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CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING OF WASTES AND OTHER MATTER (LONDON CONVENTION 1972)

Reporting Procedure of observed dumping incidents which may be in violation of international ocean dumping treaties (London Convention 1972 and the 1996 Protocol thereto)

1 Under Article VII of the London Convention 1972, Contracting Parties "agreed to co-operate in developing procedures for the effective application of this Convention, in particular on the high seas, including also procedures for the reporting of vessels and aircraft observed dumping in contravention of the Convention. A similar provision is contained in Article 10.3 of the 1996 Protocol.

2 With increased attention being given to compliance issues, and in order to implement this provision, the Consultative Meeting developed, in the period 2001 - 2002, the "Reporting Procedure of observed dumping incidents which may be in violation of international ocean dumping treaties (London Convention 1972 and the 1996 Protocol thereto)", as set out in the attachment hereto. The IMO Marine Environment Protection Committee (MEPC) reviewed this procedure but offered no comments.

3 It was agreed that the Secretariat should file the "Incident Information Forms" it received and present a compilation of them to each Consultative Meeting for appropriate consideration; and that this process would be for a trial period of no more than three years.

4 National focal points are kindly invited to bring this Reporting Procedure to the attention of relevant administrations, institutions, enforcement agencies, networks of mariners, associations of pilots and airline pilots, etc. This Reporting Procedure is also distributed to MEPC national focal points under MEPC/Circ.404.

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ANNEX

REPORTING PROCEDURE OF OBSERVED DUMPING INCIDENTS WHICH MAY BE IN VIOLATION OF INTERNATIONAL OCEAN DUMPING TREATIES (LONDON CONVENTION 1972 AND THE 1996 PROTOCOL THERETO)

I GENERAL GUIDANCE

A. The countries that signed the London Convention 1972 and the 1996 Protocol thereto are interested in ensuring compliance with these international environmental agreements that control the dumping of wastes into the sea. Mariners operating in a country's territorial waters or on the high seas, or other persons may observe incidents that could be violations of the London Convention or the 1996 Protocol.

B. If a mariner or other observer ("Incident Observer") witnesses a dumping incident in any ocean waters that appears to be in violation of the London Convention 1972 or the 1996 Protocol, please do the following:

.1 Immediately notify, if possible, the relevant coastal contact point so the proper authorities can determine an appropriate action. A list of contacts can be found in: *List of National Operational Contact Points Responsible for the Receipt, Transmission and Processing of Urgent Reports on Incidents Involving Harmful Substances, Including Oil from Ships to Coastal States* (MEPC.6/Circ.7). This document is available on-line, via the Internet, at: http://www.imo.org (please select "Circulars" then select "Contact Points"); and

.2 Complete the attached **Dumping Incident Information Form** and **Supplementary Information Form** as completely as possible. These forms are available on-line at: http://www.londonconvention.org.

C. An Incident Observer witnessing an incident should keep in mind the following information in relation to ocean dumping:

.1 Dumping activities that may be in violation of the London Convention or the Protocol include any deliberate disposal into the sea of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea.

.2 Certain wastes are acceptable for dumping into the sea, provided a permit has been issued for the dumping operation. A full description of what is and what is not prohibited for ocean dumping may be found in Articles III and IV and Annexes I and II of the Convention and in Article 1 and Annex 1 of the Protocol. The full text of the Convention and the Protocol are available on-line at: http://www.londonconvention.org/London_Convention.htm.

.3 If the Incident Observer is in doubt as to whether the incident is a violation of the Convention or the Protocol, he/she should report the incident to the appropriate authorities listed below for their evaluation.

D. Send copies of the incident information and copies of any supplementary information (e.g., charts, photographs, videos or other information) to:

.1 The marine environmental enforcement or protection agency (i.e., coast guard or port authority) of the nearest coastal country to the observed incident, or the country of the vessel or aircraft observed dumping;

.2 The Office for the London Convention 1972 at the following address;

Office for the London Convention 4 Albert Embankment London SE1 7SR United Kingdom	Telephone: (+44-20)-7735-7611 Fax: (+44-20)-7587-3210 Email: rcoenen@imo.org Website: http://www.londonconvention.org

and

.3 The appropriate authority in the Incident Observer's national government that is responsible for managing ocean dumping activities, fisheries management, shipping or protection of the marine environment.

If supporting information is provided, please maintain original copies for future reference. If possible, complete the incident report on-line and email charts, photographs, videos, and other information to the appropriate address in electronic form.

II. DUMPING INCIDENT INFORMATION FORM

(Please provide as much information as possible about the dumping incident)

A. Identity of the Dumping Vessel or Aircraft: _____

_____

B. Country of the Dumping Vessel or Aircraft: _____

C. Type of Material Dumped: ❑ Known ❑ Unknown

If known, describe: _____

_____

_____

_____

D. General location of incident (nearest country, landmarks, coordinates, etc):

_____

_____

E. Briefly describe the observed incident, including dates and times of significant events. (use additional sheets as needed):_____

_____
_____
_____
_____
_____
_____

F. Was contact made with vessel or aircraft to ask about the observed dumping incident?

❑ Yes ❑ No (describe): _____
_____
_____

G. Incident Observer: (include information on other observers if present)

Name: _____
Affiliation: _____
Address: _____
_____
Telephone: _____ Fax: _____
Radio Station & Frequency Monitored: _____
Satellite or Cell Phone: _____
Aircraft Call Signal: _____
Email: _____

H. Has the incident been reported to any authorities? If so, specify which country, including name and address: ❑ Yes ❑ No

_____
_____
_____

SUPPLEMENTARY INFORMATION FORM

Any person who reports a possibly illegal dumping incident should, where possible, provide the following supporting information:

I ADDITIONAL INFORMATION ABOUT THE INCIDENT

A. Identification/Registration No. of Dumping Vessel or Aircraft:_____

B. Dumping Vessel Estimated Hull Length: _____(meters) Breadth: _____(meters)

C. Description of Dumping Vessel or Aircraft: _____

_____
_____
_____
_____

D. Incident observed from: ❑ Vessel ❑ Aircraft ❑ Land

E. Name and Registration Number of the Incident Observer's vessel or aircraft (where applicable): _____
_____

F. Is navigation data available for the dumping vessel or aircraft? ❑ Yes ❑ No

If yes, provide copies with report.

G. Are video tape recordings of the incident available? ❑ Yes ❑ No

If yes, provide copies with report.

H. Are photographs of the incident available? ❑ Yes ❑ No

If yes, provide copies with report.

II OBSERVATION INFORMATION AND CONDITIONS

A. Information on the location of the Incident Observer during the observations

Date: _____ Time: _____
Latitude: Degrees: _____ Minutes: _____ Seconds: _____ ❑ North ❑ South
Longitude: Degrees: _____ Minutes: _____ Seconds: _____ ❑ East ❑ West
Observation Platform (vessel or aircraft): Course (degrees): _____
Speed (knots): _____
Distance from incident (kilometres): _____

B. Visibility: ❑ < 0.1 km ❑ 0.1-0.5 km ❑ 0.5-1.0 km ❑ 1.0-2.0 km ❑ > 2.0 km
❑ Other (describe): _____

C. Wind Direction (degrees): _____ Wind Speed (knots): _____

D. Sea State (Beaufort Scale number & description): _____

E. Swell Direction (degrees): _____ Sea Height (metres): _____

III ADDITIONAL INFORMATION ON DUMPING VESSEL OR AIRCRAFT

Owner or Master of Vessel, or Pilot of Aircraft observed dumping (if known):
Name: _____
Affiliation: _____
Address: _____
_____
Telephone: _____ Fax: _____
Email: _____
❑ Unknown

IV ADDITIONAL INFORMATION ON OBSERVED DUMPING INCIDENT

A. Plot the location of the incident and other significant location information on a navigation chart, or available electronic format.

B. Provide as much of the following information as possible:

1. Bearing to Nearest Point of Land from Incident Site (degrees): _____

2. Distance from Nearest Point of Land to Incident Site (kilometres): _____

3. Course and Speed of Dumping Vessel or Aircraft (describe): _____
_____
_____

4. Was the dumping activity still occurring when the Incident Observer left the scene?
❑ Yes ❑ No ❑ Unknown. Explain: _____
_____
_____
_____

5. In the Incident Observer's opinion, are humans at risk from the dumping incident?
❑ Yes ❑ No ❑ Unknown

_____
_____
_____

6. In the Incident Observer's opinion, is the marine environment at risk from the dumping incident? ❑ Yes ❑ No ❑ Unknown

_____
_____
_____

V. OTHER RELEVANT INFORMATION (use additional pages as needed)

_____
_____
_____
_____

_____