

# Munitions dumped at sea: The London Convention/Protocol regulatory framework and relevant activities

Colloquium on the challenges of unexploded  
munitions, 20 February 2019, Brussels

# The International Maritime Organization

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- The United Nations specialized agency responsible for safe, secure and efficient shipping and the prevention of pollution from shipping
- 174 Member States and three Associate Members, including all major ship-owning nations and all major coastal states

## Mission:

*“To promote safe, secure, environmentally sound, efficient and sustainable shipping through cooperation”*



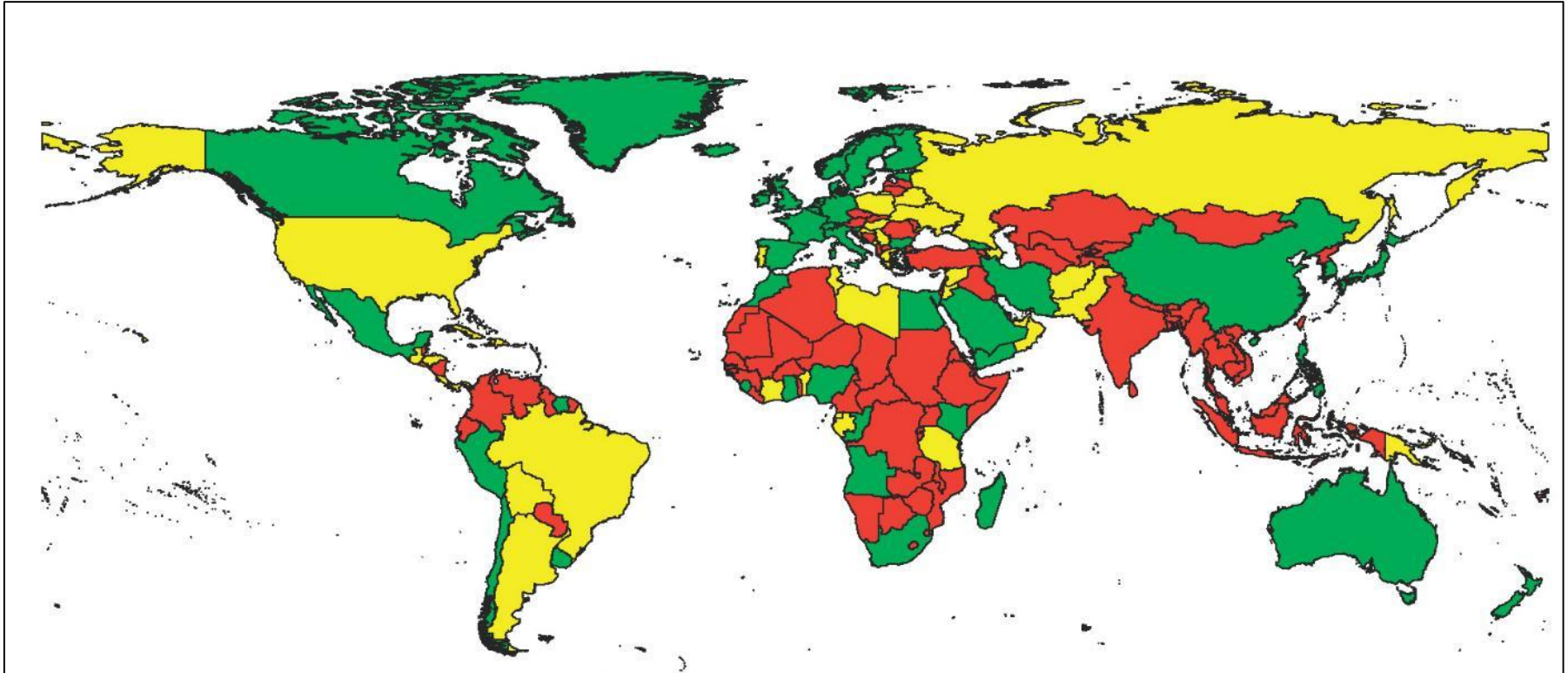
# The London Convention and Protocol: Dumping of wastes and other matter at sea

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- London Convention adopted in 1972.
- Protocol adopted in 1996 to modernize and supersede the Convention. Came into force in 2006
- 99 Parties in total (87 to the LC and 51 to the LP, some are Party to both)
- Regulates the prevention of pollution from dumping waste and other matter at sea
- Also regulates CO<sub>2</sub> sequestration in sub-seabed geological formations (2006 amendment) and marine geoengineering, incl. ocean fertilization (2013 amendment)

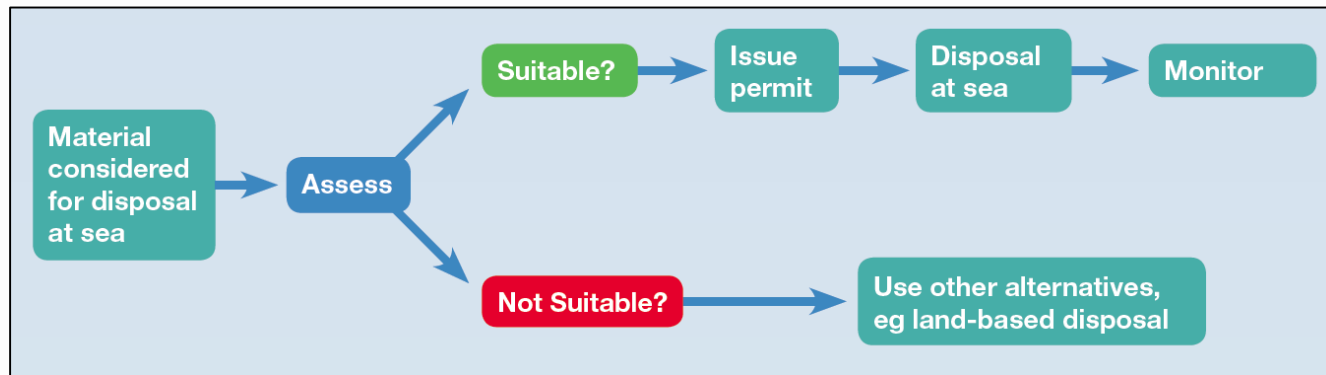


# The London Convention and Protocol: The global regulatory framework for prevention of pollution from dumping at sea



# The LC/LP regulatory framework

- UNCLOS Article 210 “States shall adopt laws and regulations to prevent, reduce and control pollution of the marine environment by dumping”.
- The global standards are set by the LC/LP.
- The LC/LP applies to all marine waters (except internal waters of States).
- Provisions apply to flag/port and coastal States.



# Wastes or other matter that may be considered for dumping

## London Protocol Annex 1

### London Convention Annex I



# Dumped munitions and the LC/LP

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- The London Convention prohibits the dumping of “materials in whatever form (e.g., solids, liquids, semi-liquids, gases or in a living state) produced for biological and chemical warfare” (Article XII (e)).
- This regime is also fully incorporated in the London Protocol 1996, which entered into force in 2006 and will eventually replace the London Convention (note the ‘reverse list’ approach).
- Both the LC and LP prohibits the dumping of industrial waste (including munitions – chemical or otherwise) since 1996.
- However, the Convention (and Protocol) does not cover materials dumped before the entry into force of the Convention.

# Dumped munitions and the LC/LP

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- In the 1980-1990s, Helsinki Convention considered chemical warfare munitions dumped in the Baltic Sea, and agreed to leave these munitions where they were dumped
- LC/LP Parties endorsed this policy and in the past have discussed the location of historical sites of obsolete munitions, to bring information to the attention of fishermen/mariners and providing advice regarding the handling of such munitions if found in nets.
- Some maps have also been made available for the Mediterranean Sea, Australia, New Zealand, United Kingdom, United States and other locations.
- For munitions containing radiological material, IMO through the London Convention/Protocol works with the International Atomic Energy Agency to identify 'accidental' losses and historical disposal sites.



# Recent discussions by LC/LP Parties (1/4)

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- UNGA resolutions 65/149 (2010) and 68/208 (2013).
- In March 2013, the UN Secretariat circulated a Questionnaire to the UN Member States and relevant international organizations requesting views on:
  - environmental effects and
  - possible modalities of international cooperation to assess and increase awareness of this issue.
- 22 countries, EU, 4 international organisations and 1 NGO replied.
- In July 2013 the UN secretariat published a report, noting that all countries that replied acknowledged the importance of and encouraged international cooperation on this issue.

# Recent discussions, continued (2/4)

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- In 2014, at the LC/LP Scientific Groups, presentation by the Permanent Mission of Lithuania to the UN. The Groups noted that the main conclusions of work undertaken by UNGA to date had established that:
  - the issue of chemical munitions dumped at sea was already well established in a number of international forums;
  - there was a need to start taking concrete steps to take advantage of benefits from international cooperation;
  - cooperation in one framework did not preclude cooperation in others; each framework might have added value (environmental aspects and the specific nature of chemical munitions, and dealing with waste);
  - international, regional and national efforts were complementary (information sharing/best practices globally and monitoring/research/response regionally); and
  - there was a need to maintain an overarching framework to avoid overlap and duplication (UNGA resolutions had so far been successful in that role).

# Recent discussions, continued (3/4)

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- The Groups also noted that according to UNGA resolution 68/208, the UN Secretary-General would seek, by means of a new questionnaire, the views of Member States and regional/international organizations on cooperation, on:
  - the possibility of establishing a database, which could contain location, type, quantity, current condition, recorded environmental impact, best practices on risk prevention and response to incidents or accidental encounters, and destruction or impact reduction technologies;
  - exploring options for the most appropriate institutional framework for such a database; and
  - identifying the appropriate intergovernmental bodies within the United Nations system for further consideration and implementation, as appropriate, of the cooperative measures envisaged in the above resolution.

# Recent discussions, continued (4/4)

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- The LC/LP Parties:
  - welcomed the action of UNGA and agreed that the LC/LP could offer practical advice and historical information and serve as an useful resource on the issue;
  - instructed the Scientific Groups to undertake preparatory work that could feed into a future database on chemical munitions dumped at sea, as foreseen by UNGA;
  - agreed that it was important for the Secretariat to remain abreast of developments on the issue.
- In 2016, Questionnaire from UNGA on cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea

# Next steps

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- Since the UNGA questionnaire in 2016, no further communications or action.
- LC/LP Parties have agreed to suspend the item from the agenda until new information emerges.
- Secretariat (and LC/LP Parties) is keen to remain abreast of regional and global developments, to anticipate any future role that the treaties should play.
- Dialogue welcome, the outcomes of this colloquium will be brought to the attention of LC/LP Parties.



# Thank you for listening



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