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Meeting of the MED POL Focal Points

Teleconference, 27-28 May and 6-7 October 2021

Agenda item 15: Methodologies and techniques for the assessment and monitoring of adverse impacts of dumping activities

Report of Joint Meeting with IMO LC/LP on Sharing the Best Practices for Implementation, Compliance and Enforcement related to Dumping Protocol

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REPORT

Joint Meeting with IMO LC/LP on Sharing the Best Practices for Implementation, Compliance and Enforcement related to Dumping Protocol

21 June 2021

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Introduction

1. In line with the MAP Programme of Work adopted by COP21 for the biennium 2020-2021, and further to the activities stipulated in the Letter of Agreement (signed on 9 October 2019) with the International Maritime Organization (IMO) which hosts the Secretariat for the London Protocol/London Convention, the Secretariat of the Barcelona Convention and the Secretariat of the London Convention/London Protocol organized the Joint Regional Meeting on Best Practices on Implementation, Compliance and Enforcement related to Dumping Protocol.

2. The main objectives of this meeting were to:

- a) Provide information to the Contracting Parties on recent developments pertaining to the dumping at sea of waste at global and regional levels;
- b) Provide guidance to the Contracting Parties on compliance monitoring programmes under the Dumping Protocol; and
- c) Identify best practices with regards to national implementation of the Dumping Protocol, mainstreaming regional and global good practices.

Participation

3. The Meeting was attended by representatives from the following Contracting Parties: Albania, Algeria, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, France, Israel, Italy, Lebanon, Malta, Montenegro, Morocco, Spain, Tunisia and Turkey, and the State Palestine as Non-Member Observer State.

4. The following United Nations bodies, specialized agencies, convention secretariats and intergovernmental organizations were represented as observers: The Baltic Marine Environment Protection Commission – the Helsinki Commission (HELCOM), International Maritime Organization London Convention/London Protocol, the Regional Organization for the Environment of the Red Sea and Gulf of Aden region (PERSGA), the Secretariat for the Union for the Mediterranean (UFM), and the United Nations Economic and Social Commission for Western Asia (UN ESCWA).

5. The following non-governmental organizations and other institutions were also represented as observers: Association de la Continuité des Generations (ACG); Center for Energy, Environment and Resources (CENER 21), Central Dredging Association, the Mohammed VI Foundation for Environmental Protection, Youth Love Egypt Foundation.

6. The United Nations Environment Programme (UNEP), including the Secretariat of the Mediterranean Action Plan (MAP) - Barcelona Convention, was also represented, along with the following Mediterranean Action Plan components: the Mediterranean Pollution Assessment and Control Programme (MED POL) and the Regional Activity Centre for Information and Communication (INFO/RAC).

7. A complete list of participants is set out in Annex I to the present report.

Agenda item 1. Opening of the Meeting

8. The Meeting was opened at 10:00 AM (Athens time) on Tuesday 2 March 2021 by Gaetano Leone, the Coordinator of the United Nations Environment Programme/ Mediterranean Action Plan - Barcelona Convention Secretariat (UNEP/MAP). Mr. Leone, noted with concern the increasing trend of the dumping of dredged material into the Mediterranean Sea over the past ten years; its impact on marine and coastal ecosystems; and the threat that dumping of dredged material may pose to achieving or maintaining Good Environmental Status. He also underlined the increasing number of activities of dredging for infrastructure in the Mediterranean which consequently contribute to the pressures stemmed from dumping activities in an already fragile marine environment in the Mediterranean Sea, highlighting the detrimental impacts on marine life and its good environmental status. He emphasized

the importance of the Dumping Protocol to prevent and abate pollution by setting the legal framework for regulating the dumping activities and reducing their impacts on the marine environment. Mr. Leone stressed the importance of the collaboration with London Convention/London Protocol under the Letter of Agreement signed in 2019, noting that this joint meeting is one of the results of this collaboration which presents a unique opportunity to share the best practices and discuss possible future common actions to promote the implementation and hopefully the ratification of the Dumping Protocol.

9. Fredrik Haag, Head of Office of the London Convention/London Protocol, representing the IMO-LC/LP; the Secretariat for the global treaties that regulates the prevention of pollution from dumping of wastes at sea, in his opening statement underlined the importance of joint efforts to share common perspectives, experiences and tools by organizing as an example this joint meeting. He noted that such joint actions are important for the London Protocol since it was a living and dynamic treaty where the Contracting Parties could shape the future of the work, and ultimately the sustainable use and protection of the marine environment. Mr. Haag underlined the complementarity of the global frameworks, the regional conventions and protocols, and the national regulations, each of which plays an important role to achieve common goals; hence, the importance of increasing dialogue and exchange of information between different fora.

10. Mr. Mohamad Kayyal, MED POL Programme Management Officer, Head of Unit, explained the organization of the work and the aim of the meeting. He also, underlined the importance of the cooperation with IMO-LC/LP for preparing this meeting and elaborated on common areas for future cooperation in accordance with signed Letter of Agreement with IMO.

Agenda item 2. Adoption of the Agenda and Election of Officers

a) Rules of Procedure for the Meeting

11. The Rules of Procedure for Meetings and Conferences of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols (UNEP/IG.43/6, Annex XI) applied mutatis mutandis to the present Meeting (UNEP/IG.43/6, Annex XI).

b) Election of Officers

12. Subject to Rule 20 of the rules of procedure mentioned at para. 2(a), the Meeting elected a President, three Vice Presidents and a Rapporteur from among the representatives of the Contracting Parties. The Meeting attempted to achieve a gender balance during election of the Chair, Vice Chairs and Rapporteur. The Meeting elected, Ms. Emmanuelle Thiesse, France as Chair, and the following Vice Chairs Ms. Pilar Zorzo, Spain, Mr. Tamer Çobanoğlu, Turkey, Ms. Selma Cengiz, Bosnia and Herzegovina, and as Reporter Ms. Olfat Hamdan, Lebanon.

c) Adoption of the Provisional Agenda

13. Subject to Rule 14 of the rules of procedure mentioned at para. 2(a), the proposed agenda appearing in document UNEP/MED WG.487/1 and annotated in document UNEP/MED WG.487/2 was reviewed and accepted, with modifications, as proposed by the Chair as appended in Annex II of the present document.

d) Organization of Work

14. The discussions were proposed to be held in three plenary sessions from 10:00 to 12:00; 12:30 to 14:30; 15:30 to 17:30 during the one-day meeting.

15. Simultaneous interpretation in English and French was available for the three sessions. All documentation was in English and French. Participants were encouraged to download the

documentation onto their computers in advance of the session. The Meeting was recorded for future reference.

16. The Meeting addressed all agenda items during the one-day meeting. The Meeting closed on 2 March 2021 at 17:30 after adopting its conclusions and recommendations appended in Annex III to the present document.

Agenda item 3. Global and regional framework for dumping at sea activities

- a) Global perspective – London Convention/London Protocol
- b) Regional perspective – UNEP/MAP

17. Under agenda item 3(a), Dr. Andrew Birchenough, Office for the London Convention/Protocol and Ocean Affairs, Marine Environment Division (LC/LP) made a presentation on recent global and regional developments relevant to dumping activities. Dr. Birchenough, pointed out the role of the London Convention, as one of the first global treaties that regulates the prevention of pollution from dumping of wastes at sea, and the London Protocol, which is a modern and comprehensive global treaty that aims to replace the London Convention in the future. He explained the structure of the LC/LP, and most importantly the perspective and the current work under the Convention and Protocol, particularly focusing on the waste assessment guidelines which constitute a common ground on sharing best practices and lessons learnt. Dr. Birchenough, further underlined the work under the Letter of Agreement with UNEP/MAP and explained LC/LP cooperation with other regional seas.

18. Under this agenda item 3(b), Mr. Dmitry Frank-Kamenetsky, Professional Secretary, representing Baltic Marine Environment Protection Commission (HELCOM), shared HELCOM's experience in mitigation of the environmental pressure caused by dumping at sea. He also presented the work currently undertaken under HELCOM's regional framework. Mr. Frank-Kamenetsky, underlined the perspective of the HELCOM Secretariat to manage dumping at sea and presented detailed information about the future work of HELCOM under this particular area.

19. Mr. Erol Cavus, Pollution Programme Officer, MED POL Programme, also presented under this agenda item the current on-going work under MED POL regarding the Dumping Protocol. He pointed out to the four guidelines developed to better regulate dumping at sea. He explained the ongoing update of the Annex of Dumping Protocol and underlined the future steps under the Dumping Protocol in the Mediterranean. Mr. Cavus presented the findings of a questionnaire which was developed by MED POL following research analyses to assess the current status of implementation of the guidelines; best practices; and lesson learnt in the Mediterranean.¹ He summarized the findings and way forward to incorporate: (a) dredging and dredged material disposal within an overarching sustainable development framework as best practice; (b) consideration of marine litter in the assessment of dredged material prior to dredging and in the monitoring of disposal sites; and (c) consideration of underwater noise in the assessment and monitoring of dredging and disposal of dredged material.

20. The Meeting appreciated the information shared by the presentations noting the importance of having joint meetings, such as of today, where global and regional perspectives are discussed.

21. The conclusions and recommendations under this agenda item are presented in Annex III of this report.

Agenda item 4. Promoting Compliance and Enforcement on Dumping Protocol

- a) Recent Developments to strengthen Compliance and Enforcement

¹ UNEP/MED WG.487/Inf.3

- b) Methodologies and techniques for the assessment and monitoring of adverse impacts of dumping activities

22. Under agenda item 4(a), Ms. Radia Razack, Head of the Compliance Group at the London Protocol (CG LP), presented the work of the compliance group, explaining the role and composition of the committee. She further detailed the challenges faced with reporting under LP. Ms. Razack shared initiatives undertaken by the Compliance Group (LP CG) aiming to facilitate and overcome those challenges. Specifically, the LP CG worked on creating a review check list and reporting template for reporting the measures and requested the Contracting Parties to submit a summary of information to solicit reporting. Ms. Razack also shared the experience of LP on the reporting guidelines -LP brochures- developed by LP to increase the reporting of the Contracting Parties.

23. Under this agenda item, Mr. Dmitry Frank-Kamenetsky, Professional Secretary, representing HELCOM, made also an intervention on their work strengthening compliance, further explaining the implementation mechanism of the Dumping Protocol by their Contracting Parties.

24. Under this agenda item Ms. Luisa Rodrigues Lucas, Legal Officer, UNEP/MAP, presented the work undertaken for Compliance and Enforcement of the Dumping Protocol and the role of the Compliance Committee of the Barcelona Convention which was established to facilitate and promote compliance with the obligations under the Barcelona Convention and its Protocols. She explained how the compliance mechanism works under the Barcelona Convention, sharing the procedures and the measures of the committee and the initial assessment of reporting by the Contracting Parties of the Barcelona Convention.

25. Under agenda item, Mr. Erol Cavus, introduced the document UNEP/MED WG.487/3 on common methodologies and techniques for the assessment and monitoring of adverse impacts of dumping activities. Dr. Chris Vivian, MED POL Expert, presented the common methodologies and techniques relating to both monitoring of dredging operations from harbours, ports, navigation channels and infrastructure projects as well as of dredged material disposal sites.

26. The Meeting participants appreciated the content of the document UNEP/MED WG.487/3 expressing the need of such information to complement further building on already existing MED POL guidelines, noting that there are no similar guidelines which solely focus on monitoring neither on the regional level nor global levels. The Meeting participants discussed the need for a more stepwise approach to be embedded in the UNEP/MED WG.487/3 document to better reflect all stages of monitoring with four main pillars: monitoring before and during dredging; and monitoring during and after dumping, with linkage of these steps to the IMAP Guidance/Monitoring Protocol(s). The Meeting participants discussed the need to further look at the guidelines available with the Contracting Parties such as France and Spain. Finally, the Meeting participants recommended to submit the document to the MED POL Focal Points Meeting for their consideration, after addressing the comments raised.

27. The conclusions and recommendations under this agenda item are presented in Annex III of this report.

Agenda item 5. Best practices on technical aspects of Dumping protocol implementation

- a) Sharing of best practices for management of dumping activities
- b) Best Available Techniques on dredging technologies

28. Under agenda item 5(a), Mr. Erol Cavus introduced the document UNEP/MED WG.487/4 “Compendium of Best Environmental Practices.” Dr. Chris Vivian, MED POL Expert, presented the compendium which aims to mainstream regional and global good practices under the LC/LP, Baltic Marine Environment Protection Commission (HELCOM), and the Commission on Protecting and Conserving North-East Atlantic and its resources (OSPAR), as well as relevant information found in

guidelines published by other international organizations, with a particular focus on management of dredged materials.

29. The Meeting participants further elaborated on the document's linkage to findings of the questionnaire which was the basis for preparation of the document UNEP/MED WG.487/4, further requesting to append a number of case studies stemmed from the responses of the questionnaire. Finally, the Meeting participants recommended to submit the document to the MED POL Focal Points Meeting for their consideration, after addressing the comments raised.

30. Under agenda item 5(b), Mr. Polite Laboyrie, President of Central Dredging Association (CEDA) made a presentation on the best available techniques by introducing the concept of dredging for sustainable infrastructure. Mr. Laboyrie shared their work illustrating the best opportunities to add sustainability to dredging by beneficial use of dredged sediments noting that the key principle is to consider dredged material as a resource material for potential use. The Meeting participants further discussed the case studies where sustainable dredging was embedded and inquired about particular case studies that can be shared with the Meeting. Mr. Polite Laboyrie, briefly introduced the case studies available under their online library, pointing out the variety of case studies collected globally.

31. The conclusions and recommendations under this agenda item are presented in Annex III of this report.

Agenda item 6. Any Other Business

32. No issues were raised for this agenda item on "any other business".

Agenda item 7. Conclusions and Recommendations

33. The Meeting participants reviewed, amended and adopted the draft conclusions and recommendations resulting from the Meeting discussions with the Rapporteur and appended to this report. The Meeting agreed that all presentation be shared with the participants of the Meeting.

Agenda item 8. Closure of the Meeting

34. The Chair closed the Meeting, as planned, on 17:30 hours on Tuesday 02 March 2021.

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Annex II
Agenda of the Meeting

Provisional Agenda

Agenda item 1. Opening of the Meeting

Agenda item 2. Adoption of the Agenda and Election of Officers

Agenda item 3. Global and regional framework for dumping at sea activities

- a) Global perspective – London Convention/London Protocol
- b) Regional perspective: UNEP/MAP

Agenda item 4. Promoting Compliance and Enforcement on Dumping Protocol

- a) Recent Developments to strengthen Compliance and Enforcement
- b) Methodologies and techniques for the assessment and monitoring of adverse impacts of dumping activities

Agenda item 5. Best practices on technical aspects of Dumping protocol implementation

- a) Sharing of best practices for management of dumping activities
- b) Best Available Techniques on dredging technologies

Agenda item 6. Any Other Business

Agenda item 7. Conclusions and Recommendations

Agenda item 8. Closure of the meeting

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Annex III
Conclusions and Recommendations

Conclusions and Recommendations

Introduction

1. On 2 March 2021, the Joint Meeting with IMO on Sharing the Best Practices for Implementation, Compliance and Enforcement related to the Dumping Protocol was held by videoconference. The Meeting was organized by UNEP/MAP Secretariat (MED POL Programme).
2. The Meeting welcomed the ongoing cooperation with IMO in the framework of the Letter of Agreement signed in 2019 and recommended to strengthen and continue the cooperation with the aim to raise awareness for further ratifications and implementation of the Dumping Protocol.
3. The Meeting discussed the global and regional perspectives in the framework of the dumping Protocol; promoting compliance and enforcement from the global and regional viewpoints. The Meeting also considered two documents prepared by the Secretariat regarding common methodologies and techniques for compliance monitoring and assessment of impact of dumping activities, and the best practices for implementation of the Dumping Protocol.

Further to its deliberations, the Meeting reached the following conclusions and recommendations:

1. With regard to the survey “Questionnaire to identify regional and global best practices on implementation of Guidelines for Dredged Materials Disposal” conducted by the Secretariat, and in reference to its findings and conclusions, the Meeting requested the Secretariat to continue sharing Best Environmental Practices that address practices, practical implementation of case studies and demos, as well as challenges and difficulties faced by the Contracting Parties during the selection of disposal sites, permitting and inspections, as well as monitoring of dredged material dump sites.
2. With regards to the document on the “Common methodologies and techniques for the assessment and monitoring of adverse impacts of dumping activities”, the Meeting approved the document with comments to address in a stepwise approach the different monitoring stages during the dredging and dumping operations, including linkages with IMAP and other relevant prevailing monitoring methodologies, as well as addressing the issue of monitoring of microplastics in sediments and underwater noise.
3. The Meeting recommended to submit the document on the “Common methodologies and techniques for the assessment and monitoring of adverse impacts of dumping activities” to the MED POL Focal Points Meeting for their consideration.
4. With regards to the document on the “Compendium of Best Environmental Practices for Implementation of the Dumping Protocol,” the Meeting requested the Secretariat to append to the document case studies derived from the Mediterranean based on the responses obtained from the Parties in the survey questionnaires.
5. Noting the importance and relevance of the Compendium of Best Environmental Practices, the Meeting requested the Secretariat to seek the guidance and approval of the MED POL Focal Points Meeting for issuing this Compendium as a Technical Publication.