ANNEX 2

RESOLUTION LC.48(16)

REVIEW OF THE LONDON CONVENTION, 1972

THE SIXTEENTH CONSULTATIVE MEETING,

RECALLING the responsibilities of Contracting Parties to individually or collectively promote the effective control of all sources of pollution of the marine environment as required by Article I of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention 1972),

RECOGNIZING the obligation of Contracting Parties as set out in the above Article to take all practicable steps to prevent the pollution of the sea by the dumping of waste 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 ALSO resolution LDC.13(7) which emphasizes the value of the London Convention 1972 as a global basis for the application of sea-disposal principles and practices with regard to waste management and the importance of the Convention to supply the co-ordination, assistance and comprehensive approach needed to consolidate the jurisdiction at regional and national levels,

RECALLING FURTHER the statement to the Preparatory Committee of the United Nations Conference on Environment and Development made by the Thirteenth Consultative Meeting emphasizing the substantial expertise which resides within the London Convention 1972 on matters related to waste disposal at sea specifically, and to broader marine pollution, as well as to the important refinements of allowable practices that have been forged during discussions and debate in the Consultative Meetings of Contracting Parties, with intersessional guidance from subsidiary bodies,

RECOGNIZING ALSO that existing pollution control approaches, under the London Convention 1972, have been strengthened by shifting the emphasis from a system of controlled dumping based on the assumptions of the assimilative capacity of the marine ecosystem, to approaches based on precaution and prevention,

RECALLING resolution LDC.40(13) addressed to the United Nations Conference on Environment and Development recommending that States and appropriate international fora should actively pursue a precautionary approach in addressing waste management problems by inter alia focusing on environmentally preferable land-based alternatives to disposal of waste at sea, while ensuring that pollution is not transferred to other parts of the environment via other disposal routes,

MINDFUL of the urgent need to reduce harmful wastes of all description and the need for the speedy adoption of clean production technology and processes to reduce and eliminate the generation of harmful wastes, and that the prohibition of ocean dumping of harmful wastes will encourage this,

RECALLING ALSO resolution LDC.44(14) including agreement on a definition and the application of a precautionary approach in environmental protection within the framework of the London Convention, as well as the steps that Contracting Parties shall take to ensure the effective implementation of the precautionary approach,

TAKING NOTE of Agenda 21 adopted by the United Nations Conference on Environment and Development which, inter alia, requests States, acting individually, bilaterally, regionally or multilaterally and within the framework of IMO and other relevant international organizations, whether subregional, regional, or global, as appropriate, to assess the need for additional measures to address degradation of the marine environment from dumping, by supporting wider ratification, implementation and participation in relevant conventions on dumping at sea, including early conclusion of a future strategy for the London Convention 1972, and by encouraging Contracting Parties to the London Convention 1972 to take appropriate steps to stop ocean dumping and incineration of hazardous substances,

RECOGNIZING FURTHER the crucial importance of enhanced international co-operation for adequate compliance by developing countries and countries with economies in transition of the London Convention 1972, as amended and that such co-operation should be pursued strictly in line with the relevant provisions of the United Nations Conference on Environment and Development, particularly those of Chapters 17, 20, 22, 31 and 34 of Agenda 21 relating to transfer of clean technology and capacity-building,

NOTING that the Convention for the Protection of the Marine Environment of the North-East Atlantic, 1992 (the OSLO/PARIS (OSPAR) Convention) and the Convention on the Protection of the Marine Environment of the Baltic Sea, 1992 (the Helsinki Convention) have been agreed with a view to extending the coverage of the Conventions which are currently in force for these seas and with a view to incorporate new approaches and principles on marine environment protection,

NOTING ALSO the proposals for amendments to the London Convention 1972 submitted by Contracting Parties and evaluated by the Amendment Group established for that purpose by the Fifteenth Consultative Meeting,

TAKING INTO ACCOUNT the recommendations of the Amendment Group as set out in its report LC/AM 1/9 that certain proposed amendments need urgent decision, namely those made with regard to the status of disposal at sea of industrial wastes, radioactive wastes and incineration of wastes at sea, and that respective amendments could be made to the Annexes to the Convention which would enter into force in accordance with the provisions of Article XV of the Convention,

HAVING ADOPTED amendments to the Annexes to the Convention concerning Phasing out Sea Disposal of Industrial Waste (LC.49(16)), Incineration at Sea (LC.50(16)) and Disposal at Sea of Radioactive Wastes and Other Radioactive Matter (LC.51(16)),

NOTING FURTHER that it had also been recommended by the Amendment Group that a number of proposed amendments submitted by Contracting Parties would need further careful consideration and evaluation and require a thorough review of the Convention that should result in a package of proposed amendments to be considered by a future Consultative Meeting or Special Meeting or Conference with a view to adoption,

AGREES that:

1 an overall and thorough review of the existing provisions of the London Convention 1972 and the proposed amendments thereto should be carried out in the near future;

2 a special meeting or conference be convened no later than 1996 with a view to amending the London Convention 1972 through a single instrument; and

3 the International Maritime Organization be requested to include in the programme of the Organization the convening of meetings of the LC 1972 Amendment Group in 1994, 1995 and 1996, as appropriate, as well as a special meeting or conference in 1996, and to take the necessary financial provisions for convening the meeting or conference into account when considering the respective budgets or amendments thereto.

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