ANNEX 4

RESOLUTION LDC.21(9)

DUMPING OF RADIOACTIVE WASTES AT SEA

THE NINTH CONSULTATIVE MEETING,

RECOGNIZING that the marine environment and the living resources of the sea are of vital importance to all nations and that the objective of the London Dumping Convention is to prevent the pollution of the seas by dumping,

CONSIDERING that the Convention should continue to provide an effective global forum for the Contracting Parties in which to pool the advances of science and technology in their effort to combat marine pollution,

TAKING NOTE of the increasing concern of a growing body of public opinion, and in particular among the populations living near present or potential dumping sites, with regard to the dumping of radioactive wastes at sea,

RECOGNIZING that dumping of radioactive wastes at sea may adversely affect the environment of other nations and of regions located beyond the limits of national jurisdiction in contravention with Principle 21 of the UN Declaration on the Human Environment adopted in Stockholm in June 1972,

RECOGNIZING that, under Article 1 of the Convention, Contracting Parties have pledged themselves specially to take all practicable steps to prevent the pollution of the seas by the dumping of wastes and other matter that is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea,

RECALLING that the Seventh Consultative Meeting in February 1983 adopted resolution LDC.14(7) which called for the suspension of all dumping at sea of radioactive materials pending the presentation to the Contracting Parties of the final report of an expert meeting on radioactive matters related to the London Dumping Convention,

RECOGNIZING that the practice of dumping radioactive wastes at sea has been limited to a few States which have halted such dumping since the adoption of resolution LDC.14(7) of February 1983,

NOTING the findings of the Expert Panel on the Disposal at Sea of Radioactive Wastes contained in document LDC 9/4, Annex 2, and expressing its appreciation to the experts involved in the preparation of this report,

NOTING that the Expanded Panel of Experts recognizes deficiencies in scientific information that need to be resolved for a rigorous and precise assessment of the consequences of sea dumping of radioactive wastes,

ACCEPTING that, as noted by the Expert Panel, in the comparison between options, social, economic, scientific and technological factors are difficult to quantify on a common basis, especially where the social factors have international dimensions; and that, as also noted by the Expert Panel, in the final analysis social and related factors may outweigh those of a purely scientific and technical nature.

NOTING also the absence of comparison between land-based and sea dumping options,

1. AGREES to a suspension of all dumping at sea of radioactive wastes and other radioactive matter to permit time for the further consideration of issues which would provide a broader basis for an informed judgement on proposals for the amendment of the Annexes of the Convention. This suspension will continue pending the completion of the studies and assessments referred to in paragraphs 2 to 5 hereunder;

2. REQUESTS that additional studies and assessments of the wider political, legal, economic and social aspects of radioactive waste dumping at sea be undertaken by a panel of experts to complement the existing Expanded Panel Report;

3. REQUESTS that further assessments examine the issue of comparative land-based options and the costs and risks associated with these options;

4. REQUESTS that studies and assessments examine the question of whether it can be proven that any dumping of radioactive wastes and other radioactive matter at sea will not harm human life and/or cause significant damage to the marine environment;

5. REQUESTS the IAEA to advise Contracting Parties with respect to certain outstanding scientific and technical issues relating to the sea dumping of radioactive wastes; specifically:

   (a) To determine whether additional risks to those considered in the revised IAEA Definition and Recommendations justify re-examination of the definition of radioactive wastes and other radioactive matter unsuitable for dumping at sea for certain individual radionuclides;

   (b) To establish source (dose) upper bounds appropriate to the practice of radioactive waste dumping under the Convention;

   (c) To define quantitatively the exempt levels of radionuclides for the purposes of the Convention,

6. REQUESTS the Organization to approach appropriate international agencies to establish and maintain an inventory of radioactive wastes from all sources entering the marine environment;

7. CALLS UPON Contracting Parties to develop, as envisaged in Article X, procedures for the assessment of liability in accordance with the principles of international law regarding State responsibility for damage to the environment of other States or to any other area of the environment resulting from dumping.

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