

## Questionnaire on issues relating to the environmental effects related to waste originating from chemical munitions dumped at sea

### *Situation*

1. Is there an environmental risk for your country/region to be affected by waste originating from chemical munitions dumped at sea (WOCMDS)? If so, what are the environmental challenges and effects posed by WOCMDS?

**n/a**

2. Does the scientific community in your country/region examine the environmental effects related to WOCMDS? If so, what are the findings of such scientific researches?

**n/a**

### **General information/Note:**

The London Convention 1972 (LC), entered into force in 1975, 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 IV(1)(a), juncto Annex I, paragraph 7). This regime is also fully incorporated in the London Protocol 1996 (LP), which entered into force in 2006 and will eventually replace the London Convention.

However, the Convention (and Protocol) does not cover materials dumped before the entry into force of the Convention. The Parties to the LC (and subsequently the Parties to the LLP) are however aware that, in the 1980-1990s, Parties to the Helsinki Convention considered the issue of chemical warfare munitions that were dumped in the Baltic Sea in the wake of World Wars I and II in some detail and agreed to leave these munitions where they were dumped.

The Parties to the London Convention/Protocol subsequently endorsed this policy and in the past discussed the location of historical sites of obsolete munitions and have attempted to bring such information to the attention of fishers and mariners in all State Parties to the LC/LP via publishing locational information and providing advice regarding the handling of such munitions if found in nets. Some maps identifying known dump sites have also been made available in the Mediterranean Sea, Australia, New Zealand, United Kingdom, United States and others. The International Hydrographic Office includes these in its charts.

In this context, it should be noted that the governing bodies of the LC/LP receive advice on the scientific/technical aspects of any issues related to the LC/LP from its Scientific Groups, who meet annually, appr. 6 months before the meeting of the governing bodies.

### ***Response to incidents***

3. Does your country/region have the experience in responding to incidents related to WOCMDS? **n/a** However, note the procedure of issuing permits (incl. emergency permits) under the Convention/Protocol, as mentioned below.

4. Does your country/region have the capacity to respond to incidents related to WOCMDS? **n/a**

5. Has your government/organization developed an action plan or built capacities to respond to incidents related to WOCMDS? If not, does your government/organization intend to do so in the future?

**Note:** Under the London Convention and Protocol, dumping of waste in general requires a permit, to be issued by the Member State/Contracting Party.

In 1993, the Contracting Parties to the London Convention agreed to prohibit the disposal at sea of “industrial waste” as from 1 January 1996 by adopting Resolution LC.49(16). This resolution contained the necessary amendments to Annexes I and II of the London Convention and these amendments entered into force on 20 February 1994. Ammunitions are materials “generated by manufacturing and processing operations” and, once these become obsolete, they are regarded as “industrial waste” under the amendments mentioned above. With adoption of Resolution LC.51(16) Contracting Parties in 1993 also agreed to extend the prohibition of sea disposal of high-level radioactive wastes or other radioactive matter in place since 1975, to henceforth cover sea disposal of all radioactive wastes or radioactive matter. Disposal at sea of ammunition containing depleted uranium is thus covered by a “double” prohibition. The consequence of these decisions is that authorities dealing with obsolete ammunition should in general find an acceptable option on land (i.e. safe disposal or destruction on land).

In exceptional cases, Contracting Parties can invoke Article V(2) of the London Convention 1972, or Article 8.2 of the London Protocol - the so-called “emergency procedure”.

Some Contracting Parties in their annual notifications of permits issued under the Convention and Protocol, occasionally, report to the Secretariat that permits have been issued for sea disposal of “useless explosives” or “obsolete ammunition”. In other words, there is no uniform agreement among Parties that these materials should not be dumped at sea.

### ***Raising awareness and other actions***

6. Does your government/organization provide information on WOCMDS to civil society and industry? Does your government/organization raise awareness on WOCMDS and how?

The London Convention/Protocol has an extensive outreach and capacity building programme, which includes all aspects of implementation of the Convention/Protocol at the national level and in national legislation, as well as compliance monitoring and enforcement. As noted above, the Parties to the London Convention/Protocol have developed and published information for fishers and mariners regarding known dump sites and providing advice regarding the handling of such munitions if found in nets.

7. Are there any partnerships between government, industry and civil society in your country/region on raising awareness, reporting and monitoring of WOCMDS?

Yes, the London Convention/Protocol has a network of partnerships with Contracting Parties, NGOs and industry.

### *Cooperation*

8. Does your government cooperate with other States, regional and/or international organizations to assess or increase awareness of WOCMDS?

Yes, the London Convention/Protocol cooperates actively with governments, academia, NGOs and industry on issues within the mandate of the Convention/Protocol as well as bored issues with other international instruments.

For munitions containing radiological material, IMO works with the International Atomic Energy Agency to identify 'accidental' losses and historical disposal sites.

9. What would be, in your view, possible modalities for international cooperation to assess and increase awareness of WOCMDS?

Since the issue of WOCMDS is directly regulated under the London Convention/Protocol, the issue could be brought to the attention of the next meeting of the governing bodies, 14-18 October 2013.

Note also that the Parties, since 2009, have been working with Italy who has requested all Contracting Parties to provide it with any details about dumping activities associated with this type of material, including the nature of the material, its location and whether monitoring had been conducted in this regard.