ANNEX 5

RESOLUTION LDC.16(7)

GUIDANCE FOR THE APPLICATION OF ANNEX III

THE SEVENTH CONSULTATIVE MEETING,

RECALLING Article I of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, which provides that Contracting Parties shall individually and collectively promote the effective control of all sources of pollution of the marine environment,

NOTING the discussion which took place within the Ad Hoc Scientific Group on Dumping on the need for Contracting Parties, when establishing criteria governing the issue of permits for the dumping of matter at sea, to be guided in their application of the provisions of Annex III to the Convention,

CONSIDERING that to that end the Ad Hoc Scientific Group on Dumping recommended the adoption of a proposal for amending Annex III, for which several options were submitted, inter alia, the inclusion of a provision in the Annex which refers to the establishment of technical guidelines for the implementation and uniform interpretation of Annex III,

CONSIDERING FURTHER that such amendment may be regarded as a cumbersome procedure as it requires approval by the Contracting Parties in accordance with their respective constitutional requirements,

CONVINCED that with a view to achieving the required flexibility in the progressive development of a uniform and balanced application of Annex III, the adoption of technical guidelines by a resolution of the Consultative Meeting may also be an adequate solution,

DESIRING that in actual practice the Contracting Parties comply with the proposed technical guidelines,

BELIEVING that Annex 3 to the report of the sixth meeting of the Ad Hoc Scientific Group on Dumping provides a useful framework for drawing up such guidelines,

1 ADOPTS, in principle, the framework for technical guidelines of an advisory nature for the implementation and uniform interpretation of the provisions of Annex III to the Convention as set out in Annex 3 to the report of the Ad Hoc Scientific Group on Dumping (document LDC 7/3);

2 REQUESTS the Secretariat to draft such technical guidelines on the basis of this framework for submission to the seventh meeting of the Scientific Group on Dumping;

3 REQUESTS the Scientific Group on Dumping to prepare a final draft of the technical guidelines with a view to final adoption by means of a resolution of the Eighth Consultative Meeting;

4 CALLS upon Contracting Parties provisionally to take account of this framework for technical guidelines in establishing criteria with regard to the issue of permits for the dumping of matter at sea.

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