

BENEFITS OF BEING A PARTY TO THE LONDON PROTOCOL

The *Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter*, 1972 (“the Convention”), was an international policy response to decades of dumping into the ocean and incineration at sea, and one of the first global conventions to protect the marine environment from human activities.

In the early 1990s the Parties to the Convention recognized the need for a more precautionary and preventive approach and undertook a comprehensive review of the Convention. In 1996 Contracting Parties to the London Convention concluded negotiations toward a new, free standing treaty, to modernize and eventually replace the London Convention, referred to as the *1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter*, 1972 (“the London Protocol”).

The London Protocol entered into force in 2006. The London Protocol is a separate treaty from the Convention and may be ratified by States without being a party to the Convention.

The London Protocol is the more modern and comprehensive of the two global treaties relating to the prevention of marine pollution from dumping at sea. The Protocol provides the precautionary framework needed for parties to effectively prevent pollution of the sea caused by dumping of waste and other matter, incineration, and new activities such as marine geoengineering or carbon capture and storage.

The London Protocol is one of the key pillars of marine environmental protection in an important international regime that includes MARPOL, UNCLOS and Regional Seas Agreements.

Practical benefits arising from the London Protocol

Broadly, the London Protocol provides practical and comprehensive regulations that address the prevention of marine pollution from:

- .1 dumping activities; and
- .2 new marine activities (e.g. carbon sequestration and marine geoengineering).

In addition, the London Protocol offers guidance and best practices to address deposits into the marine environment that are done for a purpose other than disposal (for example, “placement” activities like artificial reefs).

The regulation of dumping activities creates concrete protection for the marine environment

- Regulating dumping in the high seas protects areas of the marine environment that are beyond the reach of regional dumping agreements.
- All dumping is prohibited except for wastes listed in Annex 1 that are authorized by permit.
- Assessment is required before permitting. Assessments generate economic benefits by:
 - Identifying resources and thereby preventing the dumping of waste, and;
 - Ensuring that wastes are reduced, reused or recycled before they can be considered for dumping at sea; reducing waste generally increases economic efficiency.
- Assessment done before permitting protects the marine environment by ensuring that:
 - Wastes are assessed so that their potential impacts are well understood.*
 - Wastes are dumped under conditions that mitigate risks and prevent pollution.
 - Dump sites are monitored so that effects can be corrected if required.

The regulation of new activities protects the marine environment and provides the opportunity to influence global policy

- The regulation of emerging activities like carbon sequestration and marine geoengineering offer similar environmental protection as listed under the regulation of dumping.
- Parties to the Protocol influence the direction and implementation of global efforts to prevent, reduce and control pollution of the marine environment by dumping by setting the latest global rules and standards in this regard, and considering emerging issues such as marine litter, deep sea litter, and the disposal of mine tailings at sea.
- Parties develop guidance for implementing the London Protocol and amendments to it, thus increasing domestic marine environmental protection.

* The London Protocol has developed guidance about low cost, low technology methods to conduct assessments and dumpsite monitoring.

- Even if a State does not intend to conduct emerging activities aforementioned, Protocol membership provides countries with a forum to have their concerns about activities conducted by others heard.
- The Protocol provides countries with regulatory and scientific tools to ensure that deposits in the marine environment do not cause marine pollution (e.g. guidance on artificial reefs, ocean fertilization research).

General benefits arising from being a London Protocol Party

Access to technical support and cooperation

- State Parties benefit from a wealth of practical tools, scientific information and expertise to support implementation of the London Protocol (e.g. Specific Waste Assessment Guidelines for various waste streams, generic waste assessment guidelines, monitoring guidelines, training tools, technical meetings, low technology low cost guidance, etc.).
- Parties can participate in the Compliance Group and enjoy the benefits of its work in effective implementation and promotion of compliance with the Protocol.
- Access to information and expertise of the Scientific Group Meetings and GESAMP.*

Economic benefits through better protection of the marine environment

- Clean coasts and
- Protocol membership enables efficiencies in trade negotiations by allowing all countries to build trade relationships from a uniform level of environmental protection.

Social and political benefits

- Being Party to the London Protocol effectively supports achieving Sustainable Development Goal14 and its targets.
- The London Protocol facilitates international relations by providing easier access to other international bodies, focused information exchanges, and by fostering dialogue between Member States about coastal management issues.
- Protocol membership may have a positive effect when applying to join other influential organizations, such as the Organization for Economic Co-operation and Development (OECD).
- Being Party to the most modern treaty for protecting the marine environment from ocean dumping and other new activities at sea provides countries with a seat at the table to influence future regulation in the area of marine environmental protection.

Benefits for Convention Parties ratifying the London Protocol

Convention Parties that ratify the London Protocol will benefit from:

- The London Protocol's greater protection of the marine environment, in part due to the introduction of the “precautionary approach to environmental protection”.
- The London Protocol being clearer than the Convention about what is and what is not permitted for dumping.
- The London Protocol's more pragmatic orientation towards commonly generated wastes rather than contaminants.
- Continuity through application of the same technical waste assessment standards and procedures as are used by the Convention.
- The implementation of provisions of the London Protocol being less burdensome and cost-intensive for national competent authorities because most dumping activities are prohibited.
- Environmental protection in internal waters and a level playing field with other Protocol Parties who are also obliged to take similar measures.
- The opportunity to benefit from and shape amendments to address emerging marine pollution issues under the London Protocol because the Convention is no longer being amended.

* GESAMP stands for the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection.