Wastes at Sea (the outcome of which is outlined in the Annex to document LDC I/10). In view of the need for an improved and more satisfactory oceanographic model that should reflect most recent knowledge for possible application to different parts of the oceans, the IAEA in June 1976 requested Member States to submit any recent scientific papers or documents related to the subject matter that

might be useful for a review and revision of the provisional Definition and Recommendations. By mid-September 1976, replies were received from five Member States. A Consultants' Meeting was held in early September 1976 to advise the IAEA on its further work in connexion with the implementation of the Convention. The meeting has drawn up an action plan consisting of the following steps:

- (a) A Meeting of Consultants on Oceanographic Modelling, to be convened in December 1976, which should cover the fields of physical, chemical, biological and geological oceanography, including expertise in oceanographic modelling and fisheries, and whose work should take into account the comments and views expressed at the First Consultative Meeting of the Contracting Parties to the Convention;
- (b) an Expert Panel to Review the Oceanographic Basis of the IAEA Definition and Recommendations (Oceanographic Modelling Panel), to be held early in March 1977; and
- (c) an Expert Panel to Review the IAEA Definition and Recommendations (Review Panel) to be held in mid-July 1977.

4. Under this action plan, which was approved by the Director General of IAEA on 10 September 1976, the reports of the Oceanographic Modelling Panel and the Review Panel would be circulated to Member States for comments by mid-April 1977 and mid-September 1977 respectively. It is thus expected that a revised draft of the Definition and Recommendations could be submitted to the IAEA Board of Governors in February 1978, so that, if approved, they could be made available to the Consultative Meeting by the end of May or early in June 1978 in the four languages of the Convention.

5. The revision process as now under way will be carried out by the IAEA in close co-operation with IMCO and other appropriate organizations, with the primary objective of refining, improving and strengthening the Definition and Recommendations required for the purposes of the Convention.

ANNEX VI

RESOLUTION ON INCINERATION AT SEA

THE FIRST CONSULTATIVE MEETING,

TAKING INTO ACCOUNT the risks of marine and atmospheric pollution and possible interference with the environment and other uses of the sea which may be caused by incineration operations on board ships,

RECALLING that the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter and in particular Article I thereof, invites the Contracting Parties to promote individually and collectively the control of all sources of pollution of the marine environment,

BEING CONVINCED that international action to develop specific procedures to control incineration operations at sea can and should be taken without delay,

REQUESTS the Secretary-General of the Inter-Governmental Maritime Consultative Organization in concert with experts from the Contracting Parties, and the Oslo Commission:

- (1) to examine those provisions of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter which are applicable to at sea incineration operations,
- (2) to consider and draft any special provisions with a view to preventing marine and atmospheric pollution from incineration operations at sea, and to submit them to the next Consultative Meeting.

ANNEX VII

ACTION PLAN FOR THE CONSULTATIVE MEETING

No.	Subject	Source	Action required	Initial course of action	Remarks
1	Incineration at sea	Article I	To develop specific procedures to control incineration operations at sea	<p>To request the Secretary General in concert with experts from Contracting Parties and the Oslo Commission:</p> <p>(a) to examine those provisions of the Convention which are applicable to incineration at sea; and</p> <p>(b) to consider and draft any special provisions with a view to preventing marine and atmospheric pollution from incineration at sea, and submit them to the Second Consultative Meeting</p>	High priority
2	Notification of measures for prohibiting dumping of materials not mentioned in Annex I	Article IV(3)	To circulate information about such measures to the Contracting Parties	To request the Contracting Parties to submit relevant information	
3	Procedures for emergency dumping	Article V(2)	<p>(a) To develop, if appropriate, basic criteria for determining emergency situations</p> <p>(b) To establish procedures for consultative advice</p> <p>(c) to formulate guidelines and criteria for designation of emergency disposal sites</p>	<p>To review the need for criteria at a Consultative Meeting in the light of practical experience</p> <p>To review the interim procedure (LDC I/17, Annex III) at a Consultative Meeting in the light of practical experience</p> <p>To request appropriate scientific bodies to review Annex III and GESAMP Report No. 3 to determine if additional criteria are needed and to report the result to the Consultative Meeting</p>	

No.	Subject	Source	Action required	Initial course of action	Remarks
4	Notification of permitted dumping	Article VI(3) and (4), Article XIV (4)(c)	To implement notification procedures relating to: (a) records of dumping; (b) criteria and measures for issuing permits; (c) monitoring activities	(a) To request the Secretariat to circulate the Interim Procedure for Notification to the Contracting Parties and Signatories in order that these procedures are put into operation; (b) to review the interpretation of the words "containing significant amounts of" referred to in Annex II, Section A, at the next Consultative Meeting; (c) to continue developing of reporting procedures covering actual quantity of waste and other matter dumped, and monitoring of the sea; (d) to invite States which are not Contracting Parties to submit on a voluntary basis reports of permits issued.	High Priority
5	Effective application of the Convention, including reporting of observed dumping contraventions	Article VII(3)	To establish procedures for notification of observed dumping contraventions	To consider the problem at a Consultative Meeting	
6	Regulation by the Contracting Parties of the activities of vessels and aircraft entitled to sovereign immunity	Article VII(4)	To collect measures taken by the Contracting Parties to regulate vessels and aircraft entitled to sovereign immunity	To request the Contracting Parties to submit appropriate reports to the Secretariat	High Priority
7	Promotion of technical assistance	Article IX	To develop a programme for technical assistance	(a) To request the Secretariat to invite Governments to indicate any problems they may have and any assistance they may require in implementing the Convention; (b) To request the Secretariat to prepare a roster of experts and compile information concerning training courses and research activities; (c) To request the Secretariat to prepare a further report to the Second Consultative Meeting taking into account comments submitted by Governments	

No.	Subject	Source	Action required	Initial course of action	Remarks
8	Assessment of liability regarding dumping	Article X	To establish procedures for assessment of liabilities	To request the Secretariat to study the problem, collate relevant material and prepare report for consideration by a Consultative Meeting	
9	Settlement of disputes	Article XI	To develop procedures for settlement of disputes concerning interpretation and application of the Convention	To review the subject at the Second Consultative Meeting	
10	Promotion of measures to protect the marine environment against pollution	Article XII	To review measures taken by other international bodies to protect the marine environment	To request the Secretariat to prepare a brief report on information already available elsewhere about the activities of other international bodies	
11	Codification of signals to be used by vessels engaged in dumping	Article XII	To develop, as necessary, appropriate signals to be used by vessels engaged in dumping	To request the Secretariat to consult with IMCO technical bodies	High priority
12	Rights and responsibilities of coastal States	Article XIII	To define nature and extent of rights and responsibilities of coastal States	To prepare proposals on the basis of relevant action taken by the UN Conference on the Law of the Sea	
13	Review of Annex I list of materials	Article XIV (4)(a), Annex I	To review Annex I	To consider the matter in the ad hoc scientific group, and invite the Contracting Parties to submit papers for consideration by that Group	
14	Harmlessness of Annex I materials	Annex I, paragraph 8	To develop criteria for determining harmlessness of Annex I materials and to establish procedures for consultation	To request GESAMP to study the scientific aspects of the problem and submit findings in time for the Second Consultative Meeting	High priority

No.	Subject	Source	Action required	Initial course of action	Remarks
15	Definition of trace contaminants	Annex I, paragraph 9	To establish criteria for determining trace levels	To consider the matter in the ad hoc scientific group, and invite the Contracting Parties to submit papers for consideration by that Group	High priority
16	Review of Annex II materials and criteria	Article XIV (4)(a), Annex II	To review Annex II	To consider the matter in the ad hoc scientific group, and invite the Contracting Parties to submit papers for consideration by that Group	
17	Radioactive Waste and other radioactive matter	Annex I, paragraph 6 Annex II, Section D	(a) To review the pending revision of the IAEA Provisional Definition and Recommendations (b) To develop, if appropriate, notification and prior consultation procedures	(a) To invite IAEA to submit a progress report to the Second Consultative Meeting; (b) to request the Secretariat to study, in co-operation with the IAEA and the OECD and other international organizations, the question of notification and prior consultation procedures with regard to dumping of radioactive waste, as provided for under the Convention, and report on the matter to the second Consultative Meeting	High priority
18	Review of Annex III criteria	Article XIV (4)(a), Annex III	To review Annex III criteria	To consider the matter in the ad hoc scientific group, and invite the Contracting Parties to submit papers for consideration by that Group.	High priority

No.	Subject	Source	Action required	Initial course of action	Remarks
19	Dumping in cases of "force majeure"	Article V(1)	To establish reporting procedures.	To request the Secretariat to study the question having regard to the provisions of the 1973 Marine Pollution Convention and submit proposals on possible reporting procedures to a Consultative Meeting.	
20	Construction and equipment of ships engaged in dumping	-	To develop standards for the construction and equipment of ships and barges engaged in dumping, including consideration of the extent to which they should comply with the Bulk Chemical Code.	<p>To request the Secretariat to invite the Maritime Safety Committee to consider the question and take action with respect to:</p> <p>(a) ships and barges engaged in dumping of Annex II materials;</p> <p>(b) incinerator vessels.</p>	

ANNEX VIII

DRAFT AGENDA FOR THE SECOND CONSULTATIVE MEETING

1. Election of Chairman and Vice-Chairmen
2. Adoption of the Agenda
3. Report of the Secretary-General on the state of ratification of the Convention
4. Incineration at sea
5. Consideration of the form and manner of notifications under Article VI(4) of the Convention
6. Dumping of radioactive substances:
 - (a) Consideration of the progress report by IAEA on the pending revision of the Definition and Recommendations
 - (b) Notification and prior consultation procedures with regard to dumping of radioactive waste
7. Promotion of technical assistance under Article IX of the Convention
8. Procedures for the settlement of disputes
9. Consideration of the progress report of the Ad Hoc Scientific Advisory Body
10. Future work programme and date of next session
11. Any other business
12. Consideration and adoption of the report

ANNEX IX

DRAFT AGENDA FOR THE MEETING OF THE AD HOC SCIENTIFIC GROUP
(to be held in conjunction with the Second Consultative Meeting)

1. Election of Chairman
 2. Adoption of the Agenda
 3. Definition of trace contaminants referred to in Annex I, paragraph 9
 4. Review of the definition of "significant amounts of" referred to in Annex II, Section A
 5. Review of Annex I list of materials
 6. Review of Annex II materials and criteria
 7. Review of Annex III criteria and GESAMP Report No.3
 8. Consultation on GESAMP report on harmlessness of Annex I material
 9. Future work programme
 10. Any other business
 11. Consideration and adoption of the Report
-