

FORTIETH CONSULTATIVE MEETING OF  
CONTRACTING PARTIES TO THE LONDON  
CONVENTION  
&  
THIRTEENTH MEETING OF CONTRACTING  
PARTIES TO THE LONDON PROTOCOL  
5 – 9 November, 2018  
Agenda item 16

LC 40/16  
29 November 2018  
Original: ENGLISH

**REPORT OF THE FORTIETH CONSULTATIVE MEETING AND  
THE THIRTEENTH MEETING OF CONTRACTING PARTIES**

**Table of contents**

<b>Section</b>	<b>Paragraph Nos.</b>	<b>Page No.</b>
1 INTRODUCTION – ADOPTION OF THE AGENDA	1.1 – 1.10	3
2 STATUS OF THE LONDON CONVENTION AND PROTOCOL	2.1 – 2.9	4
3 PROGRESS ON THE IMPLEMENTATION OF THE LC-LP STRATEGIC PLAN	3.1 – 3.16	6
4 CONSIDERATION OF THE REPORT OF THE SCIENTIFIC GROUPS	4.1 – 4.12	8
5 MARINE GEOENGINEERING INCLUDING OCEAN FERTILIZATION	5.1 – 5.21	11
6 CO <sub>2</sub> SEQUESTRATION IN SUB-SEABED GEOLOGICAL FORMATIONS (LP)	6.1 – 6.16	14
7 COMPLIANCE ISSUES	7.1 – 7.34	17
8 TECHNICAL COOPERATION AND ASSISTANCE	8.1 – 8.37	23
9 INTERPRETATION OF THE LONDON CONVENTION AND PROTOCOL	9.1 – 9.71	30
10 MATTERS RELATED TO THE MANAGEMENT OF RADIOACTIVE WASTES	10.1 – 10.10	43
11 MONITORING FOR THE PURPOSES OF THE LONDON CONVENTION AND PROTOCOL	11.1 – 11.11	44

<b>Section</b>	<b>Paragraph Nos.</b>	<b>Page No.</b>
12 RELATIONS WITH OTHER ORGANIZATIONS IN THE FIELD OF MARINE ENVIRONMENTAL PROTECTION	12.1 – 12.7	46
13 ADMINISTRATIVE ARRANGEMENTS AND FUTURE WORK	13.1 – 13.19	48
14 ANY OTHER BUSINESS	14.1 – 14.24	51
15 ELECTION OF OFFICERS FOR BOTH GOVERNING BODIES	15.1	54
16 CONSIDERATION AND ADOPTION OF THE REPORT	16.1	54

### ANNEXES

ANNEX 1	AGENDA FOR THE FORTIETH CONSULTATIVE MEETING AND THE THIRTEENTH MEETING OF CONTRACTING PARTIES
ANNEX 2	STREAMLINED JOINT WORK PROGRAMME (2019-2021)
ANNEX 3	REPORT OF THE ELEVENTH MEETING OF THE COMPLIANCE GROUP UNDER THE LONDON PROTOCOL
ANNEX 4	ONGOING AND PLANNED WORKSHOPS AND PROJECTS 2018-2019
ANNEX 5	ACTION PLAN AIMED AT IMPROVED REPORTING
ANNEX 6	RECOMMENDATIONS FOR THE REVISION OF THE STRATEGIC APPROACH TO TECHNICAL COOPERATION: DELIVERING WORKSHOPS
ANNEX 7	JOINT WORK PROGRAMME OF THE SCIENTIFIC GROUPS (2018-2020)
ANNEX 8	LIST OF SUBSTANTIVE ITEMS FOR THE AGENDA FOR THE FORTY-FIRST CONSULTATIVE MEETING AND THE FOURTEENTH MEETING OF CONTRACTING PARTIES

## 1 INTRODUCTION – ADOPTION OF THE AGENDA

1.1 The fortieth Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention), convened in accordance with article XIV(3)(a) of the Convention, and the thirteenth Meeting of Contracting Parties to the 1996 Protocol to the London Convention, 1972 (London Protocol), convened in accordance with article 19.2.1 of the Protocol, were held concurrently at the Headquarters of the International Maritime Organization, London, from 5 to 9 November 2018, and chaired by Ms. Azara Prempeh (Ghana). Ms. Betsy Valente (United States), First Vice-Chair, and Mr. Gildardo Alarcon Daowz (Mexico), Second Vice-Chair, also attended.

1.2 The session was attended by delegations from Contracting Parties to the London Convention, Contracting Parties to the London Protocol, observers from IMO Member States, IMO Associate Members, and observers from intergovernmental and non-governmental international organizations in consultative status, as listed in document LC 40/INF.1.

### Opening of the Meetings

1.3 In opening the proceedings, the Chair welcomed all participants to both Meetings.

### Opening address

1.4 Mr. Hiroyuki Yamada, Director, Marine Environment Division, welcomed the participants on behalf of the Secretary-General, Mr. Kitack Lim, and delivered an opening address. The full text of the opening address can be downloaded from the IMO website at the following link: <http://www.imo.org/MediaCentre/SecretaryGeneral/Secretary-GeneralsSpeechesToMeetings/Pages/Default.aspx>

### Chair's remarks

1.5 The Chair thanked Mr. Yamada for the words of welcome, noting the key items before the Meetings this session, and their linkages to ocean affairs. The Chair expressed appreciation for the support provided by the IMO Secretariat to the governing bodies, in particular for activities related to the instruments.

### Adoption of the agenda

1.6 The agenda for the fortieth Consultative Meeting and the thirteenth Meeting of Contracting Parties (LC 40/1), as adopted, is contained in annex 1. It includes, under each agenda item, a list of documents that were submitted for consideration. Both governing bodies also agreed on a timetable for their work (LC 40/1/1, annex 2).

### Participation of intergovernmental organizations and non-governmental international organizations (NGOs)

1.7 The Meetings noted that, following an informal lunchtime presentation at the last joint session of the Scientific Groups by a group called Ice911, the Secretariat had received an application from the group for observer status in the LC/LP meetings.

1.8 The Meetings noted that, in accordance with the Rules of Procedure and the *Rules and criteria for participation of non-governmental international organizations for meetings or special meetings of Contracting Parties under the London Protocol* and the *Rules and guidelines for consultative status of non-governmental international organizations with the International Maritime Organization*, the Bureau of the London Convention and Protocol had come to the unanimous decision that Ice911 did not fulfil the criteria for observer status, and that observer status therefore could not be granted. Ice911 had been informed accordingly.

1.9 Both governing bodies agreed to invite United Nations organizations and intergovernmental organizations to the forty-first Consultative Meeting and the fourteenth Meeting of Contracting Parties and to intersessional meetings of their respective subsidiary bodies, as follows:

UNITED NATIONS  
EUROPEAN COMMISSION (EC)  
ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT  
(OECD)  
PERMANENT COMMISSION FOR THE SOUTH PACIFIC (CPPS)  
HELSINKI COMMISSION (HELCOM)  
OSPAR COMMISSION  
PACIFIC REGIONAL ENVIRONMENT PROGRAMME (SPREP)  
INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)  
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT  
(WORLD BANK)  
INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA (ICES)  
REGIONAL SEAS CONVENTIONS UNDER THE UNITED NATIONS  
UN ENVIRONMENT (UNEP)

1.10 Both governing bodies, at the conclusion of their sessions, decided that the following non-governmental international organizations should be invited to the forty-first Consultative Meeting and the fourteenth Meeting of Contracting Parties and to intersessional meetings of their respective subsidiary bodies:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)  
THE WORLD ASSOCIATION FOR WATERBORNE TRANSPORT INFRASTRUCTURE  
(PIANC)  
INTERNATIONAL ASSOCIATION OF PORTS AND HARBORS (IAPH)  
INTERNATIONAL ASSOCIATION OF OIL & GAS PRODUCERS (IOGP)  
INTERNATIONAL UNION FOR CONSERVATION OF NATURE (IUCN)  
ADVISORY COMMITTEE ON PROTECTION OF THE SEA (ACOPS)  
GREENPEACE INTERNATIONAL  
WORLD WIDE FUND FOR NATURE (WWF)  
THE INSTITUTE OF MARINE ENGINEERING, SCIENCE & TECHNOLOGY  
(IMarEST)  
INTERNATIONAL OCEAN INSTITUTE (IOI)  
WORLD ORGANIZATION OF DREDGING ASSOCIATIONS (WODA)

## **2 STATUS OF THE LONDON CONVENTION AND PROTOCOL**

### **The London Convention, 1972 (London Convention)**

2.1 The Meetings were informed of the status of the London Convention and noted that 87 Governments had ratified or acceded to the Convention. The governing bodies also noted that 20 Contracting Parties had accepted the 1978 amendments concerning the settlement of disputes and that this number had not increased since 1996, the year in which the London Protocol had been adopted with, the same settlement of dispute arrangements in annex 3 of the Protocol.

## The 1996 Protocol to the London Convention, 1972 (London Protocol)

2.2 The delegation of Peru informed the Meetings that they had deposited the instrument of accession with the Secretary-General on 31 October 2018, noting that the London Protocol reinforces the environmental aspects of Peru's domestic legislation.

2.3 The Meetings were informed that 51 States had now ratified or acceded to the London Protocol. The Meetings were further informed that 3 of the 18 Contracting Parties to the Convention that were signatories to the London Protocol had not yet ratified it (Argentina, Brazil and United States).

2.4 The Meetings noted with increasing concern the continued low annual increase of accessions to and ratifications of the Protocol (see table of accessions and ratifications per year below).

Year	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Rate	1	3	3	6	3	NIL	2	3	1	8
Total	1	4	7	13	16	16	18	21	22	30

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
2	4	1	2	2	1	1	2	1	2	2	1
<b>32</b>	<b>36</b>	<b>37</b>	<b>39</b>	<b>41</b>	<b>42</b>	<b>43</b>	<b>45</b>	<b>46</b>	<b>48</b>	<b>50</b>	<b>51</b>

2.5 The Meetings acknowledged that, even with the Protocol in force, it remained important to obtain accurate information concerning the progress made towards ratifying the Protocol by the Contracting Parties to the London Convention and by the observer States represented at the Meetings. That information would help the Meetings to plan their work and to monitor any shift in momentum from the Convention to the Protocol.

2.6 The Meetings also noted that since the entry into force of the London Protocol, three amendments had been adopted, as follows:

- .1 the 2006 amendment on the inclusion of CO<sub>2</sub> sequestration in sub-seabed geological formations in annex 1 to the London Protocol (resolution LP.1(1)), which had entered into force in 2007 for all Parties;
- .2 the 2009 amendment on the export of carbon dioxide streams for disposal in accordance with annex 1 (resolution LP.3(4)), which had been accepted by five Parties; and
- .3 the 2013 amendments on the regulation of the placement of matter for ocean fertilization and other marine geoengineering activities (resolution LP.4(8)), which had been accepted by three Parties.

2.7 The delegations of Argentina, Brazil and the United States reported on their progress towards joining the London Protocol. While doing so Argentina reiterated its reservations regarding ocean fertilization previously expressed at meetings of the governing bodies.

2.8 The delegation of Norway informed the Meetings that they were in the final stages of accepting the 2013 amendment to the London Protocol to regulate the placement of matter for ocean fertilization and other marine geoengineering activities.

2.9 All States preparing to join the Protocol were encouraged to keep the Secretariat informed of developments.

### **3 PROGRESS ON THE IMPLEMENTATION OF THE LP-LC STRATEGIC PLAN**

3.1 It was recalled that in 2016, the governing bodies adopted the *Strategic Plan for the London Protocol and London Convention*, which is intended to facilitate the implementation of the two treaties in order to contribute to the prevention of marine pollution, to advance the 2030 Agenda for Sustainable Development and to promote the ratification of or accession to the London Protocol.

3.2 It was also recalled that in 2017, the governing bodies approved the implementation plan for the Strategic Plan and, in light of the considerations and recommendations made by the Working Group on the Operationalization and Implementation of the Strategic Plan, requested the Secretariat to revise the Joint Work Programme (JWP) of LC/LP, with support from the Bureau, including the Co-Chairs of the Working Group, and, following input from the subsidiary bodies on their respective work programmes, submit a Streamlined Joint Work Programme (SJWP) to this session of the governing bodies for approval.

3.3 The Meetings, therefore, considered two documents submitted by the Secretariat, document LC 40/3, outlining the process that was followed in developing a draft LC/LP SJWP, and document LC 40/INF.3, presenting the draft SJWP.

3.4 The Meetings noted that since 2008, JWP had been updated directly after the session of the governing bodies at the end of each year and had served as a reference document at the start of the new meetings' season. Those updates were provided in light of achievements and decisions at preceding sessions of the governing bodies and incorporated, as instructed, the activities given to the LC/LP Scientific Groups and the LP Compliance Group.

3.5 In 2016, the governing bodies adopted the *Strategic Plan for the London Protocol and London Convention* and subsequently, in 2017, approved the implementation plan for the Strategic Plan. In a departure from the normal practice of updating JWP, the governing bodies agreed that a full revision of JWP should be undertaken, taking into account considerations and recommendations in document LC 39/WP.5, and requested that the Secretariat issue an interim version of JWP. The Secretariat issued LC-LP.1/Circ.85 (February 2018), containing an interim JWP which consisted of the following elements:

- .1 the Strategic Plan for the London Protocol and London Convention (LC 38/16, annex 2);
- .2 the Implementation plan for the Strategic Plan for the London Protocol and London Convention (LC 39/16/Add.1, annex 2);
- .3 the Joint Work Programme of the Scientific Groups (LC 39/16/Add.1, annex 8); and
- .4 the Future Work Programme of the London Protocol Compliance Group (LC 39/16/Add.1, annex 4).

3.6 The Meetings noted that in 2018 the Scientific Groups had amended and approved the table format of their JWP of the Scientific Groups covering the remaining period of 2018-2020, and reviewed the interim JWP and agreed that some items from the implementation plan for the Strategic Plan might need to be added to JWP, but that these would need further consideration by the governing bodies (LC/SG 41/16, paragraphs 13.10 to 13.14 and annex 6).

3.7 The Meetings also noted that document LC 40/INF.3 contained the draft LC/LP SJWP that had been developed intersessionally by the First Vice-Chair, Ms. Betsy Valente (United States), and the Secretariat. SJWP incorporates work elements from the work programmes of LC/LP and the subsidiary bodies. One of the objectives in developing SJWP was to align the various work elements with the Strategic Plan, to show how each work element supported the Strategic Plan and which entities were responsible for, or contributed to, each work element.

3.8 In the discussion that followed, several delegations expressed support for SJWP in general, but some indicated that further refinement would be required prior to approval by the governing bodies.

3.9 The delegation of China suggested consideration of the following issues:

- .1 inclusion of all relevant items identified in the interim Joint Work Programme for 2018-2020 (circular LC-LP.1/Circ.85);
- .2 strengthening the linkage and consistency of SJWP to the Implementation Plan for the Strategic Plan; and
- .3 ensuring that SD 2.4 in the Strategic Plan was reflected in SJWP, as this encouraged active participation by Contracting Parties in the work of LC/LP, and would support effective implementation of LC/LP.

3.10 The Chair noted that there was general support for the format of SJWP and expressed appreciation to the First Vice-Chair for the work in compiling the draft SJWP.

### **Establishment of the Working Group on the LC/LP Streamlined Joint Work Programme**

3.11 Following further discussion, the Meetings established the Working Group on the LC/LP Streamlined Joint Work Programme under the lead of Ms. Betsy Valente (United States), and instructed the Group to review the information provided in documents LC 40/3 and LC 40/INF.3, in particular the draft LC/LP SJWP table shown in document LC 40/INF.3, annex 2, and any comments made in plenary, with a view to its finalization and approval at this meeting.

### **Report of the Working Group**

3.12 The Chair of the Working Group, in presenting the report (LC 40/WP.5), explained that the Group had met on 5, 6 and 7 November 2018 and had been attended by delegations from: Canada, Chile, China, France, Germany, Italy, Japan, Nigeria, the Philippines, the Republic of Korea, Saudi Arabia, South Africa, the United States and observers from ACOPS, Greenpeace International and IMarEST.

3.13 The Meetings noted that the Group had further developed the draft SJWP in the format of a multiple entries table similar to the table set out in annex 2 to document LC 40/INF.3, ensuring it was consistent with and incorporated key information from the plans

set out in section 3.5 above. The Group identified that the Strategic Plan reflected the highest level of intention in the hierarchy of future planning efforts, and noted that there may be a need in the future to further clarify which aspects of the SJWP were within the purview of the Scientific Groups or another subsidiary body.

3.14 The Meetings also noted that the Group agreed that the SJWP would cover a three-year period, would be updated directly after the session of the governing bodies at the end of each year and would serve as a reference document for the coming year. Each revision would need to be checked to ensure it is in line with the Strategic Plan and its Implementation Plan.

3.15 In the following discussion, the Meetings also considered highlighted items in the draft SJWP presented by the Working Group, shown in italicized square brackets, and noted that these were new or proposed activities intended to fill gaps as identified in the Implementation Plan.

### **Action by the governing bodies**

3.16 Following discussion, the governing bodies approved the report of the Working Group, and in particular:

- .1 incorporated the proposed new activities shown in italicized square brackets into the Streamlined Joint Work Programme and instructed the subsidiary bodies accordingly;
- .2 approved the Streamlined Joint Work Programme as set out in annex 2;
- .3 instructed the Scientific Groups, the LP Compliance Group, and the B2C Steering Group to restructure their work programmes in a similar manner, to align with the Streamlined Joint Work Programme; and
- .4 agreed that the Streamlined Joint Work Programme as approved, would now be referred to as the Joint Work Programme.

## **4 CONSIDERATION OF THE REPORT OF THE SCIENTIFIC GROUPS**

4.1 The Chair of the Scientific Groups, Ms. Linda Porebski (Canada), informed the Meetings of the main points from the joint session of the Scientific Groups under the London Convention and Protocol (LC 40/4), which was held from 30 April to 4 May 2018 at the Maritime Training and Education Centre (CIMAR) of the Chilean Maritime Authority (DIRECTEMAR), in Valparaiso, Chile. The report of the Scientific Groups had been issued as document LC/SG 41/16.

4.2 The Meetings noted, in particular, that the Groups had continued their efforts to develop further guidance for the assessment of wastes, and update existing guidance.

### **Guidance on development of action lists and action levels for dredged material**

4.3 The Meetings considered document LC 40/4/1 (Chair of the Correspondence Group) providing a report on the progress made to date by the Correspondence Group on Development of Interim, Default Action Levels and Guidance for Dredged Material. The Group had achieved consensus around the stated purpose and intent for development and application of interim default action levels (IDALs) and developed an initial set of assumptions and caveats associated with the application of IDALs. The Group was also undertaking



verification and evaluation of applicability of the action levels for those countries summarized in tables 1 and 2 of document LC 39/4/1/Rev.1, to ensure the accuracy of the levels presented in the tables and establish applicability of the levels summarized for potential use in subsequent derivation of IDALs.

4.4 In the subsequent discussion, a number of delegations expressed the need to emphasize that IDALs should be considered by countries, who may need to employ them, as a temporary measure before developing more appropriate and representative action levels.

4.5 The delegation of China, noting that IDALs were an integration of a number of countries' action levels, therefore recommended attaching appendices 1 and 2 of document LC 39/4/1/Rev.1 to the default action level guidance, as this information was more reflective of regionalized action levels.

4.6 The delegation of Canada recommended that the Correspondence Group consider the description of action lists and action levels provided in annex 2 of LP, in order to ensure that the intent and rules of applying default action list and levels were consistent with requirements of LP. So as not to detract from the newly developed *Step-by-step guidance on simple approaches to creating and using action lists and action levels for dredged material*, Canada also recommended that the default action lists and levels should be regarded as an additional tool when selecting action levels.

#### **Action by the governing bodies**

4.7 Following discussion, the governing bodies:

- .1 endorsed the Scientific Groups' decision to establish a Correspondence Group on Development of Interim, Default Action Levels and Guidance for Dredged Material, under the lead of the United States, with a view to initiating work on the development of interim, default action levels as well as guidance regarding intent, purpose and recommended implementation of such action levels including caveats, assumptions and other factors for consideration, submit a progress report to the governing bodies, and a full report to the next joint session of the Scientific Groups;
- .2 urged more delegations to join the Correspondence Group on Development of Interim, Default Action Levels and Guidance for Dredged Material; and
- .3 recommended that the default action lists and action levels should be considered as a temporary measure which should not abdicate a country's ultimate responsibility to develop their own set of robust and more regionally appropriate action lists and levels.

#### **Outcome of Science Day 2018**

4.8 The Meetings considered document LC 40/4/2 (Chile), providing a summary of the Science Day on "Plastics and microplastics in the marine environment, including impacts on aquaculture activities", which was held as a one-day symposium in Valparaiso, Chile, on 3 May 2018 during the joint session of the Scientific Groups. Thirteen speakers from academia (scientists) and Government institutions, representing different regions of the world, took part in the event and shared experience and knowledge on the different sources and spatial distribution of marine litter, plastics and microplastics in the oceans and their impacts on the marine environment, marine life and resources, including the food chain. The main conclusion of the symposium, an event open to outside experts, was that better awareness

and understanding of the presence of plastics and microplastics in the marine environment was needed, in particular in relation to waste streams under LC/LP, and that possible solutions and actions must be identified to address the global problem.

### **Action by the governing bodies**

4.9 Following discussion, the governing bodies:

- .1 noted the interest in this topic from stakeholders outside the LC/LP community; and
- .2 endorsed the Groups' request to the Secretariat to publish the proceedings from Science Day 2018 as a standalone publication, as had been done for the 2015 Science Day on marine geoengineering.

### **Other issues**

4.10 Following a brief discussion, the governing bodies adopted the report of the forty-first session of the LC Scientific Group and the twelfth session of the LP Scientific Group and, in particular:

- .1 endorsed the Scientific Groups' decision to change the target completion date for the development of further guidance on marine cumulative effects assessment to 2019;
- .2 noted the Scientific Groups' discussion regarding the development of further guidance on disposal site selection and that the Correspondence Group on the development of further guidance on disposal site selection, under the lead of the United Kingdom,<sup>1</sup> was on track to complete the guidance by 2019;
- .3 invited delegations to submit further information on the Waste Assessment Guidelines and consideration of the effects of dumping wastes at sea on higher trophic levels, including cetaceans, and critical habitats to the next joint session of the Groups in 2019;
- .4 encouraged Contracting Parties to present their case studies on beneficial use of waste materials and on experiences with habitat enhancement activities to the next joint session of the Scientific Groups;
- .5 invited delegations to present relevant documents under the "Guidelines, manuals, bibliographies and information exchange" agenda item to the next joint session of the Scientific Groups in 2019; and
- .6 welcomed the re-election of Ms. Linda Porebski (Canada) as Chair, Commander Enrique Vargas Guerra (Chile) as the First Vice-Chair and the election of Dr. Cristian Mugnai (Italy) as the Second Vice-Chair, respectively, for the intersessional period and for the forty-second session of the LC Scientific Group, and for the thirteenth session of the LP Scientific Group 2019.

---

<sup>1</sup> The coordinator, Ms. Charlotte Clarke, can be contacted at: [charlotte.clarke@cefas.co.uk](mailto:charlotte.clarke@cefas.co.uk)

4.11 Finally, the governing bodies expressed their appreciation to the Chair and Vice-Chairs of the Scientific Groups for the work, and to the delegation of Chile for the excellent hosting of the 2018 joint session of the Scientific Groups.

4.12 Other action points emanating from the report of the Scientific Groups, as presented in document LC 40/4, were dealt with under the corresponding agenda items.

## 5 MARINE GEOENGINEERING INCLUDING OCEAN FERTILIZATION

### Progress with ratification of the 2013 amendment to the London Protocol

5.1 It was recalled that in 2013, the Meeting of Contracting Parties adopted resolution LP.4(8) on the amendment to the London Protocol to regulate the placement of matter for ocean fertilization and other marine geoengineering activities.

5.2 The Meetings recalled that IMO had received two instruments of acceptance of the amendment from the United Kingdom of Great Britain and Northern Ireland on 24 June 2016 and from Finland on 8 October 2017. Since then, IMO had only received one further instrument of acceptance of the amendment from the Netherlands on 4 September 2018.

5.3 The Meetings were also reminded that, in accordance with article 21.3 of the Protocol, an amendment shall enter into force for the Contracting Parties which have accepted it on the sixtieth day after two thirds of the Contracting Parties shall have deposited an instrument of acceptance with the Organization. Thereafter the amendment will enter into force for any other Contracting Party on the sixtieth day after the date on which that Contracting Party has deposited its instrument of acceptance of the amendment.

5.4 The Meetings noted the issuance of the IPCC special report, published in October 2018, entitled "Global warming 1.5°C". The report focused on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development and efforts to eradicate poverty. The report stated that "*all pathways that limit global warming to 1.5°C with limited or no overshoot project the use of carbon dioxide removal (CDR) on the order of 100–1000 Gt CO<sub>2</sub> over the 21st century*". Marine geoengineering was one of the ocean-based mitigation solutions addressed. The report also highlighted the London Protocol, stating that the treaty had "asserted authority for regulation of ocean fertilization, which is widely viewed as a "de facto moratorium" on commercial ocean fertilization activities."

5.5 The Meetings were further informed that the Secretariat was working with the Public Information Section of IMO to further promote and inform about the role of LC/LP and in particular the LP amendment, and encourage early acceptance of the amendment.

5.6 In the ensuing discussion the following comments were, inter alia, made:

- .1 the delegation of Germany provided an update of the ratification process and informed that ratification should be finalized in the near future;
- .2 the delegation of Canada informed the Meetings that they had been notified of a potential application for ocean fertilization, and that the potential applicants had acknowledged the relevance of the London Protocol and London Convention in this regard;

- .3 the delegation of Chile, in response to recent media reports, informed the meetings of an ocean fertilization project using iron, near the coast of Coquimbo, Chile, reportedly driven by the Canadian company Oceaneos environmental solutions, noting that there was uncertainty about the nature of the project, as well as the location of the proposed site for this project, near a marine protected area. To date, there is no evidence that this project has been carried out and no permission has been requested from the Chilean Maritime Authority, nor from the Hydrographic and Oceanographic Service of the Navy (SHOA), the body responsible for authorizing marine scientific research in waters under national jurisdiction. The delegation of Chile further stated that they had adopted concrete measures to prevent such activities from being carried out without the necessary authorization of the competent authorities;
- .4 the delegation of Saudi Arabia stated their support for technological solutions for climate mitigation, provided that they were based on best available science and in the context of sustainable development, and that a balance between mitigation, adaptation and sustainable development is fundamentally necessary, hence they supported adaptation efforts resulting in mitigation co-benefits and communicated their willingness to play an active part in future Scientific Groups meetings; and
- .5 the observer from Greenpeace International made the Meetings aware that the same company (Oceaneos) was involved in the prospective ocean fertilization applications in Canada and Chile.

#### **Action by the governing bodies**

5.7 Following discussion the governing bodies:

- .1 noted the importance of having more acceptances of the 2013 amendment to the Protocol to be able to give impetus to this important amendment, and to enable the Contracting Parties to confront the challenges posed by global climate change whilst regulating these activities on a precautionary basis to ensure protection of the marine environment and human health; and therefore
- .2 encouraged delegations to accept the 2013 amendment to the London Protocol.

#### **Other issues**

5.8 The Meetings considered document LC 40/5 (Secretariat) providing an update on activities conducted under the GESAMP Working Group on marine geoengineering (WG 41), and were also informed by means of a presentation by one of the Co-Chairs of the Group, Dr. Chris Vivian, on the most recent developments of the Working Group.

5.9 The Meetings noted that since the last progress report in 2017, the Working Group had been focused on finalizing the report of its work to date. The draft report, which would be published in the GESAMP Reports and Studies series, was currently in the process of being finalized after being reviewed by GESAMP members and external peer-reviewers.

5.10 It was noted that the WG 41 report would be the first dedicated assessment of the wide range of proposed marine geoengineering approaches. The central recommendation of the WG 41 draft report was that a coordinated framework for proposing marine geoengineering activities, submitting supporting evidence and integrating independent expert assessment had to be developed. The findings of the WG evaluation provided an important starting point for the next phase of assessment, having identified a major challenge in finding a streamlined, robust framework for scientific assessment that engaged advocates of individual techniques while providing the opportunity for effective, transparent scientific review.

5.11 In the ensuing discussion, it was noted that there was value in having a coordinated framework for proposing marine geoengineering activities but also that the governing bodies, in 2014, had approved a *Guidance for consideration of marine geoengineering activities* (LC 36/16, annex 5) which included a framework for information requested when considering a new marine geoengineering activity. Dr. Vivian clarified that the framework proposed in the GESAMP WG 41 report was designed to be utilized at a very initial stage, and would focus purely on technical considerations, and could be applied by different parties such as Contracting Parties, the Scientific Groups or project proponents.

5.12 The delegation of Chile informed the Meetings that following a series of toxic algal blooms in 2016, which had a major impact on the aquaculture industry, they had been investigating different technologies to help tackle the issue in future. One such technology was the use of clay flocculation. Chile was currently engaging with other countries that carried out these types of activities and was also reviewing whether this fell under the scope of the definition for marine geoengineering under the 2013 amendment to LP.

5.13 Dr. Vivian indicated that potential activities associated with conventional aquaculture were unlikely to be considered as marine geoengineering due to their scale, however ocean fertilization for fish stock enhancement could be as it occurred over a much larger scale, and was therefore a possible activity for LP to consider listing in the new annex 4 of the Protocol.

5.14 The delegation of Canada noted that, in anticipation of the case of the potential ocean fertilization proposal (see section 5.6.2), it had been working under the definition of ocean fertilization in the 2008 and 2010 resolutions, which was understood not to be limited to those activities for addressing climate change but included those with an objective to increase primary productivity. Canada was thus treating the anticipated project, which had the goal of fisheries enhancement, as ocean fertilization covered by LP and would require assessment using the Ocean Fertilization Assessment Framework (OFAF). Canada would therefore use these two resolutions as a basis for their governance process, whereby the applicant would use OFAF to evaluate if the activity was legitimate scientific research involving ocean fertilization. If this was not the case the activity would be regarded as dumping and not allowed.

5.15 The Meetings were informed of a lunchtime presentation during the 2018 Scientific Groups meeting from a group proposing to deposit glass (silica) beads on the sea or ice in the northern parts of Canada in an effort to delay the melting of the sea ice.

5.16 The delegation of Canada stated that without a formal frame of reference it had elected to ask the Group to use OFAF as a basis to evaluate this proposal, and noted it had received preliminary information based on OFAF from the Group.

5.17 Dr. Vivian stated that the GESAMP report had considered the applicability of OFAF to different technologies and concluded that while the overall structure of the framework was sound, it fitted some technologies better than others. Therefore, it might need adapting for certain technologies to provide appropriate guidance to proponents.

5.18 The Meetings were informed that the Co-Chairs and the Secretariat had been exploring potential opportunities for funding to continue the Working Group activities.

5.19 The governing bodies thanked the GESAMP Working Group for its work so far, and in particular Dr. Vivian for the informative report.

#### **Action by the governing bodies**

5.20 Following discussion the governing bodies:

- .1 noted the imminent publication of the first report of the Working Group;
- .2 instructed the Scientific Groups to review the report of the GESAMP Working Group and to provide advice to the governing bodies at their next session;
- .3 encouraged the GESAMP Working Group to continue its work on the remaining parts of the terms of reference;
- .4 requested the Secretariat to continue its quest to secure funding for the second phase, including through partnerships with other interested United Nations entities;
- .5 invited delegations in a position to do so to provide funding for the second phase of the Working Group; and
- .6 invited the GESAMP Working Group to continue engaging with the Scientific Groups as much as possible, and to provide a report on progress to the Scientific Groups and to the governing bodies at their next joint sessions in 2019, respectively.

#### **Update on the 2012 ocean fertilization incident**

5.21 In response to a question from the observer from Greenpeace International in regards to an alleged ocean fertilization incident that had occurred in the summer of 2012 in waters off Canada's west coast, the delegation of Canada stated that it took its commitment to protecting the environment seriously, and had completed its investigation. The results were now with the Public Prosecution Service of Canada.

## **6 CO<sub>2</sub> SEQUESTRATION IN SUB-SEABED GEOLOGICAL FORMATIONS (LP)**

### **Progress with the ratification of the 2009 amendment to article 6 of the London Protocol**

6.1 It was recalled that in 2009 the Meeting of Contracting Parties adopted resolution LP.3(4) on the amendment to article 6 of the London Protocol (LC 31/15, paragraph 5.17 and annex 5).

6.2 The governing body, having noted that there were only five ratifications: Norway (July 2011), the United Kingdom (February 2012), the Netherlands (November 2014), the Islamic Republic of Iran (November 2016) and Finland (October 2017) of the 2009 amendment, encouraged Contracting Parties to the London Protocol to do their utmost to facilitate the process to ensure entry into force as soon as possible.

6.3 The Chair invited delegations to provide an update on efforts towards ratification of the 2009 amendment.

6.4 The delegation of Norway informed the Meetings of the Government's ambition to realize a CCS-demonstration project that would generate technology transfer and unlock investments in further CCS projects, including beyond Norwegian borders. The project studied CO<sub>2</sub> capture in existing industries at two different sites in Norway. The demonstration project planned for a storage site with excess capacity, where CO<sub>2</sub> would be transported by ship to an onshore facility on the west coast of Norway, linked by pipeline to an offshore storage site below the seabed in the North Sea. This paved the way for shared use of the infrastructure and thereby lowering the cost. Norway stated that to realize this project, legal barriers needed to be removed and, therefore, encouraged Parties to give consideration to the 2009 amendment to the London Protocol.

6.5 The observer from Greenpeace International, in response to the information from Norway, noted that one of the CO<sub>2</sub> streams to be included in the project would be from an incinerator and asked if more information could be provided on any assessments undertaken, and whether any other contaminants would be present in the waste stream.

6.6 Norway, in response to the question from Greenpeace International, stated that their regulations on CO<sub>2</sub> storage were strict and required this information to be provided to the Government. Noting that the project was still under consideration, the delegation offered to provide information to future meetings of the governing bodies.

6.7 The delegation of Saudi Arabia encouraged the sharing of information on best practices on CO<sub>2</sub> storage.

6.8 In considering how to encourage further ratifications, the Meetings urged delegations attending the UNFCCC COP 24 meeting to be held from 2 to 14 December 2018 in Katowice (Poland), and other relevant global fora, to highlight the urgent need for ratification of the 2009 amendments to the London Protocol.

6.9 The governing body reminded delegations that the acceptance by Parties of the 2009 amendment to article 6 was seen as a crucial complement to the 2006 amendments that could potentially contribute to the success of climate change mitigation technologies.

6.10 The delegation of Nigeria informed the Meetings that it was working with the Climate Technology Centre & Network (CTCN) in Denmark on CO<sub>2</sub> storage issues and recommended that the Secretariat reach out to CTCN as it might be able to support efforts to further acceptances of the 2009 amendment.

### **Experiences with CO<sub>2</sub> sequestration technologies and their application**

6.11 It was recalled that the Meetings had benefitted from regular updates by Parties on their experiences with CO<sub>2</sub> sequestration technologies and their application of the relevant guidelines. This commitment had led to very informative reports both to the governing bodies and the Scientific Groups.

6.12 The Chair invited other delegations to inform the governing bodies on relevant developments concerning CO<sub>2</sub> sequestration technologies and projects, if any.

6.13 The observer from OECD informed the Meetings that the International Energy Agency (IEA) and the IEA Greenhouse Gas R&D Programme's (IEAGHG) work on policy and technical issues associated with carbon dioxide capture and storage (CCS) had been ongoing since the last meeting. The Meetings were informed of a number of IEAGHG activities including:

.1 *STEMM-CCS project (Developing Environmental Monitoring for Offshore CO<sub>2</sub> Storage Projects)*

This is an EU Horizon 2020-funded project that is developing environmental monitoring to test in situ a controlled release of CO<sub>2</sub> in the seabed at the Goldeneye location in the North Sea. The project is coordinated by the UK's National Oceanography Centre, with a consortium of partners representing the leading marine science organizations in the EU and Norway, including the Helmholtz Centre for Ocean Research Kiel (GEOMAR), the Plymouth Marine Laboratory (PML) and the Norwegian Institute for Water Research (NIVA). At the project's second annual meeting held in March 2018, it was noted great progress had been made in collecting environmental background data for the location which is already enabling a better understanding of the complexities and variabilities of the environmental baseline at the Goldeneye location, and enabling the development of realistic detection criteria and monitoring strategies for anomaly detection and attribution. Work is ongoing on the modelling of CO<sub>2</sub> and tracer migration in the overburden. Planning is well advanced on the development of the engineering and logistics to build the release site at the seabed, and the planning of the research cruises in 2018 using UK and German research ships. The controlled release is planned for spring 2019;

.2 *The third International Workshop on Offshore CCS*

The workshop took place on 3 and 4 May 2018, organized by the Bureau of Economic Geology (BEG), a subsidiary body of the University of Texas, in collaboration with IEAGHG and others, and hosted by the Research Council of Norway in Oslo. The aim of the workshop series is to facilitate sharing of knowledge and experiences among those who are doing offshore storage and those who are interested and to facilitate international collaboration on projects. The agenda included: monitoring offshore CO<sub>2</sub> storage; offshore CO<sub>2</sub> storage resource assessment; project updates; and standards and regulatory frameworks. Project updates were provided by Japan on the operational Tomakomai CO<sub>2</sub> storage site, and by Norway on the development of a new offshore storage site with a CO<sub>2</sub> transport hub taking CO<sub>2</sub> from industrial sources of a cement plant and a waste-to-energy plant by ship. The report of the workshop is available at:

<https://ieaghg.org/publications/technical-reports> as **IEAGHG 2018-TR02**; and

.3 *Offshore projects in the United States in the Gulf of Mexico*

Two new projects have commenced in the United States, funded by the Department of Energy (DOE), to develop partnership projects looking at offshore storage in the Gulf of Mexico. The GomCarb project is being led by the University of Texas, and the SECARB Offshore is being led by the Southern States Energy Board. Information will be available in due course on the US DOE website.



6.14 The Meetings were also informed of the role of cross-border CO<sub>2</sub> transport in realizing Carbon Capture and Storage value chains, through an informal lunchtime presentation of the Northern Lights project. The project, which is the CO<sub>2</sub> storage part of the Norwegian government's plan for a full scale demonstration project on the whole CCS chain, was presented by representatives from Equinor and its partners Shell and Total.

6.15 The Meetings noted a request to the observer delegation from OECD to submit a document updating the governing bodies on ongoing CO<sub>2</sub> sequestration projects and associated information to future sessions.

6.16 The delegation of Canada informed the Meetings that a group of researchers was actively looking for funding to establish a test well in Canadian waters and that they will update the governing bodies of any future progress.

## **7 COMPLIANCE ISSUES**

### **Review of reports on dumping permits issued in 2015 and 2016**

7.1 The Meetings considered the final draft compilation report containing data on permits issued in 2015 (LC 40/7) and the first draft summary report on dumping permits issued in 2016 (LC 40/7/1).

7.2 The Meetings noted that the final 2015 compilation report would be published in early 2019, following a quality check of the data, and taking into account any further submissions of dumping reports (before the end of December 2018). The Secretariat would forward a final draft compilation report for 2016, for which submissions were requested by the end of December 2018, and a first draft compilation report for 2017, to the Correspondence Group on Assessment of Dumping Reports for review, after which these draft reports would be submitted to the next session of the Scientific Groups, in 2019, for consideration.

7.3 The Meetings also noted that, out of the 35 Parties providing reports for 2015 so far, 10 were Party only to the Convention, and 25 were Party to the Protocol (either only the Protocol or both the Convention and Protocol). This was equivalent to an overall reporting rate of 35%. This should be compared with the target set by the governing bodies in the 2016 Strategic Plan, under strategic direction 2, to achieve a 75% reporting rate by 2022. Additional efforts were therefore required by Contracting Parties to meet the target.

7.4 Furthermore, the Meetings noted that with respect to the compilation of 2016 dumping data, the final draft compilation report would be available for review by the Scientific Groups and the governing bodies in 2019. So far, out of the 32 Parties that had reported for 2016, 10 were Party to the Convention only, and 22 were Party to the Protocol. This was equivalent to an overall reporting rate of 32%.

7.5 In the ensuing discussion, the observer from Greenpeace International noted two outstanding queries and corrections on the 2015 and 2016 data:

- .1 two permits issued in 2015 for mining wastes, by Costa Rica; and
- .2 a permit issued in 2015 for spoilt cargo, by the Marshall Islands.

7.6 It was agreed that the Secretariat would reach out to the Costa Rica and Marshall Islands Administrations to seek further information prior to the publication of the 2015 report.

7.7 The Meetings also noted:

- .1 a correction to be made to the 2016 entry for permits issued by Canada;
- .2 a correction to be made to the total number of permits issued for 2016; and
- .3 that the Philippines had recently submitted their data for 2014, 2015 and 2016, and that the Secretariat would update the reports accordingly.

7.8 The delegation of Canada proposed that it would be beneficial to present more detail with respect to the reporting rates, to allow for a better analysis. It was agreed that, at the next session, the Secretariat would provide the reporting rates for Parties that were only Party to the Protocol, Parties that were only Party to the Convention, and for those that were Party to both instruments.

### **Action by the governing bodies**

7.9 In conclusion, the governing bodies:

- .1 urged all Parties, if they had not done so, to provide the Secretariat with their annual reports, including NIL reports that indicated no dumping activities in a particular year, as soon as possible but no later than the end of December 2018 for their 2015 and 2016 activities;
- .2 encouraged Parties to continue to reach out to neighbouring Contracting Parties that were not reporting, and to indicate if they needed assistance in preparing the reports;
- .3 reminded Parties of the importance of providing their annual reports to achieve the targets set out in the Strategic Plan, as discussed under agenda item 3, which included increasing annual reporting levels by Parties to 75% by 2022; and
- .4 instructed the secretariat to:
  - .1 publish the final 2015 compilation report in early 2019, taking into account comments or amendments made, including comments made by the LP Compliance Group; and
  - .2 submit a final draft 2016 summary report and a first draft 2017 summary report to the Scientific Groups, for their review.

### **Review of the status of compliance requirements**

7.10 The Meetings considered document LC 40/INF.2 containing information on the extent to which Contracting Parties had notified the Secretariat of the annual reports on their dumping activities from 1976 up to and including 2016.

7.11 As in recent years, the Meetings noted that since the entry into force of the Convention in 1975, the overall response rate of Contracting Parties continued to fall.

7.12 With respect to the annex to document LC 40/7/2, the Meetings noted that 50 Parties had not reported in the previous five years (2012–2016), compared to 45 Parties for the period 2011 to 2015. It was noted that there was a "core group" of Parties that complied with the reporting obligation, but that the number of non-reporting Parties continued to increase, despite an increase in the number of Protocol Parties.

7.13 The Meetings noted that the Final report on dumping permits for 2014 had been issued in February 2018 as LC-LP.1/Circ.84, and the new invitation to report on dumping permits issued in 2017 had been issued as LC-LP.1/Circ.86.

7.14 With regard to the notification of illegal dumping ("Reporting Procedure of observed dumping incidents which may be in violation of international ocean dumping treaties" (LC-LP.1/Circ.47)), it was noted that no such reports had been received by the Secretariat in the last 12 months.

7.15 The Meetings noted that circular LC-LP.1/Circ.74, dated 16 November 2015, had announced the availability of the online reporting module, and this was now available in the IMO Global Integrated Shipping information System (GISIS), at: <https://gisis.imo.org>. The circular also contains guidance on how data should be entered.

7.16 The Meetings noted that only a limited number of countries had been using this system as their means of submitting data, and Parties were encouraged to use the online reporting system as the preferred option for their annual dumping reports. The Meetings also noted the Scientific Groups' discussion on the experiences with the reporting format and the new GISIS module, and in particular that several delegations had pointed to problems with reporting and using the module.

7.17 In the ensuing discussion, the following points, inter alia, were made:

- .1 the delegation of Ghana noted that document LC 40/7/2 incorrectly indicated them as not being Party to the Protocol. In addition, the delegation informed the Meetings that the national legislation had been introduced in 2016, but that in 2016 and 2017 no permits had been issued. However, in 2018 the Administration had received its first application for a permit, and this would be reported to the Secretariat in due course; and
- .2 the Meetings noted that the information provided on the status of compliance with the notification and reporting requirements under LC/LP, as presented in documents LC 40/7/2 and LC 40/INF.2, would benefit from additional information, including those that had reported on matters related to the implementation of the Protocol, administrative matters, designation of national authorities, etc. This would allow for a better assessment of what kind of assistance non-reporting Parties might need. It was agreed that the Secretariat, in dialogue with the Chair of the LP Compliance Group, would prepare a new format for these reports to the governing bodies, to be used in their submission to the next session in 2019.

7.18 Noting the limited uptake of GISIS as the preferred option for annual reporting of dumping data, and that the LP Compliance Group had also noted that some technical issues were impeding the use of the module, the Meetings concluded that a review of the functionality of the GISIS module would be timely.

#### **Action by the governing bodies**

7.19 In conclusion of this sub-item of the agenda, the governing bodies:

- .1 instructed the Secretariat to review the format of the summaries of the status of compliance requirements, in order to provide more information to the next session of the governing bodies in 2019;

- .2 encouraged Parties that had not processed any applications or issued any permits for dumping at sea to report this to the Secretariat as a nil report;
- .3 urged delegations to provide more information to the Secretariat, in particular those that had not yet put in place their implementing legislation, in order to determine the barriers to reporting;
- .4 urged all Parties to use the online reporting module for submission of their data on dumping permits as soon as possible using LC-LP.1/Circ.74 as guidance;
- .5 urged all Parties to ensure that the contact details of the National Focal Points were kept up to date in the GISIS Contact Points module for LC/LP;
- .6 noted the Scientific Groups' discussion on the importance of the continued efforts to analyse the historical dumping records, with a view to contribute positive messages on historical dumping trends;
- .7 invited the Correspondence Group on Assessment of Dumping Reports, under the lead of Ireland,<sup>2</sup> to report on the outcome of its work to the next session of the Scientific Groups in 2019;
- .8 requested the Secretariat to initiate a review of the functionality of the GISIS module for reporting, identifying any improvements that may be necessary, and provide this review to the LP Compliance Group at their next session in 2019, for consideration; and
- .9 instructed the Compliance Group to report back to the next meeting of the governing bodies on this matter.

### **Other compliance issues**

7.20 The Meetings recalled that in 2007 the governing bodies discussed the issue of "Monitoring for Convention and Protocol purposes" under this agenda item as permit compliance issues were submitted directly to the governing bodies, as distinguished from activities related to research and assessment (field monitoring), which were of particular interest to the Scientific Groups.

7.21 The Meetings also recalled that Contracting Parties to both the Convention and the Protocol had been invited to submit reports on compliance monitoring to the current session, as such reports would not only be important to show that the goals of dumping policies and permit conditions had been met, but would also show to a wider audience that the London Convention and Protocol were effective agreements. Such reports would also offer valuable information for the LP Compliance Group.

7.22 The Meetings, having noted that no reports had been submitted in recent years, urged Parties to both the Convention and the Protocol to submit reports on permit compliance monitoring to the next session of the governing bodies.

---

<sup>2</sup> The coordinator, Ms. Margot Cronin, can be contacted at: [margot.cronin@marine.ie](mailto:margot.cronin@marine.ie)

---

**Compliance Group matters (including the report of its eleventh session)**

7.23 The Chair of the Compliance Group, Ms. Suzanne Agius (Canada), introduced the report of the eleventh meeting of the Compliance Group (LC 40/WP.2).

7.24 In response to a query from the delegation of the United Kingdom, the Chair of the Compliance Group further explained that the library of sample legislation was expected to be ready for review by the Compliance Group at their next session. However, some additional questions remained, including what information could be shared publicly and what required permission from Parties.

7.25 Following discussion, the Meeting of Contracting Parties:

- .1 approved the report of the Compliance Group, as set out at annex 3 to this report, and the recommendations therein, and agreed to the proposed work programme of the Compliance Group for the period up to and including its twelfth session in 2019, as amended; and
- .2 encouraged Parties to submit dumping and monitoring reports, but also reports on their legislative and administrative measures, if they had not already done so.

7.26 The Meeting thanked the Compliance Group for its efforts and expressed its appreciation to all its members.

**Status of membership in the Compliance Group**

7.27 It was recalled that the twelfth Meeting of Contracting Parties had adopted, in 2017, the revised Compliance Procedures and Mechanisms pursuant to article 11 of the London Protocol, and that the current membership of the Compliance Group was:

- .1 Professor Young Sok Kim (Republic of Korea), elected for three terms in 2012, extended for three terms in 2015, membership expiring in 2018;
- .2 Ms. Fang Yuan (China), elected for three terms in 2017, membership expiring in 2020;
- .3 Professor Akiko Okamatsu (Japan), elected for three terms in 2014, extended for three terms in 2016, membership expiring in 2020;
- .4 Ms. Radia Razack (South Africa), elected for three terms in 2011, extended for one term in 2014 and again for three terms in 2015, membership expiring 2018;
- .5 Dr. Felicia Chinwe Mogo (Nigeria), elected for three terms in 2012, extended for three terms in 2015, membership expiring in 2018;
- .6 Ms. Suzanne Agius (Canada), elected for three terms in 2014, extended for three terms in 2016, membership expiring in 2020;
- .7 Mr. Felipe González (Chile), elected for three terms in 2015, membership expiring in 2018;
- .8 Mr. Gildardo Alarcon Daowz (Mexico), elected for three terms in 2015, membership expiring in 2018; and
- .9 Dr. Jemma Lonsdale (United Kingdom), elected for three terms in 2017, membership expiring in 2020.

7.28 The Meeting noted that the Secretariat had received the resignations of Ms. Fang Yuan (China) with immediate effect. In addition, the membership of five out of the current nine Compliance Group members would expire at the end of this Meeting.

**Election of members for future sessions of the Compliance Group**

7.29 The Meeting of Contracting Parties was informed of the nominations of:

- .1 Lieutenant Commander Erick Anwandter (Chile);
- .2 Captain Edson Javier Fano Espinoza (Peru);
- .3 Mr. Shang Baoxi (China); and
- .4 Mr. Adonis Tafangy (Madagascar).

7.30 The Meeting of Contracting Parties was also informed of the nominations for re-election of:

- .1 Professor Young Sok Kim (Republic of Korea);
- .2 Ms. Radia Razack (South Africa);
- .3 Dr. Felicia Chinwe Mogo (Nigeria); and
- .4 Mr. Gildardo Alarcon Daowz (Mexico).

7.31 The Meeting of Contracting Parties elected:

- .1 Lieutenant Commander Erick Anwandter (Chile), to serve as a member for three terms from 9 November 2018;
- .2 Captain Edson Javier Fano Espinoza (Peru), to serve as a member for three terms from 9 November 2018;
- .3 Mr. Shang Baoxi (China), to serve as a member for three terms from 9 November 2018; and
- .4 Mr. Adonis Tafangy (Madagascar), to serve as a member for three terms from 9 November 2018.

7.32 The Meeting of Contracting Parties also re-elected:

- .1 Professor Young Sok Kim (Republic of Korea) to serve as a member for three terms from 9 November 2018;
- .2 Ms. Radia Razack (South Africa), to serve as a member for three terms from 9 November 2018;
- .3 Dr. Felicia Chinwe Mogo (Nigeria), to serve as a member for three terms from 9 November 2018; and
- .4 Mr. Gildardo Alarcon Daowz (Mexico), to serve as a member for three terms from 9 November 2018.

7.33 The Meetings noted that, despite these new and re-elected members, there were still vacancies in a number of the groups, particularly in the Eastern European Group which currently had no members, and therefore Protocol Parties were further encouraged to nominate members.

7.34 To assist LP Parties, the Meetings reconfirmed the existing agreement whereby any of the five United Nations regions that had not provided three members for the current session could do so in the intersessional period with the approval of the Chair and two Vice-Chairs of the Meetings of Contracting Parties (LC 31/15, paragraph 6.7).

## **8 TECHNICAL COOPERATION AND ASSISTANCE**

### **Update of the Barriers to Compliance (B2C) Project, including recent and planned workshops**

8.1 The Meetings recalled that in 2017, the governing bodies had reviewed the execution and planning of various activities under the "Barriers to Compliance" (B2C) Project and approved the intersessional work plan of the B2C Steering Group to support ongoing and future technical cooperation and assistance activities and to continue the discussion on possible actions to improve ratifications of the Protocol, and also noted the need for a new Chair of the B2C Steering Group, following the election of Ms. Azara Prempeh (Ghana) as Chair of the governing bodies.

8.2 Also in 2017 the Meetings noted, with appreciation, new contributions pledged for this project by Canada, China and the Republic of Korea, and also noted requests for technical assistance from several countries and regions.

8.3 Noting the need for a new Chair of the B2C Steering Group, the Meetings were informed that two nominations to co-chair the B2C Steering Group had been received, from Ms. Mandana Mansoorian (the Islamic Republic of Iran) and Mr. Gildardo Alarcón Daowz (Mexico). Following consideration, the Meetings elected Ms. Mansoorian and Mr. Alarcón Daowz as Co-Chairs of the B2C Steering Group.

8.4 The Meetings were informed of progress made by the B2C Steering Group in the intersessional period, and had for their consideration the following three documents submitted by the Chair of the B2C Steering Group:

- .1 LC 40/8/1, presenting a revised draft "Frequently Asked Questions on the London Protocol", developed with the aim of assisting prospective Parties to the instrument;
- .2 LC 40/8/2, presenting a revised version of the PowerPoint slides on reporting for the London Protocol initially developed by the London Protocol Compliance Group; and
- .3 LC 40/8/3, providing an update on B2C Steering Group activities since the 2017 meeting of the governing bodies. It was noted that the main activities included:
  - .1 review and update of the plan of technical cooperation activities;
  - .2 communication plans for the Revised guidance on national implementation of the London Protocol and the Step-by-step guidance on simple approaches to creating and using action lists and action levels for dredged material;
  - .3 development of a draft action plan on reporting;

- .4 revised draft of the "Frequently Asked Questions on the London Protocol"; and
- .5 revised version of the PowerPoint slides on reporting for the London Protocol.

8.5 In the ensuing discussions, the Meetings thanked those delegations that had contributed to the intersessional work of the B2C Steering Group, and welcomed the progress made on several documents.

8.6 Following the discussion, the Meetings approved the "Communication plan for the step-by-step guidance on simple approaches to creating and using action lists and action levels for dredged material", the "Communication plan for the revised guidance on national implementation of the London Protocol" and the "Frequently Asked Questions on the London Protocol".

8.7 With regard to the document containing "Frequently Asked Questions on the London Protocol", the Meetings confirmed the usefulness of the document for the national administrations involved with implementation of the London Protocol, and requested the Secretariat to upload a digital version of the FAQ document on the LC/LP website, and to update it in case of changes.

8.8 In conclusion, the Meetings decided to reconvene the B2C Steering Group, under the newly elected Co-Chairs, and to reflect the consideration of the above-mentioned documents in the Group's terms of reference (refer to paragraph 8.33 below).

8.9 The Meetings were informed of the outcomes of the following five national and regional workshops that had been carried out during the intersessional period (LC 40/8):

- .1 a national workshop held in Kiev, Ukraine on 14 and 15 November 2017. The workshop was hosted by the Ministry of Infrastructure of Ukraine and was attended by 55 participants from Government ministries, agencies, State enterprises and academia, including around 25 maritime students from the State University of Infrastructure. The workshop was funded by the IMO Integrated Technical Cooperation Programme (ITCP), with one expert provided free of charge by the Government of Ireland;
- .2 a sub-regional workshop held in Djibouti City, Djibouti, from 11 to 13 December 2017 that was attended by participants from Djibouti and Somalia. The workshop was organized in cooperation with the Regional Organization for the Conservation of the Environment of the Red Sea and Gulf of Aden (PERSGA) and was delivered in a combination of French and English. The workshop was funded by the IMO ITCP, with one expert provided free of charge by the Government of Canada;
- .3 a regional workshop held from 25 to 27 April in Valparaiso, Chile, prior to the annual joint session of the LC/LP Scientific Groups. The workshop was funded by the LC-LP Trust Fund and was conducted in Spanish and English, with one expert provided free of charge by the Government of Mexico (see further below);
- .4 a national workshop on the implementation of the London Protocol and its climate change amendments was held in Manila, Philippines, on 17 and 18 May 2018. The workshop was coordinated in cooperation with



the Philippine Coast Guard (PCG) and was attended by 63 participants representing PCG, Philippine Ports Authority (PPA), Philippine Reclamation Authority (PRA) and port, dredging and marine construction companies. The workshop was funded by the LC-LP Trust Fund, with the Co-Chair of the GESAMP Working Group on marine geoengineering as the consultant; and

- .5 a national workshop held in Luanda, Angola, on 30 and 31 May 2018, which was organized in cooperation with the Government of Angola through the Ministry of Transportation and the Maritime and Port Institute of Angola (IMPA). The workshop was funded by the IMO ITCP and was attended by 80 participants, with one expert provided free of charge by the Government of Brazil.

8.10 The Meetings noted that the Secretariat had received a number of requests for national and regional workshops that could be implemented, depending on funds available from the Trust Fund and other sources such as the IMO ITCP, in 2018-2019 as well as post-biennium. The Meetings also noted a number of additional requests for technical assistance from the Islamic Republic of Iran for a follow-up workshop, and Nigeria for a workshop on the LP climate change amendments to help facilitate their ratification.

8.11 The delegation of the Philippines expressed its appreciation to IMO and the Office of the LC/LP and Ocean Affairs for the workshop on the implementation of the London Protocol and its climate change amendments, held in Manila in May 2018, and announced that the recommendations emanating from the workshop were being addressed.

8.12 The Meetings were informed that at least two more activities were planned for 2018. First, a regional workshop for countries of the Abidjan Convention, which was being co-organized with the Abidjan and OSPAR Conventions and the Norwegian Oil for Development Programme. This workshop, scheduled for November 2018, would focus on the implementation of LP and environmental standards for offshore oil and gas exploration and development. Second, a national workshop on LP was being organized back to back with a regional workshop on Particularly Sensitive Sea Areas (PSSAs) in Sri Lanka. This workshop was due to take place in December 2018.

8.13 The Meetings considered document LC 40/8/4 providing a summary of the regional workshop to promote LP, held in Valparaíso, Chile, from 25 to 27 April 2018, prior to the joint session of the Scientific Groups. The workshop was hosted by DIRECTEMAR, of Chile, organized by IMO in cooperation with the Permanent Commission on for the South Pacific (Comisión Permanente del Pacífico Sur, CPPS) and the Government of Chile, and was attended by 28 representatives of the maritime authorities and government agencies representing 11 countries from the region. The Meetings noted that, at the national level, the workshop helped strengthen the link with other institutions to encourage greater inter-institutional coordination within the National Working Group that existed for LP, with the aim of addressing current and future topics dealt with in the meetings of the Scientific Groups and the meetings of the Parties, for the purpose of working towards LP implementation and auditing.

8.14 In the following discussion, a number of countries that attended the regional workshop expressed their appreciation to Chile for hosting the event, highlighting its success.

8.15 The delegation of Panama highlighted that one of the difficulties experienced in ratifying LP was the need to raise the awareness of officials at all levels of its importance, and that a workshop would help generate national discussion and focus on ratification. The delegation therefore offered to host a future regional workshop.

8.16 The governing bodies expressed their appreciation to those that had contributed to the workshops by hosting activities, and extended their appreciation, in particular to the Governments of Brazil, Canada, China, Ireland, Mexico and the Republic of Korea, for providing funding and experts in kind to the activities held during the intersessional period.

8.17 The Meetings noted, with appreciation, the offer of Canada to host a technical workshop related to sediment sampling, the design of characterization and monitoring studies and toxicity testing as outlined in the *Guidelines on low-cost, low-technology assessment of dredged material*. The Meeting also noted the offers from some countries to host regional workshops, possibly back to back with future Scientific Groups' meetings, where appropriate.

8.18 The Meetings also noted, with appreciation, the pledge by Canada that, if the technical workshop was to go ahead, they had secured funding to support the attendance of a limited number of participants.

#### **Follow-up evaluation questionnaire for regional or national workshops under the "Barriers to Compliance" Project**

8.19 The Meetings recalled that, in 2010, the governing bodies had adopted a Follow-up Evaluation Questionnaire which would be forwarded to workshop participants sometime after the conclusion of a regional or national workshop, to evaluate the effectiveness of past national or regional workshops on the London Convention and Protocol. It was also recalled that many of the workshops implemented in recent years had been funded by IMO ITCP funds; therefore, the IMO system for evaluation had been used.

8.20 The Meetings also recalled that given the low rate of responses to the questionnaires, the B2C Steering Group had been instructed to develop recommendations on how to improve the feedback from the technical cooperation activities (LC/SG 38/16, annex 5).

8.21 The Meetings further recalled that, in 2017, the governing bodies had:

- .1 encouraged all delegations to ensure that when they hosted a workshop, the post-activity evaluation should be submitted to the IMO Internal Oversight and Ethics Office to ensure that the impacts of the activities could be properly assessed; and
- .2 instructed the Secretariat to continue to distribute the questionnaire, or when appropriate the IMO questionnaire, to past participants and provide further updates to the governing bodies in the future, as new information emerged.

#### **Action by the governing bodies**

8.22 The Meetings were informed of progress in assessing the effectiveness of workshops, and requested the Secretariat to monitor these developments and report back to the governing bodies at future sessions, as appropriate, as any new information emerged. The Meetings also called upon countries that would participate in future workshops to fill out the Follow-up Evaluation Questionnaires and submit those to the Secretariat.

---

**Progress with bilateral technical cooperation projects and national or regional workshops as reported by Contracting or non-Contracting Parties, as well as promotion activities in regional fora**

8.23 The Meetings recalled that this item was meant to encourage countries reporting on bilateral projects they had established for capacity-building in the field of protection of the marine environment and promotion of sound waste management. It was noted that the reports of the representatives of the international organizations, which had in previous years been captured under agenda item 12, were discussed under this agenda item instead.

8.24 As no information on this matter had been submitted to this session, the governing bodies encouraged delegations to continue contributing to the outreach activities and play an ambassadorial role to promote the London Protocol in their respective fora, and report back on the results to the next Meetings.

**Status reports on other technical cooperation and outreach activities, and outstanding matters deferred from the Report of the Scientific Groups**

8.25 The Meetings considered document LC 40/8/5 (Republic of Korea) providing information on the structure of the first semester of the graduate school of LP Engineering Master of Project Administration (LPEM).

8.26 The Meetings noted that LPEM, established at the University of Science and Technology (UST) – Korea Institute of Ocean Science and Technology (KIOST) campus, aimed to further deepen technical cooperation in the area of science and technology in relation to the coastal engineering and port environment management under the purview of LP.

8.27 The delegation of the Philippines expressed appreciation for the participation of a student in the graduate programme. The Meetings also noted that, since the submission of this document, KIOST had already undertaken the first semester of LPEM.

8.28 The Meetings were also reminded that, at the last governing bodies meeting, following a request by the Scientific Groups to update the list of technical experts contained in the appendices of *The London Protocol – What it is and how to implement it*, with a view to making this list available online, delegations were invited to submit the names of technical experts to join the IMO e-roster of consultants, in particular those speaking languages other than English.

**Review of current and proposed LC/LP publications**

8.29 The Meetings were informed that, as reported to previous sessions, in recent years, a number of guidelines and updated publications had been published. The final publication in the low-cost, low-technology monitoring guidance series on compliance monitoring was published in September 2017. Since then, the publication of the *Revised guidance on national implementation of the London Protocol* and the *Step-by-step guidance on simple approaches to creating and using action lists and action levels for dredged material* had been initiated as requested by the governing bodies, and the first of these, the *Revised guidance for national implementation of the London Protocol*, would be available soon.

8.30 The Meetings were also informed about the imminent publication of a new LC/LP climate change brochure, which had been produced to raise the profile of the LC/LP contribution to climate change mitigation and further promote ratifications of the LP climate change amendments.

### **Action by the governing bodies**

8.31 Following discussion the governing bodies:

- .1 instructed the Secretariat to continue its work on the publications as planned, in consultation with interested parties; and
- .2 reminded delegations to share experiences with the use of the publications and guidance documents at future sessions of the governing bodies.

### **The London Convention and Protocol website**

8.32 The Meetings were informed that the Secretariat had been continuously updating the website, taking into account comments and suggestions from Contracting Parties, and that the climate change section of the website would be updated in light of the information in the new LC/LP climate change brochure. The Meetings invited the Secretariat to continue improving the website and report back to the governing bodies as and when needed.

### **Re-establishment of the B2C Steering Group**

8.33 The Meetings reconvened the B2C Project Steering Group, under the co-lead of Ms. Mandana Mansoorian (Islamic Republic of Iran) and Mr. Gildardo Alarcón Daowz (Mexico), with the following terms of reference:

- .1 undertake further work on the work plan of the Group as follows, taking into account any comments made in plenary:
  - .1 finalize the draft action plan aimed at improving reporting to meet the targets on reporting set out in the Strategic Plan (LC 40/8/3 annex 1);
  - .2 further review the strategic approach to technical cooperation (LC 39/WP.6 annex 3);
  - .3 undertake tasks assigned to the B2C Steering Group in relation to the communication plans for various publications approved by the governing bodies;
  - .4 implement agreed measures to increase ratification; and
  - .5 improve the technical cooperation portion of the LC/LP website;
- .2 further develop guidance for practical implementation of a permitting system for countries post ratification in collaboration with the Compliance Group;
- .3 finalize the workshop PowerPoint slides on reporting initially developed by the Compliance Group (LC 40/8/2, annex); and
- .4 prepare recommendations on any other actions to take.

---

## Report of the B2C Steering Group

8.34 The Co-Chairs of the B2C Steering Group informed the Meetings that the Group had met on 6 and 7 November 2018 (LC 40/WP.6), attended by delegations from Canada, Germany, Ghana, Japan, Nigeria, the Philippines, the Republic of Korea, the United States and an observer from IMarEST.

8.35 The Meetings noted that the Group had completed its tasks, making several proposals for issues to be further discussed intersessionally.

## Action by the governing bodies

8.36 Having received the report of the B2C Steering Group, the governing bodies approved the report in general, and:

- .1 took note of the updated list of ongoing and planned workshops and projects, as set out in annex 4;
- .2 invited Contracting Parties to send copies of their national legislation implementing the London Protocol and London Convention to the Secretariat with a view to populating the library of sample legislation;
- .3 approved the revised Action Plan aimed at improved reporting as set out in annex 5, and to instructed the various subsidiary groups to incorporate the actions in their respective work programmes, and subsequently in the Streamlined Joint Work Programme;
- .4 approved the revised *Recommendations for the revision of the strategic approach to technical cooperation: delivering workshops* as set out in annex 6 to this report, and instructed the Secretariat to implement them;
- .5 noted the updated communication plan for the Manual *The London Protocol: What it is and how to implement it* and the updated communication plans for the document titled "Benefits of being a Party to the London Protocol" and the *Low Cost, Low Technology Assessment and Monitoring Guidelines* as set out in annex 3 and annex 4 of document LC 40/WP.6, respectively;
- .6 approved the reporting slides as set out in the annex 5 of document LC 40/WP.6, together with the added text on slide 11 as set out in paragraph 16 and annex 5 of document LC 40/WP.6;
- .7 approved the planned work to be undertaken by the B2C Steering Group during the intersessional period on advancing the different communication measures assigned to the Group in the communication plans and on developing possible ways of consolidating the various communication plans; and
- .8 instructed the Group to provide a progress report to the next joint session of the Scientific Groups, in 2019.

8.37 The governing bodies thanked all those who had contributed to the work of the B2C Steering Group, both in the meeting and in the intersessional period, and in particular Ms. Mandana Mansoorian and Mr. Gildardo Alarcón Daowz for their leadership.

## 9 INTERPRETATION OF THE LONDON CONVENTION AND PROTOCOL

### Revision of the Specific Guidelines for assessment of platforms or other man-made structures at sea

9.1 The Meetings recalled that in 2016, the governing bodies approved the revised Specific Guidelines for assessment of vessels, and invited the Scientific Groups to commence a review of the *Specific Guidelines for assessment of platforms or other man-made structures at sea* which were adopted in 2000 (LC 38/16, paragraph 9.11, annex 7 and paragraph 13.4.2, and LC/SG 40/16, paragraphs 2.38 to 2.50).

9.2 The Meetings further recalled that in 2017, the governing bodies endorsed the Scientific Groups' decision to establish a Correspondence Group on the revision of the *Specific Guidelines for assessment of platforms or other man-made structures at sea* for the intersessional period under the lead of Norway, with assistance from Canada (LC 39/16, paragraph 4.10.3).

9.3 The meetings, having considered the report of the Scientific Groups relating to the Specific Guidelines (LC 40/4, paragraph 4.3), noted the Groups' discussion on the revision of the Specific Guidelines; endorsed the Scientific Groups' decision to re-establish the Correspondence Group on the Revision of the Specific Guidelines for Assessment of Platforms or Other Man-made Structures at Sea for the intersessional period under the lead of Norway<sup>3</sup> under the current terms of reference (LC/SG 41/16, paragraph 2.16.2); and considered the issues raised in paragraphs 5 and 8 of LC/SG 41/WP.3 (paragraphs 9.4 to 9.13 below).

9.4 The Chair of the Correspondence Group, Ms. Anne-Grethe Kolstad (Norway), introduced document LC 40/9/3, providing an update on the progress made by the Correspondence Group on the Review of the Specific Guidelines for Assessment of Platforms or Other Man-made Structures at Sea, and also document LC 40/9/4 which raised two issues identified during the revision of the Specific Guidelines that were of an interpretative nature that had been forwarded to the governing bodies for consideration.

9.5 The Meetings were informed that the Correspondence Group had submitted a "final" first draft of the revised Specific Guidelines to the 2018 Scientific Groups meeting for discussion. The Meetings noted that the second draft of the revised Specific Guidelines, including any guidance provided from the current meeting of the governing bodies, would be distributed to the Correspondence Group members by the end of December 2018 for final input; and that the revised Specific Guidelines would then be submitted to the 2019 meeting of the Scientific Groups for their final review and subsequently forwarded to the 2019 meeting of the governing bodies for approval.

9.6 The Meetings were asked to consider two issues identified during the revision of the Specific Guidelines that were of an interpretative nature. The first concerned the practical applicability of the Specific Guidelines to previous or unplanned abandonments of platforms or other man-made structures at sea. The second was whether it was helpful or not to further expand the existing list of examples of man-made structures that could be allowed for disposal at sea.

9.7 In the subsequent discussion, with regard to the practical applicability of the Specific Guidelines to previous or unplanned abandonments of platforms or other man-made structures at sea, the Meeting noted comments that it was unlikely that the permitting procedure described in the Specific Guidelines could be applied retrospectively to the previous abandonments, while the unplanned abandonments due to *force majeure* or emergencies should be considered in accordance with articles 8.1 and 8.2 of the London Protocol, respectively.

---

<sup>3</sup> The coordinator, Ms. Anne-Grethe Kolstad, can be contacted at: [anne-grethe.kolstad@miljodir.no](mailto:anne-grethe.kolstad@miljodir.no)

9.8 Concerning an expanded list of examples of other man-made structures at sea, the Meetings noted that clarification on potential types of other man-made structures was needed given the evolution of such structures since the current Specific Guidelines had been developed.

9.9 A number of delegations indicated that it was not prudent to provide a list of examples of the other man-made structures.

9.10 One delegation suggested that a criteria-based approach could be employed to provide additional guidance for this matter, and offered to provide further elaboration on the criteria-based approach at a future session of the Scientific Groups.

#### **Establishment of the working group on the revision of the Specific Guidelines for assessment of platforms or other man-made structures at sea**

9.11 Following further discussion, the Meetings established the Working Group on the Review of the Specific Guidelines for Assessment of Platforms or Other Man-made Structures at Sea, under the lead of Ms. Anne-Grethe Kolstad (Norway), and instructed the group to:

- .1 taking into account document LC 40/9/3 and comments made in plenary, continue its work on the revision of the Specific Guidelines for assessment of platforms or other man-made structures at sea; and
- .2 consider in detail the two issues of an interpretative nature raised in document LC 40/9/4 in order to provide guidance for the future work of the Correspondence Group.

#### **Report of the Working Group**

9.12 The Chair of the Working Group, in presenting the report (LC 40/WP.4), stated that the Group had met on 6 November 2018 and had been attended by delegations from Australia, Canada, China, France, Germany, Japan, Nigeria, Peru, the Philippines, the Republic of Korea, Saudi Arabia, South Africa, the United Kingdom and the United States, and observers from ACOPS and IMarEST.

#### ***Abandoned platforms and structures***

9.13 The Meetings noted that the Working Group was of the view that the Specific Guidelines should not apply to previous or unplanned abandonments of platforms or other man-made structures at sea due to unplanned events such as natural catastrophes and to platforms/structures that had been abandoned before adequate national regulations came into place.

#### ***Examples of "other man-made structures at sea" to which the Specific Guidelines should apply***

9.14 The Meetings also noted that the Working Group had developed the following text to replace with paragraph 1.6bis of the draft revised Specific Guidelines:

"1.6bis The category of other man-made structures at sea" is not defined under the London Protocol nor under the London Convention, but could refer to other structures for which the Contracting Party requires a permitting procedure to abandon or dispose of in accordance with domestic legislation or other relevant international obligations, and taking into account the objectives of the LP/LC in article 2 and articles I and II, respectively."

### **Action by the governing bodies**

9.15 Following discussion, the governing bodies approved the report in general, and in particular, concurred with:

- .1 the Group's view that the Specific Guidelines should not apply to previous or unplanned abandonments of platforms or other man-made structures at sea (LC 40/WP.4 paragraph 3); and
- .2 the proposed revised text of paragraph 1.6bis of the draft revised *Specific Guidelines for Assessment of Platforms or Other Man-made Structures at Sea* (LC 40/WP.4 paragraph 6).

### **Disposal of fibreglass vessels**

9.16 The Meetings recalled that in 2017 the governing bodies had noted the Scientific Groups' discussion on the disposal of fibreglass vessels and acknowledged that this issue was a concern for many countries (LC 39/16, paragraphs 9.11 to 9.16) and that the governing bodies had instructed the Secretariat to engage a consultant to collate, inter alia, information on the scale of the problem and to identify key knowledge gaps relating to impacts of fibre-reinforced plastic vessels dumped or placed in the marine environment and to consult within IMO, and with other relevant treaty bodies, regarding the end-of-life management of fibre-reinforced plastic vessels (LC 39/16, paragraph 9.21.1.1).

9.17 The Meetings also recalled that in 2017 the governing bodies had instructed the Scientific Groups to consider the consultant's report and the information from the Secretariat in order to advise the governing bodies whether there was a need for disposal into the sea of fibreglass vessels and, if so, whether such vessels could be disposed of in the sea in a safe and environmentally sound manner; and also to consider whether there was a need for guidance to be developed.

9.18 The Meetings noted the Scientific Groups' discussion regarding developing recommendations on disposal of fibreglass vessels (LC/SG 41/16, paragraphs 2.18 to 2.31).

9.19 The Meetings considered document LC 40/9/2 (Secretariat), which contained a final report on the current state of knowledge regarding the end of life management of fibre-reinforced plastic (e.g. fibreglass) vessels, and on alternatives to disposal at sea, and noted the statement of concern on this matter adopted by the Scientific Groups (LC/SG 41/16, annex 2).

9.20 It was noted that the main objective of the report was to provide an overview of the current state of knowledge regarding the end-of-life management of fibre-reinforced plastic (FRP) vessels, and on alternatives to disposal at sea. Therefore, to achieve that objective the draft report:

- .1 collated information on the scale of the problem associated with the end-of-life management of FRP vessels, and on alternatives to disposal at sea, taking into account the different types of fibre-reinforced plastic;
- .2 contained a literature review considering the potential impacts of ocean disposal or placement of FRP vessels on the marine environment, including an evaluation of the impacts of the degradation or breaking apart of FRP vessels (e.g. microplastic components), taking into account the different types of fibre-reinforced plastic and the influence of different environmental conditions; and



- 
- .3 identified key knowledge gaps relating to impacts of fibre-reinforced plastic in the marine environment.

9.21 It was also noted that, having commissioned a working group to review the draft report, the Scientific Groups had identified that knowledge gaps existed in relation to the scale of the issue of FRP vessel disposal, the impacts of FRP on the marine environment and alternatives to disposal at sea, and that there was not enough information at this time to make a determination as to what were the most appropriate options for the end-of-life management of FRP vessels. Consequently, the Groups noted that it would not yet be possible to provide a clear recommendation on this matter, as requested by the governing bodies.

9.22 The Meetings were also informed by means of a presentation by the author of the report, Dr. Simon Bray. The presentation highlighted the global nature of the issue of FRP vessels, provided information on the current, and future, management options and the following conclusions from the report:

- .1 FRP vessels are both a local and global issue and concern over their disposal is rising possibly due to the international concern in relation to marine plastic litter and microplastics;
- .2 FRP vessels are outliving their life expectancy and there is now an abundance of unused abandoned vessels with no sustainable disposal route;
- .3 landfill is used in many countries as it is the most cost effective disposal option, however that is changing in some countries due to capacity and legal issues;
- .4 current global legislation is not suitable, and therefore commitment at governmental level would be required to address the issue; and
- .5 financial models are needed plus further work on the environmental consequences and sustainable options.

9.23 In the subsequent discussion, the Meetings were informed of how a number of delegations were attempting to address this issue, including:

- .1 the delegation of Norway informed the Meetings that it had an incentive system for these types of vessels, through which owners received an amount of money when taking their vessels for recycling;
- .2 the delegation of France further informed the Meetings of a liability structure for recreational boat manufacturers, to potentially be introduced the following year, and that a body representing the manufacturers would be accredited by the French Government to run the recycling of recreational craft that had reached the end of their life. The system would be based on the principle that those who manufactured the craft were responsible for managing those products up until the end of life, including the waste stream, meaning that there would be a transfer of liability and therefore associated costs to the manufacturers;
- .3 the delegation of Sweden informed the Meetings of a project to stimulate innovative solutions for the recycling of FRP vessels, part of which included a government agency providing financial aid for boat owners making it free of charge for them to scrap vessels; and

- .4 the delegation of Canada informed the Meetings of the Innovative Solutions Canada Programme, through which small and medium size business were invited to develop innovative solutions to address the issue of recycling of fibreglass, and that the Government had committed CAD 12 million to address domestic plastic innovation challenges, which included fibreglass vessels.

9.24 The Meetings noted that for a number of Parties, including in particular some developing countries and small island States, the solutions described in paragraph 9.23 above were interesting, but would be difficult to implement as most vessels were not manufactured in the country and the market was small. The Meetings noted therefore that solutions were limited and the majority of vessels currently went to landfill or were abandoned along the coast.

9.25 The Meetings expressed their sincere appreciation to Dr. Bray for the comprehensive report, the Secretariat for compiling the initial information on this issue and commissioning the report and Member States for sharing information on initiatives for the end-of-life management of FRP vessels.

### **Action by the governing bodies**

9.26 Following a discussion, the governing bodies:

- .1 endorsed the Scientific Groups' instruction to the Secretariat to:
  - .1 finalize the draft report by the consultant (LC/SG 41/2) and share the report on end-of-life management of FRP vessels and on alternatives to disposal at sea (LC/SG 41/16, paragraph 2.30.1);
  - .2 issue a circular to gather more information from Contracting Parties and other relevant bodies on current operating procedures and best practices associated with the end-of-life management of FRP vessels and on alternatives to disposal at sea, with the aim of collecting information before the next meeting of the Scientific Groups in 2019 (LC/SG 41/16, paragraph 2.30.2); and
  - .3 provide a report summarizing additional information collected in response to the circular to the next meeting of the Scientific Groups in 2019 (LC/SG 41/16, paragraph 2.30.3).
- .2 noted the Groups' agreement to consider the Secretariat's report and other available information, and evaluate whether further work was required on this issue, with a particular emphasis on identifying best management practices and making alternatives to the disposal at sea of FRP vessels available (LC/SG 41/16, paragraph 2.30.4);
- .3 endorsed the Groups' adoption of the statement of concern on the disposal of FRP vessels, (LC/SG 41/16, paragraph 2.30.5 and annex 2);
- .4 encouraged Contracting Parties and other relevant bodies to respond to the circular to be issued by the Secretariat on current operating procedures and best practices associated with the end-of-life management of FRP vessels and on alternatives to disposal at sea, with the aim of collecting information before the next meeting of the Scientific Groups in 2019; and

- .5 urged Contracting Parties to continue to share information with the Secretariat and the Scientific Groups.

**Riverine and marine disposal of tailings and associated wastes from mining operations, including deep seabed mining**

9.27 The Meetings recalled that in 2016, the governing bodies, having reviewed the work of the Correspondence Group on Mine Tailings and the terms of reference of the newly established GESAMP Working Group, re-established the Correspondence Group to continue its work, under the leadership of Peru (LC 38/16, paragraphs 9.12 to 9.22).

9.28 The Meetings also recalled that in 2017 the Chair of the Correspondence Group on Mine Tailings (Peru) provided the Meetings with an overview of progress made during the intersessional period, stating that no further information had been submitted in addition to that provided prior to the 2016 governing bodies meeting, in regard to best management practices.

9.29 Following a brief discussion, the Meetings agreed to hold the Correspondence Group in abeyance until the report of the GESAMP Working Group on impacts of wastes and other matter in the marine environment from mining operations, including marine mineral mining, had been published and considered by the governing bodies at their next meeting in 2019.

9.30 The Meetings considered document LC 40/9/1 (Secretariat) which provided a progress report on the activities being conducted by the GESAMP Working Group on impacts of wastes and other matter in the marine environment from mining operations, including marine mineral mining (WG 42).

9.31 The Meetings noted that the initial time line set by the Group was to have a draft report by January 2018 for comment and review, this had been re-programmed and the draft was produced for initial review by Group members in August 2018 with a draft report expected to be available for review by the Secretariat in late 2018, followed by a peer review by GESAMP prior to publication.

9.32 Furthermore, at the 45th session of GESAMP, held in September this year, GESAMP reviewed progress made by the Working Group and noted that it was working towards finalization of its report, most likely in early 2019.

9.33 Additionally, the Meetings were informed that the Chair (Dr. Tracy Shimmield) had attended the "Workshop on the draft regulations for the exploitation of mineral resources in the Area: policy, legal and institutional considerations", which was organized by the Foreign and Commonwealth Office of the United Kingdom, and ISA, and held at the Royal Society, London, in February 2018. At the meeting it was proposed that GESAMP WG 42 could be the ideal group through which all scientific information related to deep sea mining was routed to ensure that relevant bodies were receiving all available scientific information related to deep sea mining.

9.34 The Meetings were informed of the ongoing engagement between the Secretariat and ISA, including a meeting at IMO headquarters in June of that year to further cooperation on matters of common interest, including regulatory responsibilities of both organizations and how ISA could learn from a better understanding of ways of working and good practices of LC/LP and wider IMO.

9.35 It was noted the Secretariat had also provided a response to the invitation from ISA to provide comments on the revised draft regulations on exploitation of mineral resources in the Area. In that response the Secretariat reiterated the relevance of the Waste Assessment Guidance (WAG) developed under annex 2 of the Protocol, to the development of standards and guidelines to operationalize the draft exploitation regulations. The Secretariat had also highlighted the relevance of the jurisdictional competence of ISA and IMO (including LC/LP) with respect to the importance of clarifying the respective roles of ISA and sponsoring States. The IMO submission to ISA commenting on the earlier draft regulations on exploitation of mineral resources in the Area are available on the ISA website in the link below, and comments on the revised draft regulations will be available via the same link when uploaded by the ISA: <https://www.isa.org.jm/legal-instruments/ongoing-development-regulations-exploitation-mineral-resources-area>

9.36 In the subsequent discussion the Meetings considered a question from the delegation of Australia regarding whether discharge of marine and riverine disposal of mine tailings from a pipeline comes under the scope of LC/LP and:

- .1 noted that this issue was previously identified by the Meetings as a regulatory gap;
- .2 noted previous advice from the IMO Legal Affairs and External Relations Division on the issue (LC 36/16, paragraph 9.10, LC 37/16, paragraph 9.6 and LC 37/9/2), where it was agreed that this was up to the Parties to decide;
- .3 noted that the expertise within LC/LP was relevant in determining the impacts of such disposal activities as highlighted by the LC/LP international assessment of marine and riverine disposal of mine tailings report; and
- .4 recalled the agreement to await the GESAMP WG 42 report to provide a better understanding of the scientific and technical issues associated with the disposal of mining wastes at sea from land-based or deep sea mining activities before deciding how LC/LP could contribute.

9.37 The Meetings expressed appreciation to the GESAMP Working Group for their continued work on this issue and reiterated their commitment to continued collaboration with the Group.

#### **Action by the governing bodies**

9.38 Following discussion, the governing bodies:

- .1 noted the progress made by the GESAMP Working Group and the Scientific Groups' agreement to await the report of the Working Group before pursuing a full discussion on the next steps, therefore changing the target completion date for this activity to 2019, and encouraged delegations to donate funds or sponsor experts to the next phase of the GESAMP Working Group (LC/SG 41/16, paragraphs 8.1 to 8.3 and 8.6);
- .2 invited the GESAMP Working Group to provide further updates to the next joint session of the Scientific Groups in 2019;
- .3 noted the Scientific Groups' discussion on the issue of cooperation with ISA on deep seabed mining and agreement to change the target date of this activity to "ongoing" in the Joint Work Programme;

- .4 encouraged a continued dialogue between the Secretariat and relevant global and regional bodies; and
- .5 requested the Secretariat to keep the Scientific Groups and the governing bodies abreast of related developments at their respective sessions in 2019.

### **Marine litter and microplastics**

9.39 The Meetings recalled that in 2016, the governing bodies had continued their discussions to address marine litter, in particular from permitted wastes described in the study entitled *Review of marine litter in relation to the various waste streams under the London Convention and Protocol*, commissioned by the Secretariat, and adopted a recommendation to encourage action to combat marine litter (LC 38/16, paragraphs 9.23 to 9.31, and annex 8).

9.40 The Meetings also recalled that in 2017, the governing bodies had endorsed the Scientific Groups' agreement that Parties should redouble efforts to share knowledge and technical expertise with regard to the analysis of plastics, including microplastics, in dredged material and sewage sludge (in particular), with a view to developing methods to enable routine, reliable monitoring, assessment and reporting of microplastic contaminant levels in such waste streams as soon as possible. The governing bodies had also encouraged delegations to share information on successful and effective methods to reduce microplastics entering the environment through waste streams, preferably by way of submissions to forthcoming sessions of the Scientific Groups (LC 39/16, paragraphs 9.33 to 9.37).

9.41 The Meetings further recalled that the topic of Science Day at the 2018 Scientific Groups' joint session held in Valparaiso, Chile, was "Plastics and microplastics in the marine environment, including impacts on aquaculture activities".

9.42 The Meetings endorsed the Scientific Groups' agreement to establish a Correspondence Group on marine litter and microplastics, under the lead of Nigeria<sup>4</sup> and with the support of Chile (LC/SG 41/16, paragraph 8.27).

9.43 The Meetings considered document LC 40/9 (Secretariat) presenting the outcome of the recent thirtieth session of the IMO Assembly with respect to marine litter and microplastics, held at IMO from 27 November to 6 December 2017. At that meeting the IMO Assembly considered document A 30/11/1 (Australia et al.), on IMO's work in relation to SDG 14 and plastic marine litter. In their submission, the co-sponsors noted the work of the LC/LP community in relation to marine litter, as well as the 2016 Strategic Plan, and acknowledged the high degree of expertise in the LC/LP meetings with respect to the matter of plastics and microplastics. The submission also contained several proposals for future work in the context of MEPC and LC/LP (see document A 30/11/1, paragraphs 24 and 25). Following discussion, the Assembly consequently concluded as follows (A 30/D):

*"11.3 The Assembly recognized the ongoing problem of marine plastic pollution, as addressed in MARPOL Annex V, which requires further consideration as part of a global solution within the framework of ocean governance, in pursuance of SDG 14's target to prevent and significantly reduce marine pollution of all kinds by 2025. The Assembly referred document A 30/11/1, together with the comments made in plenary, to MEPC 72 and LC 40/LP 13 for detailed consideration and action as deemed necessary.*

---

<sup>4</sup> The coordinator, Dr. Felicia Chinwe Mogo (Nigeria), can be contacted at: [felichimogo@yahoo.com](mailto:felichimogo@yahoo.com)

*11.4 In recognizing the role that the Organization has and continues to play in addressing this problem, the Assembly encouraged Member States, Parties to MARPOL Annex V and international organizations to submit concrete proposals to the competent bodies, MEPC 72 and LC 40/LP 13, taking into account those widely supported proposals in paragraphs 24 and 25 of document A 30/11/1, in accordance with the Committees' Method of Work."*

9.44 Furthermore, the Meetings were informed that following discussion, MEPC 72 (April 2018), agreed to (MEPC 72/17, paragraph 15.6):

- .1 include a new output "Development of an action plan to address marine plastic litter from ships" in the 2018-2019 biennial agenda of MEPC, assigning the PPR Sub-Committee as the associated organ, with a target completion year of 2020;
- .2 include the new output in the agenda of MEPC 73;
- .3 invite Member Governments and international organizations to submit concrete proposals to MEPC 73 on the development of the action plan;
- .4 request the Secretariat to submit to MEPC 73 a summary of the Organization's work on addressing marine plastic litter, including an updated status on inter-agency cooperation;
- .5 invite the governing bodies of the London Convention/Protocol to submit their input on the proposed action plan to future sessions of the Committee; and
- .6 invite FAO and other international organizations to keep the Committee updated on its work related to addressing marine plastic litter.

9.45 The Meetings were informed that MEPC 73 had adopted the IMO Action Plan to address marine plastic litter from ships (resolution MEPC.310(73)), which included acknowledgement of, and reference to, the work of LC/LP to address marine litter.

9.46 The Meetings considered document LC 40/9/5 (Canada and Germany) on the impacts of open-ocean clean-up projects on the marine environment. The document provided an initial analysis of a frequently discussed end-of-pipe measure to reduce marine litter, open-ocean clean-up projects. Ideas and prototypes for a diverse range of infrastructure to remove plastic from the open oceans exist, and all of them incorrectly assume that the bulk of plastic pollution sits at the ocean surface. The document also questioned whether better communication and public education about the nature of ocean "garbage patches", wherein plastics were distributed from the ocean surface to seafloor, was needed to explain why open-ocean clean-up measures could not address the issue of plastic pollution in a meaningful way. The governing bodies were also invited to consider whether and how to enhance research on the impacts of open-ocean clean-up initiatives.

9.47 The Chair brought the meetings attention to a related side-event on "Relevance of open ocean clean-up projects" which was to be hosted by Germany on Wednesday, 7 November 2018, during lunch time.

- 9.48 In the discussion that followed, the following views were, inter alia, expressed:
- .1 many delegations expressed support for the IMO Action Plan to address marine plastic litter from ships, and stressed the role of LC/LP in this regard;
  - .2 several delegations emphasized the role of prevention and reduction at source as the most important ways to reduce marine litter;
  - .3 a number of delegations provided information on their national efforts to combat marine litter and microplastics;
  - .4 in relation to document LC 40/9/5, a number of delegations noted that surface clean-ups of marine litter could play a significant role in combating marine litter, but that prevention was the most important action; and
  - .5 a number of delegations expressed support for the information and analysis by the co-sponsors of document LC 40/9/5 and the need for better education on the subject.

9.49 The delegation of Vanuatu noted the IMO Action Plan was a "living document" and that there were issues that were not included in the document, such as fish aggregation devices (FADs). It was recalled that this issue had been discussed at previous meetings, but that there was still regulatory uncertainty with respect to the end-of-life management of these devices.

9.50 Following extensive discussion, the governing bodies agreed to establish an informal group, under the lead of Mr. Laurent Parente (Vanuatu) to review the IMO Action Plan, and explore whether LC/LP could be further associated to some measures in the Plan, in order for the Meetings to formulate advice on how LC/LP could best contribute to this important work.

9.51 In considering the outcome of the informal group, the governing bodies agreed to propose to MEPC the following, in relation to the measures in the IMO Action Plan to address marine plastic litter from ships:

- .1 **Measure 4:** Noting that dumping of fishing gear was in contravention of LC/LP, it was proposed to suggest a revision to this measure with a view to reminding Member States, and therefore their registered fishing vessels, of the complete ban on the discharge and/or dumping of fishing gear under MARPOL and the LC/LP instruments. LC/LP could be listed as a parent organ.
- .2 **Measure 17:** It was suggested to list LC/LP as a parent organ, noting that this measure referred directly to the work undertaken by LC/LP.
- .3 **Measure 19:** It was suggested to list LC/LP as a parent organ. It was considered that, while the work of IMO included LC/LP, the wording of the measure might restrict it to MARPOL Annex V only, as it limited the measure to plastic litter "generated from ships" only. Therefore, it was suggested to delete the word "generated".
- .4 **Measure 21:** It was suggested to list LC/LP as a parent organ. It was considered that this measure could be a good opportunity to also familiarize seafarers with LC/LP requirements.

- .5 **Measure 22:** It was considered that it would be appropriate to inform MEPC on the mandatory reporting requirements of LC/LP in general, and similarly invite MEPC to provide similar information to LC/LP governing bodies, to address gaps where certain types of dumping would not be covered under existing instruments. It was however suggested that it would not be necessary to insert LC/LP as a parent organ.
- .6 **Measure 24:** It was considered that LC/LP be listed as a parent organ, bringing to the attention of MEPC 74 the ongoing work under the LC/LP Scientific Groups, and in particular the recent study on marine litter in wastes dumped at sea under LC/LP (among others).
- .7 **Measure 25:** It was considered that LC/LP be listed as a parent organ, given the ongoing work of LC/LP.
- .8 **Measure 26:** It was not suggested to insert LC/LP as a parent organ, but to invite delegations to take an active role in the MEPC Correspondence Group on Marine Plastic Litter established at MEPC 73,<sup>5</sup> which was tasked to develop a regulatory framework matrix to identify all relevant international regulatory instruments and best practices associated with the issue of marine plastic litter from ships.

9.52 The Meetings further noted that it would be of interest to report to MEPC 74 that LC/LP would investigate further complimentary and/or parallel work under the scope of LC/LP. It was also noted that if required, an MEPC/LC-LP joint working group could be established to address any boundary issues, as on previous issues such as spoilt cargo and hull scrapings from ships. However, the Meetings noted that there was no pressing need to do so at that time.

9.53 The Meetings also noted that MEPC 73 had instructed the Secretariat to, in cooperation with FAO, request GESAMP to also include shipping-related sources in the scope of work for the proposed GESAMP Working Group on Sea-based Sources of Marine Litter, as a starting point to inform the future study on marine plastic litter from ships.

9.54 The Meetings agreed that this initial review should be forwarded to MEPC, and that the Scientific Groups, including through its Correspondence Group on marine litter, should continue work on the matter.

### **Action by the governing bodies**

9.55 Following the discussion, the governing bodies:

- .1 noted the discussion at MEPC 72 and MEPC 73, in particular on the development of an Action Plan to address marine plastic litter from ships, and the invitation to the LC/LP governing bodies to submit their input on the proposed action plan to future sessions of the Committee;
- .2 thanked the delegations that had shared information on their efforts to tackle marine litter and microplastics;
- .3 reiterated the commitment of the governing bodies to combat marine litter and microplastics;

---

<sup>5</sup> The coordinator, Ms. L. Weller (United Kingdom), can be contacted at: [Lorraine.Weller@mcga.gov.uk](mailto:Lorraine.Weller@mcga.gov.uk)



- .4 recalled that the scope of the instruments was not restricted to ships, as it covered the protection and preservation of the marine environment from all sources of pollution;
- .5 expressed their appreciation to IMO and in particular MEPC for all their efforts in this regard;
- .6 while remaining mindful of the scope of the instruments, instructed the Scientific Groups to further explore what actions could be taken within the instruments to address the issue, and to catalogue and highlight what had already been done by the instruments for the information of stakeholders;
- .7 urged delegations to participate in the MEPC Correspondence Group on Marine Plastic Litter from Ships;
- .8 invited delegations to continue to provide information to the Scientific Groups on the scope of future work that could be undertaken under the instruments to combat marine litter and microplastics, and to complement the efforts of MEPC;
- .9 invited delegations to submit information on FADs to the next joint session of the Scientific Groups for consideration; and
- .10 requested the Chair to submit a document to MEPC 74, highlighting the outcome of the discussion by the governing bodies at this session.

#### **Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea**

9.56 The Meetings recalled that in 2016, the governing bodies had decided to await further information from the United Nations (UN) General Assembly before initiating any further work in relation to cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea; and instructed the Secretariat to continue its outreach and dialogue with the regional bodies, the Organization for the Prohibition of Chemical Weapons (OPCW), other stakeholders, as well as the UN General Assembly dialogue on this matter (LC 38/16, paragraphs 9.32 and 9.33).

9.57 The Meetings also recalled their decision in 2017 to await further information from the United Nations General Assembly before initiating any additional work on the issue, their instruction to the Secretariat to continue its outreach and dialogue with the regional bodies, OPCW and other stakeholders, as well as the UN General Assembly on this matter (LC 39/16, paragraphs 9.38 and 9.39).

9.58 The Meetings were informed that the Scientific Groups, having noted that no new information had emerged from the UN General Assembly, had decided to suspend this topic from the work programme and the agenda of the Scientific Groups, until such time as new information emerged.

#### **Action by the governing bodies**

9.59 Following a brief discussion, the governing bodies decided to suspend this sub-agenda item from the work programme and the agenda of the governing bodies, until such time as new information emerged from the UN General Assembly.

### **Sewage sludge**

9.60 It was recalled that in 2016, the governing bodies had instructed the Secretariat to issue a questionnaire, by way of a circular, to solicit further information on the current practices of dumping of sewage sludge and provide a report of the outcomes to the next session of the governing bodies in 2017 (LC 38/16, paragraph 9.34).

9.61 It was also recalled that in 2017, the governing bodies were informed that only one response to the questionnaire, issued in 2016 to solicit further information on the current practices of dumping of sewage sludge (LC-LP.1/Circ.80), had been received and therefore encouraged delegations to submit responses to the questionnaire, with an extended deadline of 15 December 2017. Furthermore, the governing bodies instructed the Secretariat to provide an overview of the responses to the next joint session of the Scientific Groups in 2018, and instructed the Scientific Groups to, based on the responses to the questionnaire and other information available, submit an overview of information on current practices of managing of dumping of sewage sludge, including best practices, to the next meeting of the governing bodies in 2018.

9.62 The Secretariat informed the Meetings that despite the extended deadline, no further submissions had been received by the Secretariat and that the Scientific Groups had noted that the lack of responses might be due to the fact that for some Contracting Parties no information would be available since sewage sludge was not a waste allowed for disposal at sea, and that the Groups had agreed that there was not sufficient information to fully understand the scope of current practices in relation to sewage sludge, therefore it was very difficult to ascertain if disposal of sewage sludge was an established practice in countries that were not Parties to the treaties.

9.63 The observer from Greenpeace International stated that sewage sludge disposal might now be a historic practice and suggested that unless any further information was forthcoming for review by the Scientific Groups, the governing bodies could consider removing this from the list of wastes that might be considered for dumping at sea.

### **Action by the governing bodies**

9.64 Following discussion the Meetings noted:

- .1 the suggestion from Greenpeace International to remove sewage sludge from the list of wastes that might be considered for dumping at sea for consideration at future meetings of the governing bodies; and
- .2 the Scientific Groups' discussion on the topic of sewage sludge and its instructions to the Secretariat, and encouraged delegations to submit further information on current practices in relation to sewage sludge to the next joint session of the Scientific Groups.

### **Deposition of materials jettisoned during the launch of space vehicles**

9.65 The Meetings recalled that in 2017, Greenpeace International had offered to bring forward to the Scientific Groups an overview of available information on the proliferation of space vehicle launch facilities around the world, with a view to identifying those with the potential for deposition of jettisoned components at sea during routine launches.

9.66 The Meetings were informed that this issue had been considered by the Scientific Groups in 2018 and noted the Groups' discussion on the deposition of materials jettisoned during the launch of space vehicles (LC/SG 41/16, paragraphs 8.42 to 8.46).

9.67 The Meetings endorsed the Groups' decision to establish an intersessional Correspondence Group on the issue, under the lead of the United Kingdom<sup>6</sup> (LC/SG 41/16, paragraph 8.47.1) and request to the Secretariat to contact the Chair of the UN Committee on the Peaceful Uses of Outer Space (COPUOS), in order to initiate a dialogue between the two bodies and to encourage an exchange of information on issues of common interest (LC/SG 41/16, paragraph 8.47.2).

9.68 The Secretariat informed the Meetings that as requested by the Scientific Groups, it had contacted the Committee on the Peaceful Uses of Outer Space (COPUOS) in order to initiate a dialogue between the two bodies and to encourage an exchange of information on issues of common interest and had received a positive response from the COPUOS Secretariat and that the Secretariat was arranging for a teleconference to further dialogue.

### **Other issues, including outstanding action points from the Report of the Scientific Groups**

9.69 The Meetings were reminded that there was one outstanding action point from the Report of the Scientific Groups, document LC 40/4, which was referred to under this agenda item, in relation to underwater noise (action point .24).

9.70 The Meetings were also informed of a technical workshop on underwater noise "Quieting ships to protect the marine environment" to be hosted by the Government of Canada at IMO headquarters from 30 January to 1 February 2019, and that delegations interested in attending should contact Ms. Michelle Sanders, the Director of Transport Canada, at [michelle.sanders@tc.gc.ca](mailto:michelle.sanders@tc.gc.ca)

9.71 Finally, the governing bodies noted the Scientific Groups' discussion on the emerging issue of underwater noise from anthropogenic sources, and encouraged delegations to continue sharing information and experiences at future joint sessions.

## **10 MATTERS RELATED TO THE MANAGEMENT OF RADIOACTIVE WASTES**

10.1 The Meetings noted the Scientific Groups' discussion on matters related to radioactive wastes (LC/SG 41/16, paragraphs 10.1 to 10.3). It was further noted that, following the approval of the literature review performed in support of the 25-year scientific study of ocean dumping of radioactive wastes and other radioactive matter (LC 38/16, paragraphs 10.1 to 10.5 and annex 9), the governing bodies had instructed the Secretariat to publish the Literature Review.

10.2 The Meetings were informed that the Secretariat had contacted IAEA with respect to a possible joint publication, but that no further progress had been made at this time.

### **Action by the governing bodies**

10.3 Following a brief discussion, the governing bodies invited the Secretariat to continue its efforts with the publication of the Literature Review, if possible as a joint publication with IAEA, and report back to the next session in 2019.

---

<sup>6</sup> The coordinator, Mr. David Carlin, can be contacted at [david.carlin@cefas.co.uk](mailto:david.carlin@cefas.co.uk)

## **Other issues**

10.4 The observer from Greenpeace International recalled that at previous meetings of the Scientific Groups, Japan had provided valuable information on the radiological situation in the aftermath of the disaster at the Fukushima Daiichi nuclear power plant, and that Japan had made a commitment to maintain and strengthen ongoing ocean monitoring, investigate and determine the impact of the dispersion of radioactive materials, make every effort to publicize the findings, and study ways to minimize discharge into the ocean. Having noted recent reports in Japan that, following failure of treatment systems, permission to dispose of wastewaters at sea were under consideration, the observer noted that such reports would raise serious concerns for the protection of the marine environment on both a local and international scale.

10.5 The observer from Greenpeace International, recognizing that it was through international cooperation that the Russian Federation was able to avert disposal at sea of liquid radioactive waste in the 1990s, including assistance at the time from Japan, queried what steps had been taken, or might be taken, to seek or to provide similar international assistance in addressing the problems of liquid radioactive waste arising from the Fukushima disaster.

10.6 In response to the intervention by Greenpeace International, the delegation of Japan, while noting that this issue is not within the scope of LC/LP, informed the Meetings that no decision had been made on the final treatment of waste water stored at the Fukushima Daiichi Nuclear Power Plant, and that the final treatment was still under consideration, while listening to the opinions of local residents and experts. It was further noted that no matter what the final treatment would be, Japan will ensure that the radioactive level of disposed water including tritium would be lower than the level permitted under regulatory standards.

10.7 The Meetings were further informed that Tokyo Electric Power Company would carry out a second order treatment for the sake of safety and of security, before disposing of the water, in order to ensure that the radioactive level of the water would be below the criteria for disposal.

10.8 Finally, the delegation of Japan stated that they would continue to inform the international community of Japan's response and measures to deal with the aftermath of the accident at Fukushima Daiichi Nuclear Power Plant.

10.9 The delegation of the Republic of Korea thanked the delegation of Japan for the update and noted that the issue of radioactive contaminated water potentially being discharged into the sea was a major concern for neighbouring countries, and would welcome further updates and information sharing from Japan.

10.10 The governing bodies thanked the delegation of Japan for its willingness to share information, and welcomed further updates to future sessions.

## **11 MONITORING FOR THE PURPOSES OF THE LONDON CONVENTION AND PROTOCOL**

### **Progress with the "Monitoring and Assessment Project" in relation to sea disposal activities carried out since 1996 under the London Convention and Protocol**

11.1 It was recalled that in 2017, the governing bodies noted the Scientific Groups' instruction to the Secretariat to provide a summary report of the most basic monitoring data received during the last few years for discussion at the next joint session of the Scientific Groups in 2018, and instructed the Scientific Groups to review the 2010 "Monitoring and Assessment Project" report, to identify any outstanding matters that needed further consideration.

11.2 The Meetings noted the Scientific Groups' discussion regarding monitoring and assessment of the marine environment, including their decision to establish the intersessional Correspondence Group on Reporting of Monitoring Activities Carried Out in Accordance with LC/LP, under the lead of Canada<sup>7</sup> (LC/SG 41/16, paragraph 7.1 to 7.8 and annex 5).

11.3 The Meetings considered document LC 40/11/1 (Chair of the Correspondence Group), providing a report on progress made to date by the Correspondence Group on Reporting of Monitoring Activities Carried Out in Accordance with LC/LP.

11.4 The Meetings noted a request for Parties to participate in the Correspondence Group to enable the Group to help understand the challenges countries were facing in reporting monitoring activities.

### **Action by the governing bodies**

11.5 Following a brief discussion, the governing bodies:

- .1 encouraged Contracting Parties to submit monitoring reports to future meetings of the Scientific Groups and to include, as appropriate, monitoring reports submitted under regional conventions to protect the marine environment;
- .2 endorsed the Groups' decision to establish the intersessional Correspondence Group on Reporting of Monitoring Activities Carried Out in Accordance with LC/LP, under the lead of Canada;
- .3 urged Parties, particularly those countries that had recently joined LP or that had experienced or were experiencing difficulty with monitoring reports, to participate in the Correspondence Group, to help facilitate the identification and resolution of barriers to reporting of monitoring activities under LC/LP;
- .4 urged delegations to work together with the Secretariat and to keep each other informed of opportunities for outreach to broaden cooperation at global or regional fora of relevance; and
- .5 noted the Groups' agreement to change the title of the sub-agenda item to "Contribution to global reporting and assessment of the state of the marine environment (UN Regular Process)" to "Contribution to the major ocean-related initiatives on reporting and assessment of the state of the marine environment".

### **Contribution to the Global Reporting and Assessment of the State of the Marine Environment (UN Regular Process)**

11.6 The Meetings considered document LC 40/11 (IOC of UNESCO), introducing the UN Decade of Ocean Science for Sustainable Development, and describing its preparatory phase for the period 2018-2020.

---

<sup>7</sup> The coordinator, Ms. Suzanne Agius, can be contacted at: [Suzanne.Agius@canada.ca](mailto:Suzanne.Agius@canada.ca)

11.7 It was noted that at its seventy-second session, UNGA had proclaimed the UN Decade of Ocean Science for Sustainable Development from 2021 to 2030, tasking IOC with the preparation of the Implementation Plan for the Decade during the period 2018-2020 in consultation with Member States, specialized agencies, funds, programmes and bodies of the United Nations, as well as other intergovernmental organizations, non-governmental organizations and relevant stakeholders.

11.8 It was also noted that IOC had invited United Nations bodies with a focus on oceans to co-design a globally relevant Decade programme that would contribute to fulfilling their respective mandates. United Nations bodies and Member States would also have further opportunities to engage in the design of the Decade through planning and consultative mechanisms such as the regional and global workshops scheduled in 2019 and 2020 and at a stakeholder forum.

11.9 The Meetings further noted that IMO had a long-standing and strong cooperation with IOC on matters of science, not least with respect to activities within the framework of GESAMP. In this context, the Decade could be a vehicle to support IMO's work, including on the London Convention and Protocol, in support of marine environmental protection in the context of Agenda 2030.

11.10 The delegation of the Philippines expressed support for the UN Decade of Ocean Science for Sustainable Development and urged all UN agencies, Contracting Parties and NGOs with a focus on ocean health to actively engage in the Decade to ensure its success.

#### **Action by the governing bodies**

11.11 Following discussion, the governing bodies:

- .1 noted the UN Decade of Ocean Science for Sustainable Development and its relevance and potential contribution to the work under LC/LP;
- .2 requested the Secretariat to keep the Scientific Groups informed of progress and developments on the UN Decade of Ocean Science for Sustainable Development; and
- .3 instructed the Scientific Groups to contribute as appropriate to the UN Decade of Ocean Science for Sustainable Development and to keep the governing bodies abreast of any developments in this regard.

## **12 RELATIONS WITH OTHER ORGANIZATIONS IN THE FIELD OF MARINE ENVIRONMENTAL PROTECTION**

### **Review of progress with collaborative arrangements**

12.1 The Meetings considered document LC 40/12 (Secretariat) providing an update on promotion of LC/LP through regional conventions and programmes.

12.2 The Meetings noted the recent efforts by the Secretariat to strengthen collaboration with regional conventions and programmes to promote issues within the scope of LC/LP at the regional level, and that the Secretariat had:

- .1 concluded an MoU with the OSPAR Commission on cooperation to prevent marine pollution by dumping of wastes and other matter in order to protect the marine environment and promote the sustainable use and conservation of marine resources; and

- 
- .2 been in frequent discussions with:
- .1 the Secretariat for the Mediterranean Action Plan (MAP) and the Barcelona Convention, and in June 2018 attended a meeting at the UN Environment-MAP Secretariat on how to enhance cooperation in facilitating the implementation of the LC/LP and the Barcelona Convention Dumping Protocol; and
  - .2 the Secretariat for HELCOM, the governing body of the Convention on the Protection of the Marine Environment of the Baltic Sea Area (the Helsinki Convention), exploring ways of consolidating reporting between the two bodies.

12.3 The Meetings also noted, with appreciation, that an observer from the Barcelona Convention Compliance Committee, Ms. Luisa Rodriguez, attended the eleventh meeting of the LP Compliance Group, and had shared experiences under a number of agenda items.

#### **Action by the governing bodies**

12.4 The governing bodies instructed the Secretariat to continue these activities and report back on partnership achievements to the next joint session of the governing bodies.

#### **Reports from representatives of International Organizations on their activities in the field of marine environment protection**

12.5 The delegation of Finland informed the Meetings of progress under HELCOM and the Helsinki Convention. The Meetings noted that HELCOM:

- .1 had adopted Recommendation 36/2 on Management of dredged material in 2015 and, in this context, the HELCOM guidelines for management of dredged material at sea and a HELCOM reporting format for management of dredged material at sea were also adopted, taking into consideration the LC/LP Specific Guidelines for the assessment of dredged material;
- .2 was currently undertaking annual reporting in accordance with the aforementioned guidelines. Upon request by the HELCOM Contracting Parties, the HELCOM Secretariat is currently investigating options for consolidated reporting in this context with the LC/LP Secretariat;
- .3 was currently in the process of finalizing an Interim HELCOM Thematic Assessment on Hazardous Submerged Objects, within the framework of its Response Working Group and Expert Group on Environmental risks of hazardous submerged objects; and
- .4 was implementing its Regional Action Plan on marine litter, which was adopted in 2015.

12.6 Finland also informed the Meetings of recent progress of the Arctic Council and its Working Group on Protection of the Arctic Marine Environment (PAME) that addresses marine policy measures related to the conservation and sustainable use of the Arctic marine and coastal environment in response to environmental change from both land and sea-based activities. The work includes non-emergency pollution prevention control measures. The Meetings were also informed that the Arctic Council had also recently commissioned a desktop

study on marine litter and microplastics in the Arctic. The desktop study is intended to be finalized in 2019 following which a Regional Action Plan on marine litter will be added to the work plan of the PAME working group for the years 2019-2021.

12.7 The Meetings thanked the delegation of Finland and invited them to reiterate to HELCOM and the Arctic Council the support of the governing bodies for the engagement between the LC/LP Secretariat and both organizations, and indicated that the governing bodies looked forward to further updates on their activities at future sessions.

### **13 ADMINISTRATIVE ARRANGEMENTS AND FUTURE WORK**

#### **Review and approval of the Joint Work Programme for the period 2019 to 2021**

13.1 The Meetings noted that the Joint Work Programme (JWP) for 2018-2020 had been distributed as LC-LP.1/Circ.85, covering, as far as possible, all activities agreed by the governing bodies in 2017.

13.2 Both governing bodies, having reviewed progress made in implementing the JWP (annex to LC-LP.1/Circ.85), and taking into account the discussion and outcome under agenda item 3 and relevant actions agreed during the session, instructed the Secretariat to, taking into account achievements during the current session, finalize the new JWP, which had been streamlined at this session, for the period 2019-2021 to be issued as a circular.

13.3 The governing bodies also, reiterated their recommendation (made under item 5) to the Scientific Groups, the LP Compliance Group, and the B2C Steering Group that they restructure their work programmes to align with the JWP.

#### **Joint Work Programme of the Scientific Groups**

13.4 The Meetings were informed about the proposed Joint Work Programme of the Scientific Groups (2018-2020), as shown in their report (LC/SG 41/16, annex 6). It was noted that the following items would remain **high-priority** issues:

- .1 review of the Specific Guidelines for assessment of platforms and other man-made structures at sea;
- .2 development of recommendations regarding fibreglass vessels;
- .3 guidance on disposal site selection and marine cumulative effects assessment;
- .4 assessment of field monitoring reports;
- .5 review and improvement of reporting on dumping activities including assessment of the online reporting;
- .6 disposal of wastes and other matter in the marine environment from mining operations, including marine mineral mining; and
- .7 support the implementation of the Strategic Plan.



---

### **Selection of the topic for "Science Day 2019"**

13.5 With regard to the selection of a suitable topic for Science Day 2019, to be held during the forty-second session of the LC Scientific Group and the thirteenth session of the LP Scientific Group, the Meetings noted a range of topics that had been recommended by the Scientific Groups (LC/SG 41/16, paragraph 11.8).

13.6 The delegation of Canada informed the Meetings of their offer to host the next Scientific Groups' meeting in 2019, and recommended "Practical and achievable monitoring techniques" as a suitable topic.

#### **Action by the governing bodies**

13.7 Following a short discussion, the governing bodies:

- .1 endorsed "Practical and achievable monitoring techniques" as a suitable topic for Science Day 2019 and requested the Chair and Vice-Chairs of the Scientific Groups to finalize the programme in discussion with the hosts; and
- .2 approved the Joint Work Programme of the Scientific Groups, as amended, as shown in annex 7 to this report.

### **Budget and financial accounts for the administration of the London Protocol (LP)**

13.8 It was recalled that pursuant to article 19.2.6 of the Protocol, IMO should, every two years, prepare a budget and a financial account for the administration of the Protocol.

13.9 The Secretary informed the Meeting of Contracting Parties that document LC 40/13 contained the IMO budget for LC/LP Secretariat duties in the period 2018 to 2019 and the actual costs for 2016 and 2017. It was recalled that IMO only provided the administrative support costs, and expects the Contracting Parties to cover any additional costs.

13.10 After discussion, the Meeting of Contracting Parties:

- .1 concluded that it currently had no specific request to IMO to perform additional functions or duties for the administration of the London Protocol in the next biennium;
- .2 thanked IMO for the continued support it provided for the administration of the London Convention and Protocol; and
- .3 agreed that the outcome of this discussion should be considered as part of the IMO budget for the next biennium (2020-2021).

### **Report on the LC-LP Technical Co-operation Trust Fund**

13.11 It was recalled that, on 1 December 2009, the Secretary-General of IMO established, at the request of the governing bodies, the voluntary London Convention and Protocol Technical Cooperation Trust Fund that would be used to collect and administer funds approved by the governing bodies to promote membership of the London Protocol and strengthen national marine pollution prevention and management capacities to achieve compliance with the London Convention and Protocol (LC-LP.1/Circ.33/Rev.2).

13.12 The Secretariat provided the Meetings with an audited statement of income and expenditure for 2017 (LC 40/13/1). It was noted that the Trust Fund had a balance of \$171,564 on 31 December 2017. The Meetings noted that not all expenditure for particular workshops conducted in 2017 were shown, as some activities had been supported by the IMO ITCP.

13.13 The governing bodies thanked the Governments of Canada, China, and the Republic of Korea, for their ongoing support of the Trust Fund.

13.14 The governing bodies urged Parties in a position to do so, to consider contributing to the Trust Fund.

13.15 In conclusion, the governing bodies instructed the Secretariat to report in 2019 on the audited statement for the income and expenditure administered under the Trust Fund in 2018.

### **Substantive items for the agenda and date for the next meetings**

13.16 The Meetings reviewed the list of substantive items for the forty-first Consultative Meeting and the fourteenth Meeting of Contracting Parties, as set out in document LC 40/WP.3, regarding the points listed under each substantive item as early annotations and as priorities for action in relation to those meetings

13.17 The Meetings approved the list of "Substantive items for the agenda for the forty-first Consultative Meeting and the fourteenth Meeting of Contracting Parties ", as shown in annex 8 to this report. Contracting Parties were invited to prepare submissions on the priority items contained therein.

13.18 The delegation of Canada, acknowledging that there would need to be some further alignment with the JWP and that the work of the LC/LP is now structured around the delivery of the Strategic Plan, suggested that it would be opportune to consider wider format changes that might help realize the targets in the Strategic Plan, in particularly SD 1 increasing accession and ratification of the LP, such as having the LP appearing as the first treaty in the title of meetings, document symbols and outreach materials. The proposal from Canada was supported by a number of LP Parties, however there was also concerns expressed by one Party to the LC. It was also noted that such changes to the current practice may have implications from the Secretariat perspective, in terms of document numbering, etc., and that a full review of the implications would be beneficial prior to any decision to be taken.

13.19 The governing bodies:

- .1 instructed the Secretariat and the Bureau to review the list of substantive items for the forty-first Consultative Meeting and the fourteenth Meeting of Contracting Parties (annex 8) to ensure alignment with the Strategic Plan and submit a revised version to the next meeting of the governing bodies;
- .2 instructed the Secretariat to consider the wider format changes proposed by Canada to promote accession and ratification of the LP in line with the Strategic Plan during the intercessional period and submit a concrete proposal to the next session of the governing bodies for consideration;
- .3 accepted the generous offer by Canada to host next year's joint session of the Scientific Groups, as well as a preceding hands on technical workshop on assessment and monitoring techniques, in Vancouver, Canada;

- .4 agreed on the tentative dates for the 2019 sessions to be held under the London Convention and Protocol, as shown in the table below;
- .5 instructed the Secretariat to inform the IMO Council, at its next session, accordingly.

<b>Meeting</b>	<b>Location</b>	<b>Date</b>
42nd meeting of the LC Scientific Group & 13th meeting of the LP Scientific Group	<b>Vancouver, Canada</b>	18 to 22 March 2019, preceded by a workshop
41st Consultative Meeting & 14th Meeting of Contracting Parties	<b>IMO Headquarters</b>	7 to 11 October 2019
12th session of the LP Compliance Group	<b>IMO Headquarters</b>	3 to 4 October 2019

## **14 ANY OTHER BUSINESS**

### **Liability issues**

14.1 The Meetings recalled that in 2017, an overview of liability issues under international agreements relevant for the purpose of LP had been provided by the Secretariat (LC 39/14). The governing bodies noted that the development of procedures regarding liability arising from dumping or incineration at sea is an undertaking provided for by LC/LP, and that it remained unknown whether such a mechanism could serve as an incentive or a barrier to accession to the Protocol. Therefore, noting the need for further clarity, the governing bodies instructed the Secretariat to prepare a more detailed background document with a focus on the potential barriers for prospective Parties, as reported from national and regional workshops (LC 39/16, paragraphs 14.1 to 14.9).

14.2 The Meetings considered document LC 40/14/1 (Secretariat), providing additional information on IMO's liability regimes, (HNS, CLC), other liability regimes (the Antarctic Treaty and the Nagoya–Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety, UNCLOS and the Basel Protocol) and an overview of relevant workshop experiences.

14.3 The Meetings noted that although a review of the workshop reports revealed limited information directly related to the issue of liability, these workshops had helped to identify the potential barriers to ratification or accession, and these experiences may therefore be of relevance to the discussion. Here, it was argued that bringing more clarity to the procedures regarding liability arising from the dumping of wastes and other matter at sea, rather than establishing a liability regime, could assist in the removal of barriers to accession by, inter alia:

- .1 reducing uncertainty and ambiguity;
- .2 harmonizing global, regional and national application of international and recognized standards for dumping activities at sea;
- .3 promoting internal coordination at the national level; and
- .4 alleviating any concerns that developing countries may have about addressing illegal dumping activities in their waters.

14.4 The Meetings were also informed on the issue by the Legal Affairs Office, Legal Affairs and External Relations Division (LED) of IMO, noting that as already reported in LC 29/9, guidelines on liability procedures were developed by the Barcelona Convention, which contains a similar undertaking to develop procedures. Parties to the Barcelona Convention had developed guidelines which refer to the cooperation of State Parties for the purposes of establishing liability, but they did not create a new regime for liability. Similarly the International Law Commission developed provisions related to State responsibility and guidelines that could facilitate cooperation between States that were acknowledged by the UNGA. These are non-mandatory guidelines and do not impose any new liability regime on States.

14.5 The Meetings considered whether the absence of a specific liability regime for LC/LP constitutes barrier to accession and/or harmonized implementation of the treaties and if there was a need for the governing bodies to develop such procedures.

14.6 The delegation of the Islamic Republic of Iran stated during the workshop on the implementation of LP held in its country, the lack of such procedures was identified as a barrier to accession to LP.

14.7 In the subsequent discussion it was raised that there is not enough evidence to support the creation of a liability regime but it was clarified that article 15 of the LP refers only to developing procedures and not a new liability regime.

14.8 A number of delegations stated that it would be helpful to have more time to consider this issue and more evidence tabled on whether this is a barrier to ratification or accession and requested a pause until the next meeting of the governing bodies.

14.9 The delegation of the Islamic Republic of Iran recommended that this issue be included as part of the LP implementation workshop questionnaires to solicit more information.

14.10 The Chair also stated that absence of a specific liability regime was identified as an issue at an LP workshop held in Accra, Ghana.

14.11 The delegation of the United States recalled that there was an effort in 2006 to encourage LP Parties to report on their domestic procedures and regulations with respect to their liability regimes and that this request could be repeated to provide examples for countries looking to ratify or accede to the LP.

### **Action by the governing bodies**

14.12 Following discussion, the governing bodies requested the Secretariat to:

- .1 further elaborate, by way of submission to the next session of the governing bodies, on:
  - .1 the possible need for the development of procedures regarding liability,
  - .2 the possible barriers and incentives the lack of a procedures regarding liability may constitute;
  - .3 a clear description of the problem that may be solved by the development of such procedures; and

- .2 use any upcoming workshops to solicit further information on the matter from prospective Parties; and
- .3 reiterate the request, by way of a Circular, to LP Parties to report on their domestic procedures and regulations with respect to their liability regimes.

### **Revision of the Rules of Procedure for the LC/LP governing bodies**

14.13 The Secretariat informed the Meetings that LED are in the final stages of publishing a revised version of the IMO Basic Documents publication, which contains the Rules of Procedure for the various bodies in IMO, including LC/LP. In doing so, they have noted that the only body that has not yet adopted a gender neutral language for the Chairs/Vice-Chairs in the Rules of Procedure, is LC/LP, despite the fact that the treaties have in practice been doing so for years in meetings. Therefore the governing bodies were asked for their agreement to make the necessary revisions to the Rules of Procedure and noted this is merely a change from "Chairman" to "Chair" and from his to "his/hers" in the relevant text and that it would not change the procedure per se.

14.14 The Meetings were also informed that the current version of the Rules of Procedure for LC were adopted by LC 23 in 2001, and for LP by the first Meeting of Contracting Parties in 2006 and that it might be time to consider a comprehensive review of the Rules of Procedure.

### **Action by the governing bodies**

14.15 Following discussion the governing bodies:

- .1 invited the Secretariat to proceed with the gender neutral language in the Rules of Procedure; and
- .2 instructed the Secretariat to, in consultation with the Bureau, submit a proposal for revisions to the Rules of Procedure for both governing bodies to the next session.

### **Progress report on activities under GESAMP**

14.16 The Meetings were informed about progress made by GESAMP on topics of relevance to LC/LP. GESAMP held its forty-fifth session, hosted by FAO at their headquarters in Rome, from 17 to 20 September 2018.

14.17 The Meetings noted that Working Group 1 (WG 1, GESAMP-EHS): "Evaluation of hazards of harmful substances carried by ships" and Working Group 34 (WG 34, GESAMP-BWWG): "Review of proposals for approval of ballast water management systems that make use of active substances", both continue their work to support the regulatory activities of IMO. GESAMP previously agreed that the WG 34 methodology could be published, which is currently in preparation as a revised version of the Hazard Evaluation Procedure.

14.18 It was also noted that WG 38 "Atmospheric input of chemicals to the ocean" has important links to the working group on marine geoengineering, and they are currently finalizing a series of peer reviewed scientific articles. In addition, they recently published (in early 2018) a synthesis of the results from a series of previously published articles, as GESAMP Reports and Studies No. 97, "The Magnitude and Impacts of Anthropogenic Atmospheric Nitrogen Inputs to the Ocean". This is available from the newly revamped GESAMP website.

14.19 It was further noted that WG 40 "Sources, fate and effects of plastics and microplastics in the marine environment", which published its second report in late 2016, is currently in its third phase and working to deliver a report to GESAMP in late 2018.

14.20 Finally, the Meetings noted that the forty-sixth session of GESAMP, which coincides with its fiftieth anniversary, will tentatively be held in September 2019, co-hosted by UNDP and DOALOS in New York. Further information about GESAMP's activities, as well as all its reports of sessions and working groups, can be obtained by visiting <http://www.gesamp.org>

14.21 The observer delegation from Greenpeace International informed the Meetings of a research programme involving the construction of a large network of neutrino telescopes located in deep water regions of the Mediterranean Sea and anchored to the seabed. These structures, made up of hundreds of individually anchored detectors, are designed to take advantage of dark, relatively stable conditions within the deep sea to facilitate the sensitive detection of neutrinos as they collide with the Earth. According to information provided by the research consortium, KM3NET (<https://www.km3net.org/>), construction of the network is at an early stage, with some existing infrastructure off the coast of Toulon in France, at a depth of approximately 2,500 metres, and off the coast of Sicily in waters around 3,500 metres deep.

14.22 Whilst recognizing the installation of these arrays and of the network overall represents placement for purposes of scientific research, and that they are expected to remain in place for some considerable time, in line with the developing updated guidelines on platforms or other man-made structures at sea, the observer from Greenpeace International asked for verification at this early stage that the design and construction of these man-made structures at sea is such that entire removal upon permanent disuse will be feasible.

14.23 In that regard, the observer from Greenpeace International asked if the delegations of France and/or Italy would be willing to provide some further information on this specific aspect of the research programme to the next meeting of the Scientific Groups.

14.24 The delegations from both France and Italy stated that they would provide information on the research programme to the next meetings of the Scientific Groups.

## **15 ELECTION OF OFFICERS FOR BOTH GOVERNING BODIES**

15.1 In accordance with rule 20 of the Revised Rules of Procedure, the Consultative Meeting unanimously elected Mrs. Azara Prempeh (Ghana) as Chair, Ms. Betsy Valente (United States) as First Vice-Chair, and Mr. Gildardo Alarcon Daowz (Mexico) as Second Vice-Chair for the intersessional period and for the forty-first Consultative Meeting. In accordance with the same rule, the Meeting of Contracting Parties also unanimously re-elected the same officers for the intersessional period and for the fourteenth Meeting of Contracting Parties.

## **16 CONSIDERATION AND ADOPTION OF THE REPORT**

16.1 The joint report of the fortieth Consultative Meeting of Contracting Parties to the London Convention and the thirteenth Meeting of Contracting Parties to the London Protocol was adopted on the final day of the Meetings, Friday, 9 November 2018.

\*\*\*

**ANNEX 1**

**AGENDA FOR THE FORTIETH CONSULTATIVE MEETING AND  
THE THIRTEENTH MEETING OF CONTRACTING PARTIES**

**1 Adoption of the agenda**

LC 40/1	Secretariat	Provisional agenda
LC 40/1/1	Secretariat	Annotations to the provisional agenda and provisional timetable

**2 Status of the London Convention and Protocol**

LC 40/2	Secretariat	Overview of the status of the London Convention and Protocol and their respective amendments
---------	-------------	--

**3 Progress on the implementation of the LP-LC Strategic Plan**

LC 40/3	Secretariat	Development of a draft LC/LP Streamlined Joint Work Programme
LC 40/INF.3	Secretariat	Draft Streamlined Joint Work Programme
LC 40/WP.5	Chair of the Working Group	Report of the Working Group on the LC/LP Streamlined Joint Work Programme (SJWP)

**4 Consideration of the report of the Scientific Groups**

LC 40/4	Secretariat	Action by the governing bodies
LC 40/4/1	Chair of the Correspondence Group	Progress of the Correspondence Group on Development of interim, default action levels and guidance for dredged material
LC 40/4/2	Chile	Note from Chile

**5 Marine geoengineering including ocean fertilization**

LC 40/5	Secretariat	Progress made by the GESAMP Working Group on marine geoengineering
---------	-------------	--

**6 CO<sub>2</sub> sequestration in sub-seabed geological formations (LP)**

No documents submitted

## 7 Compliance Issues

LC 40/7	Secretariat	Final draft summary report on dumping permits issued in 2015
LC 40/7/1	Secretariat	First draft summary and overview of the number of dumping permits reported in 2016
LC 40/7/2	Secretariat	Status of compliance with the notification and reporting requirements under article VI(4) of the London Convention 1972 and article 9.4 of the London Protocol
LC 40/INF.2	Secretariat	Summary of the notification and reporting under the London Convention and Protocol by Contracting Parties from 1976 to 2016
LC 40/WP.2	Chair	Report of the eleventh meeting of the Compliance Group under the London Protocol

## 8 Technical cooperation and assistance

LC 40/8	Secretariat	Report on recent national and regional workshops
LC 40/8/1	Chair of the Barriers to Compliance (B2C) Steering Group	'Frequently Asked Questions' document for the London Protocol
LC 40/8/2	Chair of the Barriers to Compliance (B2C) Steering Group	London Protocol Reporting Slides
LC 40/8/3	Chair of the Barriers to Compliance (B2C) Steering Group	Update on Barriers to Compliance (B2C) Steering Group activities
LC 40/8/4	Chile	Note from Chile
LC 40/8/5	Republic of Korea	Semester open of the graduate school of the London Protocol Engineering Master of Project Administration (LPEM)
LC 40/WP.6	Co-Chairs of the B2C Steering Group	Report of the Barriers to Compliance (B2C) Steering Group

## 9 Interpretation of the London Convention and Protocol

LC 40/9	Secretariat	Outcome of the IMO Assembly with respect to marine litter and microplastics
LC 40/9/1	Secretariat	Progress made by the GESAMP Working Group on impacts of wastes and other matter in the marine environment from mining operations, including marine mineral mining



LC 40/9/2	Secretariat	Developing recommendations on disposal of fibreglass vessels: Final report on the end of life management of fibre-reinforced plastic vessels: alternatives to at sea disposal
LC 40/9/3	Chair of the Correspondence Group	Status report of the Correspondence Group on the review of Specific Guidelines for assessment of platforms or other man-made structures at sea
LC 40/9/4	Chair of the Correspondence Group	Interpretation of the applicability of the Specific Guidelines for platforms for assessment of platforms and other man-made structures at sea for abandoned platforms and some specific structures
LC 40/9/5	Canada and Germany	Impacts of open-ocean clean-up projects on the marine environment
LC 40/WP.4	Chair of the Working Group	Report of the Working Group on Specific Guidelines for assessment of platforms or other man-made structures at sea

## 10 Matters related to the management of radioactive waste

No documents submitted

## 11 Monitoring for the purposes of the London Convention and Protocol

LC 40/11	IOC-UNESCO	UN Decade of Ocean Science for Sustainable Development (2021-2030)
LC 40/11/1	Chair of the Correspondence Group	Progress of the Correspondence Group on Reporting of monitoring activities carried out in accordance with the LC/LP

## 12 Relations with other organizations in the field of marine environmental protection

LC 40/12	Secretariat	Update on promotion of the London Convention and London Protocol through regional conventions and programmes
----------	-------------	--

## 13 Administrative arrangements and future work

LC 40/13	Secretariat	Budget and financial accounts for the administration of the London Protocol (LP)
LC 40/13/1	Secretariat	Report on the London Convention/Protocol Technical Cooperation Trust Fund
LC 40/WP.3	Chair	Draft list of substantive items for the agenda for the forty-first Consultative Meeting and fourteenth Meeting of Contracting Parties

**14 Any other business**

LC 40/14	Secretariat	Progress report on activities under GESAMP
LC 40/14/1	Secretariat	Further consideration of the liability issue

**15 Election of officers for both governing bodies**

No documents submitted

**16 Consideration and adoption of the report**

LC 40/WP.1	Secretariat	Draft report of the fortieth Consultative Meeting and the thirteenth Meeting of Contracting Parties
------------	-------------	---

\*\*\*

ANNEX 2

STREAMLINED JOINT WORK PROGRAMME (2019 - 2021)

L = Low ; M = Medium ; H = High

Supports Strategic Directions				Description	WHEN				WHO				
SD1	SD2	SD3	SD4		2018	2019	2020	Target Completion Date	GBs (Contracting Parties)	SGs	LP CG	BZC	OLCP (Sec)
	✓	✓	✓	<b>1</b>	<b>Review and develop guidance and address technical and scientific issues to enhance implementation of the London Convention and Protocol</b>					✓	✓		
	✓	✓	✓	<b>1.1</b>	<b>Waste Assessment Guidance (WAG): Generic and Specific Assessment Guidelines</b>					✓	✓		
					.1 Review of Generic and Specific Guidelines	M	M	M	Ongoing		✓		
					.2 Review of Specific Guidelines for the assessment of platforms and other manmade structures at sea	M	H	L	2019		✓		
					.3 Development of recommendations regarding fibreglass vessels	M	H	L	2019		✓		
					.4 Development of further guidance on disposal site selection	M	H	M	2019		✓		
					.5 Development of recommendations about further guidance on marine cumulative effects assessment	M	H	M	2019		✓		
					.6 Review of and experience with practical implementation of the WAGs	M	M	M	Ongoing		✓		
					.7 Development of recommendations regarding default action levels	M	M		2019		✓		
					.8 Collection of information on protection of higher trophic levels as related to the WAGs	L	L		2019		✓		
					.9 Waste prevention techniques	M	L	L	Ongoing		✓		
					.10 Consideration of the consequences of new waste prevention techniques on implementation of the LP/LC				Ongoing		✓		
✓	✓	✓		<b>1.2</b>	<b>Other technical and scientific issues</b>					✓	✓		
					.1 Habitat modification/enhancement	M	M	M	Ongoing		✓		
					.2 Beneficial use of waste or other materials	M	M	M	Ongoing		✓		
					.3 Sewage sludge best practices and alternatives.	L	L	L	2019		✓		
✓	✓	✓		<b>1.3</b>	<b>Monitoring and Assessment</b>					✓	✓		
					.1 Reports and assessment of field monitoring	H	H	H	Ongoing		✓		
					.2 Research results, new techniques and strategies	M	M	M	Ongoing		✓		
				<b>1.4</b>	<b>Science Day</b>					✓	✓		
	✓	✓	✓		.1 Identify Science Day topic to support effective implementation of the LP/LC or to identify and evaluate emerging issues. As appropriate, invite experts to participate in Science Day formatted as an open symposium	M	M	M	Ongoing		✓		
✓		✓		<b>2</b>	<b>Address and manage climate change</b>					✓	✓		
	✓		✓	<b>2.1</b>	<b>CO<sub>2</sub> sequestration in sub-seabed geological formations (LP)</b>					✓	✓		
					.1 Experience with implementation of CO <sub>2</sub> sequestration guidelines/technologies and their application	M	M	M	Ongoing		✓		
					.2 Compilation of information on ongoing projects and experiences with the application of the CO <sub>2</sub> sequestration guidelines				2019		✓		✓
✓		✓		<b>2.2</b>	<b>Marine Geoengineering</b>					✓	✓		
					.1 Keep under review the marine environmental implications of marine geoengineering	L	L	L	Ongoing		✓		
					.2 Evaluation of GESAMP report on marine geoengineering activities				2019		✓		
					.3 Compilation of information on planned and ongoing marine geoengineering projects				Ongoing		✓		

✓	✓	✓	3	<b>Boundary issues and emerging matters of concern</b>					✓	✓	✓			
✓	✓	✓	3.1	<b>Cooperation with certain UN agencies and industry orgs., as appropriate, with regard to:</b>				Ongoing	✓	✓				
				.1 Riverine and marine disposal of tailings and associated wastes from mining operations	H	M	L	2019		✓				
				.1.1 Evaluation of GESAMP report on riverine and marine disposal of mine tailings				<i>tbd</i>		✓				
				.1.2 Share information on actions undertaken by other bodies, e.g., OSPAR				2019						
				.2 Marine Litter and Microplastics	M	M	M	2019		✓				
				.2.1 Development of inventory on issue of marine litter and microplastics (LP/LC relevant issues)	M	M	M	2019		✓				
				.3 Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea	M	M	L	<i>tbd</i>		✓				
				.4 Deep Seabed Mining	L	L	L	Ongoing		✓				
				.4.1 Deep seabed mining in Area: Evaluation of relevant GESAMP report; provision of expertise regarding waste assessment to ISA				<i>tbd</i>		✓				
				.4.2 Deep seabed mining in areas of national jurisdiction: development of summary of seabed mining activities/projects taking place in areas of national jurisdiction				2019		✓				
				5. Outstanding cooperative work	M	M	L	<i>tbd</i>		✓				
				5.1 Jettisoned space vehicle components - dialogue with COPUOS	L	L	L	2019						
✓			3.2	<b>Underwater noise from anthropogenic sources (LP-LC noise related issues only)</b>	L	L	L	Ongoing	✓	✓				
✓	✓		4	<b>Address matters related to the management of radioactive wastes and other matter</b>					✓	✓				
✓	✓		4.1	<b>Review of ongoing issues in relation to dumping of radioactive wastes and other matter</b>	L	L	L	Ongoing	✓	✓				
✓			5	<b>Promote and improve compliance with the LP and LC</b>					✓	✓	✓	✓	✓	✓
✓			5.1	<b>Implementation of compliance procedures and mechanisms (LP)</b>	H	H	H	Ongoing			✓			
✓			5.2	<b>Improve reporting under the LP and LC</b>					✓	✓	✓	✓	✓	✓
✓			5.3	<b>Compliance with the reporting requirements under the LP and LC</b>	H	H	H	Ongoing	✓		✓			
✓				.1 Contracting Parties submit annual reports on dumping permits issued	H	H	H	Ongoing	✓					
✓				.2 Contracting Parties submit their compliance and field monitoring reports	H	H	H	Ongoing	✓					
✓				.3 Contracting Parties submit their legislative and administrative measures, and the effectiveness of the measures					✓					
✓				.4 Provide assistance existing and prospective parties to strengthen reporting							✓	✓	✓	
✓				.5 Implementation of electronic reporting of dumping activities	H	M	L	Ongoing						✓
✓				.6 Enhanced collaboration with regional bodies on reporting	M	M	M	Ongoing	✓		✓			✓
✓				.7 Review, circulate and publish summary reports with data for target SD1	H	H	H	Ongoing						✓
✓				.8 Review, circulate, and publish all data associated with target SD2, including annual summaries of reports received (e.g. dumping, permits issued, monitoring, legislative and administrative measures, and the effectiveness of the measures).	H	H	H	Ongoing			✓	✓		

Supports Strategic Directions				Description	WHEN				WHO				
SD1	SD2	SD3	SD4		2018	2019	2020	Target Completion Date	GBs (Contracting Parties)	SGs	LP CG	B2C	OLCP (Sec)
	✓			5.4	Development and Implementation of an Action Plan to Improve Reporting under the LP and LC					✓	✓	✓	✓
	✓			5.5	Technical/Scientific review and assessment of dumping and monitoring reports	H	H	H	Ongoing		✓		
	✓			5.6	Reporting of observed dumping incidents which may be in violation of international treaties	L	L	L	Ongoing	✓		✓	
✓	✓	✓		6	Promote LP through outreach, technical cooperation and assistance to existing members for implementation and prospective members for ratification or accession					✓	✓	✓	✓
✓	✓		✓	6.1	Provide technical and legal cooperation and assistance to existing and prospective members	M	M	M	Ongoing		✓		✓
					.1 Complete "Barriers to Compliance" Project Work Plan	M	M	M	Ongoing		✓		✓
					.2 Reporting on the Technical Co-operation Trust Fund	M	M	M	Ongoing				
					.3 Create tools to support countries in the development of LP implementing legislation							✓	✓
✓		✓		6.2	Provide outreach materials to prospective new Contracting Parties and existing members new communications materials, including regional workshops and country-to-country outreach strategies	M	M	M	Ongoing				✓
					.1 Improvement/update of the LP and LC website	M	M	M	Ongoing		✓		✓
					.2 Promotion of the LP and LC at international meetings, including high level audiences	M	L	L	Ongoing				✓
					.3 Update all existing publications and prepare new publications, and promote approved publications in accordance with communications plans						✓		✓
	✓	✓			.4 Guidelines, Manuals, Bibliographies and Information Exchange (it is not clear if this item overlaps with ".3 Update all existing publications and prepare new publications)	M	M	M	Ongoing		✓		
✓	✓	✓			.5 Establish a communications group or dedicated individual or promotions officer to support SD1, SD3				Ongoing	✓	✓		✓
✓	✓	✓			.6 Create a virtual centre of excellence in Scientific Groups (e.g., on dredging and disposal, geoengineering, etc., through better proposition of guidance and technical assistance				Ongoing	✓			✓
✓				6.3	Update national focal points and expert registration	M	L	L	Ongoing	✓			✓
	✓	✓	✓	7	Promote the work of the LP and LC externally through relations with other organizations in the field of marine environmental protection					✓	✓	✓	✓
		✓		7.1	Improve and further develop the implementation of collaborative arrangements with other UN entities, IGOs and NGOs	M	M	M	Ongoing	✓	✓		✓
	✓		✓	7.2	Advice from international organizations on specific issues – GESAMP	M	M	M	Ongoing	✓	✓		✓
	✓	✓		7.3	Contribution to the major ocean-related initiatives on reporting and assessment of the state of the marine environment	M	M	M	Ongoing	✓	✓		
					.1 Follow up with Global Reporting and Assessment of the State of the Marine Environment (UN Regular Process)	M	M	M	Ongoing	✓	✓		
				7.4	Promotion of LP/LC scientific groups as formal body for scientific cooperation and collaboration								
✓	✓	✓	✓	8	Address overarching and cross-cutting issues, including assessment of implications of changes to marine environment (SD4 first task of implementation plan)					✓	✓	✓	✓
✓	✓	✓	✓	8.1	Operationalize and implement the Strategic Plan for the London Protocol and London Convention	H	M	M	Ongoing	✓	✓	✓	✓
	✓			8.2	Review Work Programmes	M	M	M	Ongoing	✓	✓	✓	✓

\*\*\*



### ANNEX 3

## REPORT OF THE ELEVENTH MEETING OF THE COMPLIANCE GROUP UNDER THE LONDON PROTOCOL

### 1 INTRODUCTION

1.1 The eleventh Meeting of the Compliance Group under the 1996 Protocol to the London Convention, 1972 was convened at IMO Headquarters, London, on 1 and 2 November 2018, and was chaired by Ms. Suzanne Agius (Canada).

1.2 The members of the Compliance Group in attendance were:

Ms. Suzanne Agius (Canada, Chair)  
Prof. Young Sok Kim (Republic of Korea, Vice-Chair)  
Ms. Radia Razack (South Africa, Vice-Chair)  
Prof. Akiko Okamoto (Japan)  
Mr. Gildardo Alarcon Daowz (Mexico)  
Ms. Jemma Lonsdale (United Kingdom)

1.3 The members unable to attend, with apologies, were:

Mr. Felipe Gonzales (Chile)  
Ms. Fang Yuan (China)  
Dr. Felicia Chinwe Mogo (Nigeria)

1.4 Observers from the following Contracting Parties to the London Protocol also attended the meeting:

CHILE	MEXICO
CHINA	NIGERIA
GHANA	REPUBLIC OF KOREA
IRAN (ISLAMIC REPUBLIC OF)	SAUDI ARABIA
JAPAN	UNITED KINGDOM
MADAGASCAR	

1.5 Observers from the following Contracting Party to the London Convention also attended the meeting:

UNITED ARAB EMIRATES  
UNITED STATES

1.6 An observer from the Barcelona Convention Compliance Committee, Ms. Luisa Rodriguez, was invited to share common experiences under a number of agenda items, with a particular emphasis on reporting, areas for further cooperation with LP, compliance promotion, and approaches for reporting on the effectiveness of implementation under the Barcelona Convention.

### 2 ADOPTION OF THE AGENDA

2.1 The Group adopted the provisional agenda for the session, as presented in document LP-CG 11/1/Rev.1.

### **3 ORGANIZATIONAL MATTERS**

3.1 The Group considered the organizational matters and agreed to prioritize tasks to ensure sufficient time for progress on key items.

### **4 REVIEW OF INDIVIDUAL SUBMISSIONS**

4.1 The Group noted that there were no individual submissions on non-compliance received, and that the meeting would focus mainly on systemic issues of non-compliance.

### **5 CONSIDERATION OF ANY REPORTS REFERRED TO UNDER PARAGRAPHS 6.2 AND 6.4 OF THE COMPLIANCE PROCEDURES AND MECHANISMS (SPECIFICALLY ARTICLES 9.4.1 AND 10.3)**

#### **Review of permit and dumping reports**

5.1 The Group considered the summaries of permit and dumping reports submitted in 2015 and 2016 (LC 40/7 and LC 40/7/1), in addition to the list of countries that had not reported permit or dumping information in the previous five years (LC 40/7/2) and the summary of reporting by all countries since they joined either the Protocol or Convention (LC 40/INF.2). The information outlined in document LC SG 41/16 (paragraphs 5.10 to 5.14), summarizing the findings of the Correspondence Group on the Assessment of Dumping Reports (CGADR), was also presented for review by the Group.

5.2 Following the approach used by the CGADR, the reporting rates for countries that belong to LC and/or LP, versus LP only, LC and LP, or LC only were presented for 2015 and 2016. The Group noted that the reporting rate for countries that were Party to only LP had particularly low reporting rates. For example, out of 11 LP-only Parties, only 2 (18%) had reported in 2015. In 2016, only 1 out of 12 LP-only countries had reported.

5.3 Similarly, the information in LC 40/7/2 showed that 5 out of 50 (10%) of countries that had not reported in the past five years were LP-only countries, and that nearly a quarter of non-reporting countries were Party to LP. LC 40/INF.2 also confirmed that a number of the countries that had only ratified the Protocol had rarely or never submitted permit or dumping reports.

5.4 In reviewing the information presented, the Group noted that the lack of reports by countries that had only recently joined LP might indicate that measures to implement LP might not yet be in place in those countries, or that those countries were facing challenges implementing the legislation or other administrative measures they had. If this was the case, the type of assistance being offered to these countries could be better tailored to respond to the challenges being faced.

5.5 In response to this situation, it was noted that summary information about required reports other than just permit and dumping reports would be helpful. For example, information about reports of legislative and administrative measures under article 9.4.2 would likely be a more direct indicator than dumping and permit reports of whether countries had adopted implementing measures, or were perhaps struggling to operationalize these measures.

5.6 In order to encourage the availability of reporting statistics for more than just permit and dumping reports at next year's meeting, the Group developed a sample table suggesting the types of additional reporting information summaries that would be useful for the Compliance Group to review. This draft table is presented in annex 1, and the Compliance Group requested that it be used to prepare summaries of reporting information for future meetings, if possible.



## **Review of monitoring reports**

5.7 The Group examined the summary of monitoring reports received to date as submitted by the Secretariat to the last SG meeting (LC SG 41/7). The Group also reviewed recommendations presented in the progress report submitted to this year's governing bodies meeting by the Correspondence Group Reviewing Monitoring Reports Submitted to LC and LP (as established during the last meeting of the Scientific Group (LC 40/11/1)). In particular, the Group noted the need to have additional members of this Correspondence Group who were from countries that had not reported monitoring activities to date.

5.8 Among the potential difficulties faced by countries that were not currently reporting monitoring, the Group noted the potential for countries to be intimidated by the detailed monitoring reports submitted at the Scientific Groups meetings, which represented significantly more than the minimum monitoring requirements, and encouraged more promotion of the recently adopted low-tech low-cost monitoring guides. Some members of the Group noted capacity issues as the reason for not reporting monitoring in their countries.

5.9 The Group heard from the observer from the Barcelona Convention Compliance Committee which was making efforts to shift monitoring patterns from "specific dumpsite monitoring" to "global monitoring" programmes. In other words, instead of only focusing on individual dumpsites, Contracting Parties to the Barcelona Convention committed to establishing a comprehensive global monitoring system. In addition, the observer noted the transition Barcelona Convention Parties were making to the LC/LP monitoring report format.

5.10 The Secretariat noted progress with their task of engaging with regional seas conventions, and highlighted the MOU agreed with OSPAR and the work towards similar agreements with the Barcelona Convention and HELCOM. The Group welcomed this progress which should hopefully streamline reporting for countries that were members of these regional seas treaties.

## **Template for reporting under article 9.4.2 and library of sample legislation**

5.11 The Secretariat noted that no new reports had been received under article 9.4.2 since the Thirty-Ninth Consultative Meeting of Contracting Parties of the Convention and the Twelfth Meeting of Contracting Parties of the Protocol. In reviewing reports received under article 9.4.2 to date, it was noted that summary information about these reports was not generally available for the review by LPCG, but that this year, the IMO Extern (Ms. Wanqing Pan) had been able to make considerable progress on the library of sample legislation using reports under article 9.4.2 that had been submitted to the Secretariat over the years. The draft library format and contents to date were presented to the Group for discussion.

5.12 The work on the draft library revealed that as of November 2018, 26 Contracting Parties to the London Protocol had not fulfilled their reporting obligations under article 9.4.2, while 25 Parties had submitted these reports. However, the Group also noted that among the LP Parties that had submitted reports about their legislative and other administrative measures to the Secretariat, many of these countries did so before the London Protocol was drafted, and therefore, they should likely also be considered as not having fulfilled their reporting obligations under article 9.4.2 of the Protocol, and/or, that they had not yet implemented the Protocol in their domestic legal frameworks.

### **Consideration of reports received under article 10.3**

5.13 The Group noted that no reports had been received under this article.

5.14 As a result of discussions under this agenda item, the Group encouraged countries to submit permit, dumping and monitoring reports, and reports of their legislative and administrative measures to the Secretariat if they had not already done so.

## **6 IDENTIFICATION AND REVIEW OF FACTORS CONTRIBUTING TO THE DIFFICULTIES EXPERIENCED BY PROTOCOL PARTIES IN FULFILLING THEIR REPORTING OBLIGATIONS UNDER ARTICLES 9.4.1, 9.4.2 AND 9.4.3 OF THE PROTOCOL**

6.1 The Group heard a presentation from the observer from the Barcelona Convention Compliance Committee about the difficulties with reporting observed by countries Party to that agreement. The observer noted that the Compliance Committee had asked Contracting Parties for detailed information about the challenges encountered in implementing the agreement. Responses revealed that reasons related to regulatory frameworks (e.g. the lack of model legislation) and administrative management (e.g. limited staff or fragmented programme delivery across government departments) were the top two challenges faced, followed by financial resource limitations and limited technical capabilities. The observer also noted the success that their Committee had had with Secretariat missions to non-compliant countries as a means of improving compliance, and noted that this approach took considerable human resources to implement but was very effective.

6.2 In the ensuing discussions, the Group:

- .1 thanked the observer from the Barcelona Convention Compliance Committee for sharing her experiences, and welcomed continued dialogue about areas of mutual interest between the Groups; and
- .2 agreed to create a network of compliance committees for multilateral environmental agreements that could share experiences and approaches to solving problems. To do this, the Compliance Group would ask the Secretariat to suggest other compliance committees they could reach out to, and organize an informal meeting of Compliance Committee/Group Chairs that could chart a path toward building this network.

6.3 Having discussed the status of reporting under the previous agenda item, the Group discussed a number of measures that should be taken in an effort to improve reporting rates for all types of required reports. These are described below.

### **Reporting under GISIS**

6.4 In 2017, the Group made several recommendations concerning potential improvements of the GISIS reporting modules that might make reporting easier and therefore improve reporting rates. These included:

- .1 the addition of a new box in GISIS for Parties to indicate when they have finished entering permit, dumping and monitoring data for a given calendar year;

- .2 communicating the fact that while the first year of reporting under GISIS could be quite time consuming for countries with several disposal sites to be entered, however reporting would get easier in subsequent years since sites used to dispose of maintenance dredging material were already in the system;
- .3 adding a check-box to GISIS allowing Parties to inform the Secretariat whether and when they had finished entering data for the year or if there was more information to come; and
- .4 including a box in GISIS to indicate whether a permit was for placement rather than dumping.

6.5 In addition, the Group agreed in 2017 to undertake a review of the GISIS Reporting Module Guidance contained in LC-LP.1/Circ.74.

6.6 The Secretariat noted that capacity constraints had resulted in no GISIS updates being completed since the last meeting. However, the Secretariat stressed that they still had the list of issues to be addressed that were raised by the Compliance Group and individual countries, and were working with IMO ITS to resolve them.

6.7 Under this item, the Group agreed to:

- .1 defer work on reviewing the GISIS Reporting Module Guidance until next year when further updates to GISIS were complete; and
- .2 continue to recommend improvements or updates to the GISIS reporting module and to track progress with updates requested to date.

### **Outreach to non-reporting Parties**

6.8 In 2017, the Secretariat informed the Group that they had not received any responses to letters sent to non-reporting Parties, and suggested that the Group consider alternative means of outreach. To provide these alternatives, the Group agreed to offer assistance and recruit potential new members through informally engaging with these Parties during the Meeting of Contracting Parties and during a coffee break at the 2017 governing bodies meeting, and by undertaking a telephone/Skype outreach programme to reach out to individual Parties experiencing challenges with reporting.

6.9 The Group was also reminded that the coffee break meeting held in 2017 was successful, resulting in the member from South Africa offering support to LC Parties in their region seeking to implement LP, and the start of a strong supportive relationship with Madagascar, who recently joined LP. In addition, one of the countries in attendance requested an LP "implementation checklist" (progress on this item is described below). No other intersessional outreach efforts were undertaken.

6.10 In the ensuing discussion the Group agreed to:

- .1 build on previous successes by holding another informal coffee break meeting with countries experiencing challenges with reporting during this year's governing bodies meeting, and also to continue informally engaging with these countries during the meeting;
- .2 extend a special invitation to the coffee break to countries in the African region that might be interested in South Africa's offer of assistance; and

- .3 enact the plan for outreach during the intersessional period that is presented in annex 2, which includes a letter to be sent by the Secretariat (set out in annex 3) on behalf of the Compliance Group to countries that have been prioritized for outreach on the basis that they have recently joined the LP, but have not yet submitted any reports.

### **Questionnaire about reasons for not reporting**

6.11 The Group reviewed a questionnaire that was circulated over twenty years ago asking countries to identify their reasons for not reporting and the challenges they faced that prevent them from submitting reports.

6.12 In the ensuing discussions, it was agreed that:

- .1 it would be worthwhile for the Compliance Group to develop a new questionnaire seeking similar types of information, as this might complement the outreach efforts described above;
- .2 circulating the questionnaire in the conventional manner (i.e. through a circular) was not likely to generate a significant number of responses, and therefore, other means of distributing the questionnaire should be explored including:
  - .1 providing hard copies to Parties that had not reported in the previous five years at the start of the governing bodies meeting in 2019;
  - .2 making the questionnaire available online (e.g. on social media or electronically through survey monkey) so that it could be accessed and populated quickly by countries for whom members of the Compliance Group or the Secretariat were providing outreach or assistance; and
- .3 it was vitally important for the Compliance Group to develop a list (or potentially a "living network") of contacts that were relevant for information about reporting, monitoring, implementation, etc. in various countries, since it was recognized that LP focal points were often not the right people to query about these topics. The outreach campaign planned during the intersessional period might help to start building such a network, but further consideration as to how this should be done and maintained should be made during the intersessional period and going forward.

### **Template for reporting under article 9.4.2 and library of sample legislation**

6.13 At a previous meeting, the Group agreed that a template was needed to communicate expectations for reporting under articles 9.4.2 and 9.4.3, and to determine whether obligations for reporting under these articles were being met. Intersessional work was led by Professor Okamoto and Ms. Razack to develop a working template for reporting under articles 9.4.2 and 9.4.3, including a comparison of reports submitted under article 9.4.2 to date to determine how the template could be structured. This previous intersessional work noted that countries had provided various levels of detail and types of information over the years, and led to a draft template for consideration at this year's meeting.

6.14 Also at previous meetings, the Group agreed that a library of sample legislation could serve as a useful resource for countries seeking to implement LP through the adoption of legislation or other administrative measures, as it would provide examples and potentially useful context about the types of systems the examples came from.

6.15 Following the presentation of the draft library under agenda item 4 (introduced above), the Group considered the challenges posed by labelling various countries' legislation or other administrative measures as being from common or civil law systems, or monist or dualist systems for incorporating international law domestically. It was also noted that many countries did not fit neatly into one category or another, and might be too complex to be represented by a concise set of labels. As such, it was agreed that the best outcome would be to have countries volunteer to provide this type of contextual information about their legal systems on a voluntary basis for inclusion in a library. It was also agreed that the spreadsheet generated for the draft library could also serve as a template to outline the minimum reporting requirements under article 9.4.2. For reporting purposes, more general categories of information should be used to evaluate whether or not countries had "legislative or other administrative measures". Conversely, voluntary information requested for inclusion in the library could offer more specific labels for countries to choose from, and the opportunity to provide additional notes as needed.

6.16 The observer from the Barcelona Convention Compliance Committee noted the efforts of that body to collect information about implementing measures, and their development of a simple table for collecting this information which asked yes/no questions and offered space for comments.

6.17 In the ensuing discussions, it was agreed that:

- .1 the draft library of sample legislation, contained in a spreadsheet with a number of columns, should be used as the basis for a spreadsheet containing columns for minimum mandatory information needed to comply with reporting required under article 9.4.2, and columns for voluntary information that would be useful as "labels" (or "context") that would make it easier for countries seeking relevant examples of implementing measures, and that:
  - .1 work on the draft library of sample legislation and the template for reporting under article 9.4.2 should take into account the sample table provided by the Barcelona Convention Compliance Committee and the discussions at the meeting about what the columns should contain as outlined in annexes 4 and 5 (including, for example, a column indicating whether a country had "legislative or other administrative measures" with an explanatory reference to the types of documents this could include, and to the Revised Guidance on National Implementation of the London Protocol, and provisions about enforcement that were required under LP);
  - .2 the library of sample legislation should be built to contain only examples that were relevant for implementing the London Protocol;
  - .3 reporting "on a regular basis" should be regarded as reporting at least once every five years, if only to indicate that no changes had been made during that time, and the date of the most recent report under article 9.4.2 should be recorded in the spreadsheet template. This timeframe was proposed as a reasonable timeframe that reflected the typically slow process of making legal changes, while enabling an evaluation of compliance with the requirement of reporting under article 9.4.2 for the purposes of evaluating progress with reporting for the strategic plan;
  - .4 the rationale for including or excluding template information should be documented for future context, and it should be noted that countries reporting using the template were providing information

- that would help the Compliance Group identify candidates for potential assistance (rather than simply to evaluate rates of compliance);
- .5 the spreadsheet should include a "sample" or "ideal" report to demonstrate the level of detail and type of contextual information that countries were invited to provide, and this sample should be developed in parallel with the spreadsheet; and
  - .6 work on the spreadsheet should continue during the intersessional period with a view to completing a near-final draft for presentation at next year's meeting; and
- .2 the considerations raised during the presentation of the draft library of sample legislation (listed in annex 6) should be considered during the intersessional period, with a view to developing recommendations for addressing them at next year's meeting.

### **Reporting of "effectiveness" under article 9.4.3**

6.18 With respect to reporting of effectiveness under article 9.4.3, the Group noted that this category of reporting was very subjective, and could be interpreted in reference to the implementation of treaty requirements (e.g. having a permit system, conducting inspections and monitoring), or as the effectiveness of implementation measures in preventing marine pollution from dumping (e.g. as may be indicated through assessments of the "state of the environment" as a result of the measures). The observer from the Barcelona Convention Compliance Committee noted that they had held similar discussions about the meaning of reporting "effectiveness", and concluded that evaluating "environmental effectiveness" went beyond the examination of "non-compliance" with the provisions of the treaty, and was therefore beyond the scope of what compliance committee members should attempt to review.

6.19 In the ensuing discussions, it was agreed that:

- .1 guidance on reporting on effectiveness should not be developed beyond what was recommended in the London Protocol Reporting Slides (as presented in LC 40/8/2); and
- .2 the Scientific Groups should bear reporting requirements under article 9.4.3 in mind when considering how to contribute to the next World Ocean Assessment, since this type of general evaluation of the state of the oceans might suggest indicators that could be summarized from monitoring or other reports and that might also be seen as indicators of "effectiveness" from an environmental protection point of view.

### **LP implementation "checklist"**

6.20 During the informal meeting for non-reporting Parties in the side-lines of the thirty-ninth Meeting of Contracting Parties, one of the delegates in attendance noted that since becoming a Party to LP, their country had successfully adopted implementing legislation, and was now embarking on actual implementation of a permit system for dumping at sea. This delegate suggested that an "implementation checklist" to help identify the practical actions and considerations they would need to launch a permit system "from scratch" would be invaluable. Further conversations between this delegate and the Compliance Group during the intersessional period resulted in a detailed list of the aspects to be included in the checklist. It was also agreed that the checklist should be concise, and that it should refer to existing guidance documents where appropriate. Specific examples from countries with active permit regimes were also requested to supplement the checklist.

6.21 The Group considered an information paper submitted to the meeting that presented sample information from two countries about their approach for implementing the various items included in the detailed list. Using this as a basis, the Group discussed the best way to present the information concisely and in a manner that would not imply a "right" or "wrong" way to implement LP, or a minimum capacity (e.g. number of staff) required to implement LP.

6.22 During the discussions that followed, the Group agreed that:

- .1 it was vital to characterize the document to be produced as an example only, and not a definitive interpretation of expectations nor a guideline;
- .2 the document to be produced would not really be a "checklist" of things that needed to be done in order to implement LP, but rather a list of important items for countries to consider when building systems to implement their legislation. It would endeavour to present generalized information about approaches to implementation while avoiding quantitative details; and
- .3 the draft presented in annex 6 should be further developed during the intersessional period, with a view to completing it for review by the B2C Steering Group at the next joint session of the Scientific Groups in March of 2019, and the addition of examples from additional countries in the columns at left in the period before the next Compliance Group meeting in 2019. The draft should be reviewed by the delegate that requested it, to ensure that it met the stated needs, and also had a column for references to existing LP guidance added to it.

## **7 CONSIDERATION OF COMPLIANCE ISSUES RELATED TO THE "BARRIERS TO COMPLIANCE" PROJECT**

7.1 Previous Compliance Group meetings identified the development of a "Frequently Asked Questions" (FAQ) document as a potential measure to address some of the factors contributing to reporting difficulties. The Group reviewed progress on this item, noting that its FAQ document had been reviewed intersessionally by the B2C Steering Group, and submitted to this year's governing bodies meeting for adoption.

7.2 Similarly, the Group reviewed progress on the development of slides outlining reporting requirements under LP, as these had also been identified as a potential means of helping to build understanding about reporting requirements and therefore improve reporting rates. The Group noted that the slides had also been reviewed by the B2C Steering Group during the intersessional period, and were submitted to this year's governing bodies meeting for adoption.

7.3 The Chair informed the Group that the Chairs of the Compliance Group, B2C Steering Group and the Correspondence Group on the Assessment of Dumping Reports had not had the opportunity to meet all at once this year, but they had remained in touch and would continue to do so as this had also been effective at avoiding the duplication of work.

7.4 The Group noted and welcomed the participation in its meeting for the past two years of Mrs. Azara Prempeh in her capacity as the Chair of the B2C Steering Group, which had been highly constructive and helpful for ensuring that the Groups' work was in harmony and to avoid the duplication of tasks. As Mrs. Prempeh was elected as Chair of the governing bodies beginning next week, the Compliance Group wished to underscore the value of her participation and contributions to date, and to welcome the continued observation of the Compliance Group meetings by the new B2C Steering Group Chair if possible. The Group also encouraged continued efforts to maintain smooth communication and collaboration between these two Groups.

## **8 REVIEW PROGRESS OF MAKING HISTORICAL DOCUMENTS RELATED TO THE DEVELOPMENT OF THE LONDON PROTOCOL AVAILABLE ON THE LC/LP WEBSITE**

8.1 After several years of work, the Secretariat informed the Group of the excellent progress it has made on this task in 2017 when all but 4 of over 100 requested documents had been located and scanned, representing the conclusion of this work for the Compliance Group. The Secretariat had continued its work to organize the documents and upload them onto the website where they would be searchable. As of the Compliance Group meeting this year, the Secretariat's work was ongoing, and so the Compliance Group would keep this item on its agenda and continue to request updates.

## **9 COMPLIANCE PROMOTION AND OUTREACH: REVIEW AND DEVELOPMENT OF MATERIALS AND INPUTS INTO THE WORK OF OTHER LP BODIES**

9.1 The Chair summarized the idea raised at previous Compliance Group meetings of using "Trello" as a social media platform for outreach and communication between the Compliance Group and countries seeking assistance. Many of the members accepted invitations to join the platform, but none had had the opportunity to use the platform to date. To use the platform going forward, members would have to accept invitations from a new administrator since the member that originally set up the platform would no longer be a Compliance Group member at the end of this year's meetings.

9.2 The Group discussed the merit of establishing a social media platform as a means of outreach. It was noted that this could pose serious workload issues and concerns about the status of any advice provided through the platform by members serving in their capacity as individual experts. As a result, it was agreed that the Compliance Group should not further consider the establishment of a social media platform as a means of the Compliance Group outreach.

9.3 Nevertheless, the Group heard from multiple observers that social media platforms represented the most frequent source of information for administrators in their countries (i.e. social media was consulted before websites in the majority of situations). For this reason, the Group agreed to learn more about the potential functions of the Trello platform and other social media tools from the IMO Public Information Services, with a view to developing recommendations for enhancing the existing LP social media presence that was maintained by the Secretariat.

9.4 The Group heard from the IMO media Group that they were able to provide support to build social media platforms and to train the Compliance Group members who might be involved in outreach through these platforms. However, before accessing this support, the Compliance Group should further consider the audience it wished to reach and the types of information it would like to share. Once this was done, a follow up meeting with the media Group could be organized to put in place a plan for developing an effective social media presence.

9.5 As a result of discussions under this item, the Group agreed to:

- .1 recommend that the Secretariat continue to use existing social media platforms to provide outreach about LP-related activities, but ensure that the focus and function of these posts was the provision of easy access to information (e.g. links to new and existing guidance, IMODOCS, online reporting modules, etc.) rather than simple announcements of current activities or discussions without links to information; and



- .2 work during the intersessional period to prepare for a follow-up meeting with the IMO media Group by agreeing on the desired audience for the Compliance Group outreach, and objectives of this outreach (e.g. to raise the profile of the Compliance Group as a source of assistance and support for countries seeking to implement or comply with LP, as a means of connecting with these countries and building networks of engaged contacts, and as a potential means of requesting information from these contacts).

## **10 FUTURE WORK PROGRAMME OF THE COMPLIANCE GROUP FOR THE PERIOD UP TO AND INCLUDING ITS TWELFTH SESSION IN 2019**

10.1 The Group reviewed its ongoing work programme and agreed that it was necessary to continue to keep the programme under review.

10.2 The Group reviewed each item in its future work programme and agreed to make minor changes to a few items in order to clarify the exact nature of the work to be done to ensure better alignment with CPM. In particular, the work items were revised to reflect all reports that were required under LP, and that the Compliance Group was tasked with reviewing in CPM (specifically, 10.3. and 9.4.3 were not previously reflected in the work programme). In addition, the intent to collaborate with Groups outside LP, including other regional bodies, was added.

10.3 The Group noted that there were no emerging issues that required consideration at this time.

10.4 The Group noted document LC 40/INF.3 containing a draft "streamlined joint work programme" (SJWP) for consideration by the governing bodies. In the ensuing discussions, the Group requested that the governing bodies note the preference of the Compliance Group to be able to view its tasks in isolation from the broader joint work programme going forward, and to consider how best to accomplish this while further refining the draft SJWP.

10.5 At the seventh session of the Compliance Group, held in 2014, it was decided that the Group would benefit from a detailed work plan outlining the specific tasks to be completed in support of the items outlined in its future work programme. This detailed work plan would continue to be used and developed intersessionally, and presented to the Group for review.

## **11 ANY OTHER BUSINESS**

As relevant under various agenda items, the Group noted document LP-CG/11/10, which presented progress made on various tasks during the intersessional period. The Group agreed to prepare similar progress reports for consideration at future meetings.

## **12 ELECTION OF CHAIR AND VICE-CHAIR FOR THE NEXT TERM**

The current Chair, Ms. Suzanne Agius, was re-elected to serve as Chair for the next two terms in 2017 (i.e. through to the end of the 2019 Meeting of Contracting Parties). Prof. Young Sok Kim (Republic of Korea) and Ms. Radia Razack (South Africa) were also affirmed to continue as Vice-Chairs for two years through to the end of 2019.

ANNEX 1

**SAMPLE TABLE OF SUMMARY INFORMATION  
ABOUT LP REPORTING REQUIREMENTS**

Status of Reporting in 2018 (SAMPLE TABLE FOR DISCUSSION)																
COUNTRY	Permits Issued in 2018		Quantities Dumped in 2018 (tonnes)										Monitoring		Legal and Administrative Measures	
	Number of Valid Permits	No Information Supplied	Dredged Material - maintenance	Dredged Material - capital	Sewage Sludge	Fish Waste	Vessels, Platforms or other manmade structures	Inorganic Material	Organic Material of Natural Origin	Bulky Items	Carbon dioxide streams from carbon dioxide capture processes for sequestration	Most recent Monitoring Reported	No Information Supplied	Information Provided (Y/N)	Year	

ANNEX 2

**PROPOSED PLAN FOR INTERSESSIONAL OUTREACH TO PARTIES EXPERIENCING CHALLENGES WITH REPORTING**

<b>Task</b>	<b>Lead</b>	<b>Due Date</b>
Compile a list of non-reporting countries that might benefit from outreach, and their contact information.	Chair, with support from Secretariat	January 2019 (see LC 40/7, and LC/SG 41/7)
Prepare a "background reference document" for the Compliance Group members conducting outreach activities, explaining briefly what the the Compliance Group is and what the reporting requirements under the LP are (as per the Slides on LP Reporting Requirements). The document should also list the questions to be answered during the calls, which will be informal in nature, and contain a copy of or link to the Guidance on Use of the Online Reporting Module (GISIS), contained in LP-LP.1/Circ.74.	Chair	ASAP after the end of the 11th meeting of the Compliance Group
Send letter to all non-reporting countries, prioritizing outreach to those that have recently joined LP, but not yet submitted any reports (i.e. Georgia, Ghana, Saudi Arabia, and Trinidad and Tobago).	Secretariat on behalf of all the Compliance Group members	End of 11th meeting of the Compliance Group
Prepare a formal letter of introduction seeking a meeting with the appropriate national contact(s).	All Compliance Group members	End of 11th meeting of the Compliance Group (see annex)
Individual members of the Compliance Group will serve as "language leads" to determine which countries they should reach out to (e.g. Gildardo will reach out to Spanish speaking countries, Suzanne and Jemma will help with English speaking countries, and other group members will be asked to conduct outreach activities as needed).	All the Compliance Group members	End of 11th meeting of the Compliance Group
Translate introductory letter.	Secretariat	February 2019
Send introductory letter.	Secretariat, with copy to Language Lead	March 2019
Conduct phone or Skype follow up(s) as appropriate.	Individual Compliance Group members	End of May 2019

<b>Task</b>	<b>Lead</b>	<b>Due Date</b>
Share requests for assistance with the Compliance Group as they become available, including a summary indicating: a. Why has your country not reported? b. Do you know you need to report? Do you know what you need to report? c. What are the barriers to reporting being faced? What would help to overcome these?	All Compliance Group members	Ongoing
Provide assistance where possible using existing resources / information / experience.	Individual Compliance Group members	Ongoing
Compile a list of support or assistance requested that may require the development of new materials, and determine how best to advance this work.	Compliance Group	Ongoing

ANNEX 3

**LETTER OF INTRODUCTION FOR THE COMPLIANCE GROUP OUTREACH**

Dear Mr./Ms.,

I am writing to you on behalf of the London Protocol Compliance Group. The London Protocol is a treaty on the prevention of marine pollution and disposal at sea. The London Protocol Compliance Group assesses and promotes compliance with the London Protocol with a view to allowing full and open exchange of information, in a constructive manner.

The London Protocol Compliance Group is reaching out to non-reporting countries to offer assistance and support. The members of the Compliance Group have a wealth of experience and expertise in implementing the London Protocol that may benefit these countries. We decided to contact two categories of countries:

- Countries that have recently become Party to the London Protocol and have not submitted at least one type of required report.
- Countries that are Party to the London Protocol that have not submitted one or more required types of reports in the past five years.

If you are the correct point of contact I would appreciate it if you could let me know by email or by telephone. The Language Lead will be reaching out to you in the next few weeks to agree a time to discuss via telephone or Skype.

If you are not the correct contact, I would appreciate it if you could point me in the right direction.

The final objective of this endeavour is to increase the rates of reporting under the London Protocol, to enable a more robust evaluation at its effectiveness at preventing marine pollution as per the [strategic plan](#).

I look forward to hearing from you.



ANNEX 4

**DRAFT COLUMNS FOR MANDATORY REPORTING UNDER ARTICLE 9.4.2 [AND LIBRARY OF SAMPLE LEGISLATION]**

This table presents the anticipated content of the template for minimum mandatory reporting under article 9.4.2, but does not reflect the intended format for the template. Also, the text showing examples of responses from individual countries was taken from reports that are more than 10 years old, and so should not necessarily be regarded as up-to-date information about those countries. The intent is to refine the examples during the intersessional period.

<b>REPORT UNDER ARTICLE 9.4.2 OF THE LONDON PROTOCOL</b>							
CONTRACTING PARTY	Administrative and legislative measures (including laws, decrees, ordinances, regulations and other measures) to implement the London Protocol. [Add link to the Revised Guidance on the National Implementation of the London Protocol]	Y/ N	If yes Names and summaries of the measures  Example 1. the Protocol is implemented under the Part 7, Division 3 of the Canadian Environmental Protection Act, 1999 (CEPA, 1999).  2. has been taking necessary measures to comply with the provisions of the London Convention, 1972 by national law(s) and Country amended the national law(s) in Year to comply with the extended regulation of ocean dumping of wastes and other matter under  Summary: National Law 1 prohibits dumping of wastes and other matter at sea in principle. But there are exceptional items which may be considered for dumping at sea specified in the enforcement ordinance of National Law 2 and the National Law 1 consistent with annex 1 of the	Binding Enforcement Measures to implement national measures	Y/N	Details of Enforcement Measures (offenses, penalties/sanctions/punishment)  [ADD NOTE ABOUT LINK AND POTENTIAL OVERLAP WITH COMPLIANCE MONITORING REQUIREMENTS]  Example  <i>Compliance and Enforcement Policy for the <b>Canadian Environmental Protection Act, 1999</b></i> : Outlines Environment Canada's policy. <a href="http://www.ec.gc.ca/alef-ewe/default.asp?lang=en&amp;n=AF0C5063-1">http://www.ec.gc.ca/alef-ewe/default.asp?lang=en&amp;n=AF0C5063-1</a>  <b>5. The authority or authorities responsible for compliance with and enforcement of the issuance of permits</b> <b>Another heading – Enforcement measures? Include the offences and penalty measures in the law</b> <b>Authorities responsible for compliance and enforcement</b>  e.g. 1 Environment Canada is the federal authority responsible for the issuance of permits.  e.g. 2	Date of submission  [Note meeting report discussions about the need to specify the expected frequency of reporting under article 9.4.2.]

REPORT UNDER ARTICLE 9.4.2 OF THE LONDON PROTOCOL																							
		<p>London Protocol. As of Date, Country has issued dumping permits for Dredged material, inert material, and Organic materials.</p> <p>3.3. Applicants for permits</p> <p>e.g. Only the generator of such wastes can obtain most of the information subject to the assessment or taking measures to meet requirements. Therefore, the applicants for permits are in principle the generators of such wastes and responsible for their disposal.</p> <p>3.4. Items required to be submitted for a permit</p> <p>e.g.</p> <ol style="list-style-type: none"> <li>1. an Implementation Plan for dumping at sea</li> <li>2. a document describing that there is no appropriate disposal method other than dumping at sea</li> <li>3. a report stating the result of Impact Assessment; and</li> <li>4. a Monitoring Plan for monitoring the status of dump sites</li> </ol> <p>3.5. Assessment criteria for a permit</p> <p>The Ministry shall not grant a permit unless the application meets the following criteria;</p> <ol style="list-style-type: none"> <li>1. discharge area and methods comply with the requirements set under the Ordinance of the Ministry and there would not be</li> </ol>			<p>The Disposal at Sea Program is national with a</p> <table border="1"> <thead> <tr> <th>Regions</th> <th>Inspections</th> <th>Inves</th> </tr> </thead> <tbody> <tr> <td>Atlantic</td> <td>345</td> <td>9</td> </tr> <tr> <td>Pacific Yukon</td> <td>83</td> <td>7</td> </tr> <tr> <td>Prairie Northern</td> <td>0</td> <td>1</td> </tr> <tr> <td>Quebec</td> <td>109</td> <td>7</td> </tr> <tr> <td><b>TOTAL</b></td> <td>537</td> <td>24</td> </tr> </tbody> </table> <p>policy office in Ottawa and regional permit offices in Dartmouth (Nova Scotia), Montreal (Quebec), Winnipeg (Manitoba) and Vancouver (British Columbia).</p> <p><b>6. the authority or authorities responsible for compliance with and enforcement of permit conditions;</b></p> <p>e.g. Environment Canada is the federal authority responsible for enforcement action on permit conditions. Environment Canada's Enforcement Branch is built around the principle of ensuring that companies and individuals comply with the pollution prevention and conservation goals of environmental and wildlife protection acts and regulations. Enforcement of disposal at sea regulations is delivered through the work of in-the-field enforcement officers working on all coasts of Canada</p> <p><b>7. A summary of enforcement measures taken since entry into force of the Protocol for your country (Article 9.4.2)</b></p> <p>e.g. Table</p>	Regions	Inspections	Inves	Atlantic	345	9	Pacific Yukon	83	7	Prairie Northern	0	1	Quebec	109	7	<b>TOTAL</b>	537	24
Regions	Inspections	Inves																					
Atlantic	345	9																					
Pacific Yukon	83	7																					
Prairie Northern	0	1																					
Quebec	109	7																					
<b>TOTAL</b>	537	24																					



REPORT UNDER ARTICLE 9.4.2 OF THE LONDON PROTOCOL						
			<p>significant risk to the protection of the marine environment of such disposal; and</p> <p>2. there are no appropriate disposal methods other than disposal at sea.</p> <p>3.6. Permit duration</p> <p><u>e.g.</u> The Ministry can decide on the permit duration in issuing permits for dumping at sea. Maximum permit duration is 5 years. The operators shall apply for another permit if the dumping activities are to take longer than the given permit duration.</p> <p>[can add a link to a flow diagram]</p>			



ANNEX 5

**LIST OF COLUMNS FOR VOLUNTARY INFORMATION TO BE REQUESTED FOR THE  
LIBRARY OF SAMPLE LEGISLATION**

This annex lists only the titles for columns to be included in the library of sample legislation. The type of information to be provided and/or options to select in each column are fully described in the Excel file containing the draft library that was shared during the meeting.

Country  
Document Title  
Short Title  
Document Reference  
Document Type  
Legal System  
Monist or Dualist  
Year of adoption  
Available languages  
Part of the Protocol implemented  
Website link

## ANNEX 6

### **CONSIDERATIONS WITH RESPECT TO THE LIBRARY OF SAMPLE LEGISLATION TO BE CONSIDERED DURING THE INTERSESSIONAL PERIOD**

- Publication Policy – will all reports of sample legislation be included in the library, and will the library be released publically?
- Which software platform should be used to house and display the library (e.g. a simple spreadsheet, or Zotero?)
- Should measures taken to implement the London Convention (1972) or by Contracting Parties to the Convention be included?
- Should draft labels for categorizing examples in the library be revised to ensure their utility, and if so, how?
- Would it be useful to ask countries to identify which parts of the Protocol are implemented by which section of law or administrative measure, and if so, how should this be done (e.g. in a prescribed format, descriptive text or something else)?

ANNEX 7

**DRAFT "CHECKLIST" HEADINGS**

This document includes information on how different countries have implemented the London Protocol, and is intended to assist national Administrations in implementing its provisions, whether they are currently Contracting Parties or simply interested in becoming Parties. It is not to be construed as providing definitive interpretations of the Protocol or how its provisions should be applied.

Sections	Comments	Canada	Mexico	Etc.
<b>BASIC STRUCTURE</b>				
<b><u>National Authority</u></b> One authority / several authorities	It is important <b>to establish how many agencies</b> should be involved in the issuance of a dumping permit.	In Canada, the Department of the Environment and Climate Change is responsible for implementing the....(more)		
A lead authority/agency	<ul style="list-style-type: none"> <li>It is convenient to have an Agency leading the Dumping Permit System. This Agency may consult with others agencies and consider their opinion prior the permit is granted or rejected.</li> <li>Inter-agency coordination mechanism required</li> </ul>		Is the Navy through the Directorate for the Protection at the Marine Envi. Is (more)	
Management structure	convenience to have /create a management structure that includes: <ul style="list-style-type: none"> <li>o Policies,</li> <li>o Operation</li> <li>o enforcement</li> </ul>	The Department of the Environment and Climate Change has a fleet of enforcement officers that investigates.... (more)		
Personnel				

Sections	Comments	Canada	Mexico	Etc.
	<p>It is needed to have a hierarchically organized staff with clear functions and responsibilities on:</p> <ul style="list-style-type: none"> <li>○ Permitting process</li> <li>○ Field and compliance monitoring</li> <li>○ Legal aspects</li> <li>○ Administrative aspects</li> </ul>			
<p>Personnel profile / formation</p>	<p>Professional profile of the personnel should be according to the functions and activities at the following stages of the permitting process:</p> <ul style="list-style-type: none"> <li>○ Provide advice about permit applications including information required for waste characterization</li> <li>○ Technical /legal assessment of the applications</li> <li>○ Site of disposal selection</li> <li>○ Issuing permit and permit conditions</li> <li>○ To carry out field and/or compliance monitoring</li> <li>○ Policy and normative issues</li> </ul>			
<p><b>PERMITTING PROCEDURE</b></p>	<p>This is a</p>			
<p><b>Application</b></p>				<p>•</p>
<p>Information to be elicited from applicants</p>				<p>•</p>
<p>On line procedures</p>				<p>•</p>
<p>Fees</p>				<p>•</p>
<p>Legal timeline</p>				<p>•</p>
				<p>•</p>

Sections	Comments	Canada	Mexico	Etc.
<b>Evaluation</b>				•
technical guidance to evaluate App				•
National criteria to accept/ reject application for dumping at sea				•
				•
<b>Permits Issuance</b>				•
Legal rationale				•
Public/ private consultation				•
Terms and conditions				•
				•
<b>FOLLOW UP</b>				•
<b>Enforcement</b>				•
				•
				•
	• Surveillance and detection of transgressions			•
	• Inspections			•
	• Prosecution			•
	• Corrective measures			•
	• Claims, liability, fines and compensation			•
<b>Monitoring and evaluation</b>				•
	•			•
<b>Reporting</b>				•
	•			•
Corrective measures	•			•





ANNEX 8

**FUTURE WORK PROGRAMME INDICATING SUPPORT FOR STRATEGIC DIRECTIONS**

<b>SD</b>	<b>Description</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Target Completion Date</b>
SD2	1. treat individual submissions of possible non-compliance as a priority in the work programme when they arise;				
SD2	2a. continue working relationships with other relevant LP groups including the B2C group, and the CGADR as well as regional bodies working on related compliance issues;				
SD2	3. continue to review dumping reports referred to the Compliance Group pursuant to paragraph 6.2 of CPM, including where concerns have been identified by the LP Scientific Group;				
SD1	4. consistent with CPM, assist non-Contracting Parties requesting support in acceding to the Protocol;				
SD1	5. assist Contracting Parties to meet compliance obligations, and support interested non-Contracting Parties in strengthening reporting and other requirements that would facilitate their accession to the Protocol;				
SD2	6. continue to identify and review the factors contributing to the difficulties experienced by Contracting Parties in fulfilling their reporting obligations under articles 9.4.1 and 10.3; identify options to address those factors; and make recommendations for improving the rate of reporting under the Protocol and mechanisms for gathering information from Parties, and keep under review the presentation of the information contained in the reports;				
SD2	6b. continue to identify and review the factors contributing to the difficulties experienced by Contracting Parties in fulfilling their reporting obligations under articles 9.4.2 and 9.4.3;				

SD	Description	2017	2018	2019	Target Completion Date
	identify options to address those factors; and make recommendations for improving the rate of reporting under the Protocol and mechanisms for gathering information from Parties, and keep under review the presentation of the information contained in the reports;				
SD2	7. examine reports received under all other relevant LP articles, use these results in combination with historical documents to clarify the intention behind these requirements, and develop materials to facilitate compliance with these reporting requirements;				
SD2	8. ensure historical documents related to the development of the London Protocol are available to Contracting Parties;				
SD2, SD3	9. review and develop materials and inputs regarding its role in compliance promotion in collaboration with the Secretariat;				
SD2	10. facilitate the creation of tools to support countries in the development of implementing legislation for the London Protocol;				
SD2	11. continue to develop recommendations to increase participation in the Group as required;				
SD4	12. consider emerging issues that may represent potential incidents of non-compliance, and make recommendations to the governing body as appropriate.				

\*\*\*

**ANNEX 4**

**ONGOING AND PLANNED WORKSHOPS AND PROJECTS 2018-2019**

<b>B2C workshops/activities</b>	<b>Host country or organization</b>	<b>Planned delivery date</b>	<b>Funding/Est. cost (\$)</b>
<b>Activities recently implemented or under preparation</b>			
Regional workshop: Ratification and implementation of the LP	Chile/CPPS	April 2018	Implemented
National workshop: Ratification and implementation of the LP	Philippines	May 2018	Implemented
National workshop: Ratification and implementation of the LP	Angola	May 2018	Implemented
Regional workshop: Joint activity LC/LP, OSPAR and Abidjan Convention Secretariats	Ghana	November 2018	5,000, cost-sharing with Norway and OSPAR
Sub-regional/national workshop: Ratification/implementation of the LP	Sri Lanka	December 2018	5,000, cost sharing with IMO ITCP
<b>Activities requested/planned</b>			
National workshop: Ratification and implementation of the LP	Fiji	TBC	IMO ITCP
National workshop: Ratification and implementation of the LP	Algeria	TBC	IMO ITCP
National workshop: Ratification and implementation of the LP	Turkey	2019	IMO ITCP
National workshop: Ratification and implementation of the LP	Malaysia	2019	IMO ITCP
National workshop: Ratification and implementation of the LP	Sierra Leone	TBC	20,000 (ITCP)
National workshop: Ratification and implementation of the LP	Cameroon	TBC	20,000 (ITCP)
National workshop: Ratification and implementation of the LP	East Africa	2019	IMO ITCP
National workshop: Follow-up on implementation of the LP	Nigeria	TBC	TBC
National workshop: Follow-up on implementation of the LP	Iran	TBC	TBC
Regional workshop: Joint activity with SACEP	South Asia region	2019	40,000
Regional workshop: Ratification and implementation of the LP	Panama	TBC	TBC
<b>Activities to be confirmed/re-confirmed</b>			
Regional workshop: Ratification and implementation of the LP in the Baltic Sea region	HELCOM	TBC	10,000

<b>B2C workshops/activities</b>	<b>Host country or organization</b>	<b>Planned delivery date</b>	<b>Funding/Est. cost (\$)</b>
National workshop: Ratification and implementation of the LP	Russian Federation	TBC	20,000
<b>Total estimated costs for projects and B2C workshops, excluding TBD values and confirmed IMO-funded activities (2018-2019)</b>			<b>\$120,000</b>

\*\*\*

**ANNEX 5**

**ACTION PLAN AIMED AT IMPROVED REPORTING**

	TASK	EXECUTOR	TIMELINE
Compliance Promotion	Encourage Contracting Parties who have not reported for many years to report their dumping activities including by sending letters to non-reporting Parties	Secretariat	Intersessional period
	Listing non-reporting Parties in meeting reports	Secretariat	Annually
	Conduct outreach to Parties experiencing challenges with reporting using letters and/or telephone to indicate that the LP Compliance Group is available to provide support	LP Compliance Group/Secretariat	2019
	Consider interactive platforms, including social media, to support and promote ratification of the London Protocol and compliance	LP Compliance Group/Secretariat	2019
	Communication with LC/LP Focal Points, IMO Permanent Representatives and IMO web administrators highlighting issues relating to access to GISIS for data input	Secretariat	Ongoing
Compliance Tools	Promote the use of GISIS for reporting	Contracting Parties	Ongoing
	Develop a webinar on reporting demonstrating the entry of data into the LC/LP Module of GISIS and make a recording of the webinar available on the LC/LP portion of the website	Secretariat	2020
	Remind Parties periodically that they can list additional contacts that should be copied whenever information is sent to LC/LP focal points	Secretariat	Annually
	Report technical issues with the GISIS module	Contracting Parties	Ongoing
	Compile a list of suggestions for improvement of the GISIS module to be addressed by the Secretariat	Scientific Groups/Secretariat	Ongoing
	Provide electronic versions of administrative and legislative measures to the Secretariat, in addition to paper copies in accordance with article 9.4.2 of the London Protocol	Contracting Parties	Ongoing
Compliance Assistance	Develop a template for reporting of administrative and legislative measures, including a summary of enforcement measures, under article 9.4.2 of the London Protocol	LP Compliance Group	2019
	Finalize slides on reporting	LP Compliance Group, B2C	2018
	Develop a step by step guide to using the LC/LP portion of GISIS in written/prose format	LP Compliance Group, B2C	2020
	Clarify reporting requirements under the London Protocol, including recommendations as to meaning of "reporting on a regular basis" under article 9.4, and "effectiveness of the measures" under article 9.4.3	LP Compliance Group	2018
	Develop a library of sample legislation	LP Compliance Group/Secretariat	2019
	Meet informally with Parties experiencing challenges with reporting at the meeting of the governing bodies to offer support	LP Compliance Group	Annually
	Translate various publications and assistance into additional languages	Secretariat/ Contracting Parties	Ongoing
Reporting on monitoring	Develop and implement recommendations to improve reporting on monitoring	Scientific Groups	2020

\*\*\*



## ANNEX 6

### RECOMMENDATIONS FOR THE REVISION OF THE STRATEGIC APPROACH TO TECHNICAL COOPERATION: DELIVERING WORKSHOPS

- 1 Tailor each national/regional workshop to the needs of a particular audience as needs vary considerably from country to country and region to region (LC/SG 40/WP.5, paragraph 8);
  - .1 request the recipient countries to provide information on their level of implementation and their needs prior to a workshop to the Secretariat, to assist the Secretariat in tailoring the workshop appropriately (LC/SG 40/WP.5, paragraph 10); and
  - .2 evaluate/assess the status and level of implementation of the recipient countries to appropriately tailor workshops (LC/SG 40/WP.5, paragraph 9).
- 2 Request the Secretariat to provide the B2C Steering Group with information about the IMO approach to the development of model courses to inform further work of the Group.
- 3 To ensure that recipient countries' needs and the objectives for the workshop are met, engage with the host and recipient countries beforehand to identify the relevant representatives and institutions to be targeted.
- 4 In order to ensure that relevant stakeholders and decision makers are involved in the process from the outset, invite a wider audience to participate in national and regional workshops and therefore extend the invitation to those stakeholders involved in the ratification and implementation of the London Convention and Protocol.
- 5 Involve national or local experts available to further support the recipient countries in implementing the London Convention and Protocol (LC/SG 40/WP.5, paragraph 8).
- 6 As a pre-condition for holding a workshop, inform the host and recipient countries that a plan for follow-up action will be developed during the workshop.
- 7 Consider assigning a consultant to the recipient country following a workshop to develop a national action plan to progress ratification, drafting of legislation or implementation measures as the case may be (LC/SG 40/WP.5, paragraph 8).
- 8 Use the "twinning concept" to provide continued and progressive assistance to countries following workshops or in lieu of conducting a further workshop where suitable (LC/SG 40/WP.5, paragraph 8.5).
- 9 Continue the periodic revision of the workshop slides.
- 10 The following further measures are recommended to enhance the delivery of workshops:
  - .1 workshop materials and slides should be translated into the language used in the recipient country;

- .2 workshop materials should be sent to the participants of the workshop in advance, to generate their interest and to provide some background to the workshop which in turn should improve efficiency of the workshop;
- .3 more interactive workshop components should be introduced, rather than using presentation slides only, (e.g. practical and hands-on exercises, such as entry of data in GISIS, case studies on waste disposals, etc.); and
- .4 consideration of sustained and continued support tailored to the needs of the recipient countries.

\*\*\*



**ANNEX 7**

**JOINT WORK PROGRAMME OF THE SCIENTIFIC GROUPS (2018-2020)**

<b>SD</b>	<b>Description</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>Target completion date</b>
SD 2, SD 3	<b>WASTE ASSESSMENT GUIDANCE</b> <ul style="list-style-type: none"> <li>- Review of the Specific Guidance for platforms and other man-made structures at sea</li> <li>- Development of recommendations regarding fibreglass vessels</li> <li>- Guidance on disposal site selection</li> <li>- Recommendations about the need for marine cumulative effects assessment</li> <li>- Overview of waste prevention techniques</li> <li>- Review of and experience with practical implementation of the WAGs</li> <li>- Development of recommendations regarding default action levels</li> <li>- Collection of information on protection of higher trophic levels as it relates to the WAG</li> </ul>	M	H	L	2019
		M	H	L	2019
		M	H	M	2019
		M	H	M	2019
		M	L	L	ONGOING
		M	M	M	ONGOING
		M	M		2019
		L	L		2019
	<b>MONITORING AND ASSESSMENT</b>				
SD 2	- Assess field monitoring reports	H	H	H	ONGOING
SD 2	- Research results, new techniques, strategies, etc.	M	M	M	ONGOING

SD	Description	2018	2019	2020	Target completion date
SD 3	- Contribution to the major ocean-related initiatives on reporting and assessment of the state of the marine environment	L	M	M	ONGOING
	CO <sub>2</sub> SEQUESTRATION				
SD 2, SD 4	- Experience with practical implementation of the CO <sub>2</sub> Sequestration Guidelines and with CO <sub>2</sub> sequestration technologies and their application	M	M	M	ONGOING
	MARINE GEOENGINEERING				
SD 2, SD 4	- Keep under review the marine environmental implications of marine geoengineering	L	L	L	ONGOING
SD 1, SD 2, SD 4*	TECHNICAL COOPERATION AND ASSISTANCE				
	- "Barriers to Compliance" Project – review of the Implementation Plan	M	M	M	ONGOING
	- Regional and national workshops and evaluation of feedback questionnaires	M	M	M	ONGOING
	- Technical advice to specific countries, including "twinning" and lead-country arrangements	M	M	M	ONGOING
	- Implementation of a communication strategy for London Protocol Manual	L	L	L	ONGOING
	- Improvement/update of the LC/LP website	M	M	M	ONGOING

SD	Description	2018	2019	2020	Target completion date
SD 2, SD 4	HABITAT MODIFICATION/ENHANCEMENT  Beneficial use of waste or other materials - Experience with habitat enhancement	M M	M M	M M	ONGOING ONGOING
SD 2	REVIEW AND IMPROVEMENT OF REPORTING  - Review of dumping reports  - Review of reporting requirements  - Improve reporting under the LP and LC	H M M	H M M	H M M	ONGOING ONGOING ONGOING
	- Assess trial of new format	H	M	L	2019
	- Implementation of the online reporting module for GISIS (building on work of the review of reporting requirements)	M	L		2019
	- Collaboration [and cooperation] with other international bodies  - Collaboration with the LP Compliance Group	M M	M M	M M	ONGOING ONGOING
SD 2	MATTERS RELATED TO RADIOACTIVE WASTES	L	L	L	ONGOING

SD	Description	2018	2019	2020	Target completion date
SD 2, SD 3, SD 4	<p>COASTAL MANAGEMENT AND PREVENTION OF MARINE POLLUTION</p> <ul style="list-style-type: none"> <li>- Cooperation with other United Nations agencies and industry organizations, as appropriate, with regard to: <ul style="list-style-type: none"> <li>1. Disposal of wastes and other matter in the marine environment from mining operations, including marine mineral mining</li> <li>2. Marine litter and microplastics (LC/LP-relevant issues only)</li> <li>3. Chemical munitions dumped at sea</li> <li>4. Deep seabed mining [in the Area, and in areas of national jurisdiction]</li> <li>5. Sewage sludge best practices and alternatives</li> </ul> </li> </ul>	H	M	L	2019
		M	M	M	2019
		M	M	L	2018
		L	L	L	ONGOING
		L	L	L	2019
	- Underwater noise from anthropogenic sources (LC/LP-related issues only)	L	L	L	ONGOING
	- Jettisoned space vehicle components – dialogue with COPUOUS	L	L	L	ONGOING
	- Review relevant guidelines from the UN Committee on the Peaceful Uses of Outer Space	L	L	L	2019
SD 2, SD 3	GUIDELINES, MANUALS, BIBLIOGRAPHIES AND INFORMATION EXCHANGE	M	M	M	ONGOING

<b>SD</b>	<b>Description</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>Target completion date</b>
SD 2, SD 3, SD 4	SCIENCE/TECHNICAL SESSION: ISSUE-FOCUSED DAY	M	M	M	ONGOING
	REVIEW OF WORK PROGRAMME				
	- Review Scientific Groups' Work Programme	M	M	M	ANNUAL
	- Support the implementation of the Strategic Plan	H	M	M	ONGOING

Legend:

H high-priority item  
M medium-priority item

L low-priority item

SD Strategic Direction (as per the LP/LC Strategic Plan)

\* Relates to work of the Scientific Groups only

\*\*\*



## ANNEX 8

### LIST OF SUBSTANTIVE ITEMS FOR THE AGENDA FOR THE FORTY-FIRST CONSULTATIVE MEETING AND FOURTEENTH MEETING OF CONTRACTING PARTIES

- 1 Consideration of the report of the Scientific Groups
  - Waste assessment guidance
  - Development of recommendations regarding fibreglass vessels
  - Revision of the Specific Guidelines for assessment of platforms or other man-made structures at sea
  - Monitoring and assessment
  - Dumping reports/GISIS module feedback
  - CO<sub>2</sub> sequestration in sub-seabed geological formations
  - Marine geoengineering including ocean fertilization
  - Technical cooperation and assistance
  - Cooperation with the Compliance Group
  - Coastal management and prevention of marine pollution
  - Matters related to the management of radioactive wastes
  - Marine litter and microplastics
  - Deposition of materials jettisoned during the launch of space vehicles
  - Contribution to the UN Decade of Science for Sustainable Development
  - New Science Day topic
  - Review of the Joint Work Programme
- 2 Progress on the implementation of the LP-LC Strategic Plan
  - SD 1 Promote ratification of or accession to the LP
  - SD 2 Enhance effective implementation of the LP and LC
  - SD 3 Promote the work of the LP and LC externally
  - SD 4 Identify and address emerging issues in the marine environment within the scope of the LP and/or LC
- 3 Compliance issues
  - Compliance Group matters
  - Review of dumping reports
  - Review of the status of compliance requirements
  - Compliance monitoring
  - Examination of reports received under LP articles 9.4.2 and 9.4.3
  - Guidance on implementation and reporting obligations
- 4 Technical cooperation and assistance
  - Progress with the Removal of Barriers to Compliance project
  - Reports by Contracting Parties and non-Contracting Parties on national, bilateral and regional technical assistance projects, including workshops
  - Progress with LC/LP publications
- 5 Marine geoengineering including ocean fertilization
  - Progress towards ratification of the 2013 LP amendment
  - Report of the GESAMP Working Group on Marine Geoengineering

- 6 CO<sub>2</sub> sequestration in sub-seabed geological formations
    - Progress towards ratification of the 2009 LP amendment
    - Experiences with CO<sub>2</sub> sequestration projects
  - 7 Marine litter and microplastics
    - Contribution to the IMO Action Plan to address marine plastic litter from ships
  - 8 Interpretation of the London Convention and Protocol
    - Assessment of platforms or other man-made structures at sea
    - Disposal of wastes from mining operations, including deep seabed mining
    - Disposal of fibreglass vessels
    - Deposition of materials jettisoned during the launch of space vehicles
    - Sewage sludge
  - 9 Matters related to the management of radioactive wastes
  - 10 Monitoring for the purposes of the London Convention and Protocol
    - Cooperation with other organizations on monitoring and assessments
    -
  - 11 Relations with other organizations in the field of marine environmental protection
    - Reports from United Nations bodies and programmes, IGOs and NGOs
    - Matters related to the 2030 agenda for sustainable development and SDGs
    - Contribution to the major ocean-related initiatives on reporting and assessment of the state of the marine environment
  - 12 Administrative arrangements and future work
    - Report on the LC/LP Technical Cooperation Trust Fund
    - Review of the Joint Work Programme
-