



International Maritime Organization/UNEP MEDPOL

**IMO/UNEP-MAP MEDPOL Regional Workshop on the Promotion of the London and
Barcelona Dumping Protocols (20 to 22 May 2009)**

ROME, ITALY



Participants and Lecturers

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Summary Sheet

Title of the workshop: IMO/UNEP-MAP MEDPOL Regional Workshop on the Promotion of the London and Barcelona Dumping Protocols

Host: Ministry of Environment, Land and Sea, Italy

Venue and date: FAO headquarters, Rome, Italy, 20 to 22 May 2009

Type: Regional Workshop

Organized by: The Integrated Technical Cooperation Programme/Marine Environment Division of the International Maritime Organization (IMO), and supported by the Governments of Canada, Italy, Republic of Korea, United Kingdom, United States, and UNEP-MAP MEDPOL.

Number of participants: 21



Several participants listening to the lectures

Summary

The IMO/UNEP-MAP MEDPOL Regional Workshop on the Promotion of the London and Barcelona Dumping Protocols was held from 20 to 22 May 2009 at the FAO Headquarters in Rome, Italy. This Workshop was attended by 21 delegates from the following Mediterranean Sea countries: Albania, Algeria, Bosnia & Herzegovina, Croatia, Cyprus, Egypt, Greece, Israel, Italy, Lebanon, Monaco, Montenegro, Morocco, Spain, Syria, Tunisia, Turkey and an observer from the Palestinian Authority.

The Workshop was sponsored by the Governments of Canada, Italy, Republic of Korea, United Kingdom, United States, and UNEP-MAP MEDPOL, and was organized under the London Convention and Protocol Technical Co-operation and Assistance Programme.

The key objectives of the Regional Workshop were to:

- .1 increase the awareness and understanding of the London and Barcelona Protocols and their context;
- .2 set out the benefits and implications of membership to these agreements;
- .3 review various aspects of co-ordinated implementation;
- .4 review national status reports on dumping activities in the Mediterranean Sea Area; and
- .5 identify opportunities for future co-operation when protecting the marine environment in the Mediterranean Sea Area from dumping activities.

The lecturers provided the participants with a thorough understanding of the main benefits and requirements under the London and Barcelona Protocols and an overview of the Guidelines developed to assist Parties with implementation of these instruments and reduce the amount of waste deemed for disposal at sea. Specific presentations were given on the recently completed global guidance to develop national Action List and Action levels for assessment of the quality of dredged material, vis-à-vis the equivalent National Threshold Limit Values (NTLVs) for the same materials being developed in the regional MEDPOL context. Specific attention was also given to a report on the dumping in the MED of chemical warfare ammunition after WWII.

The main conclusions of the Workshop aimed at the national level included to:

- .1 call upon States to ratify the two dumping Protocols;
- .2 improve co-ordination between relevant administrations/agencies within States;
- .3 consider establishing multi-sectoral committees/groups within States to assist in implementation of the two dumping Protocols through National laws and regulations;
- .4 improve enforcement measures and guidelines; and

.5 organize Mediterranean workshops on action levels and regional laboratories¹.

Additional proposed actions included a discussion on analysis at the national and regional levels; use of knowledge and experience of Contracting Parties to both dumping Protocols; hold sub-regional meetings on specific issues; and pursue additional national workshops.

Key words: London Convention, London Protocol, Barcelona Convention, Dumping Protocols, Marine Environment Protection.

Co-ordinators: Mr. René Coenen, Deputy Director and Mr. Edward Kleverlaan, Technical Officer, Office for the London Convention and Protocol, Marine Environment Division, IMO; MEDPOL co-ordinator Dr. Fouad Abousamra, UNEP-MAP; and, Dr. Ezio Amato, Dirigente Tecnologo Coordinatore Servizio Emergenze Ambientali in Mare (Senior Researcher ,Environmental Emergencies at Sea Service Coordinator, Istituto Superiore per la Protezione e la Ricerca Ambientale (ISPRA)).

¹ The Government of Italy offered to assist in the organization of such workshops.

1 Introduction

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2 Objectives of the Workshop

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- .5 identify opportunities for future co-operation when protecting the marine environment in the Mediterranean Sea Area from dumping activities.

The main challenge for the Workshop was to bring a coherent programme to the audience, in view of the fact that the Barcelona Dumping Protocol of 1995² and the London Protocol of 1996 are very similar in structure and share the same philosophy for protection of the marine environment from dumping of wastes.

3 Venue, Dates, Roles and Participants

The Workshop was held at the FAO Headquarters, Rome, Italy, from 20 to 22 May 2009. The Workshop was sponsored by the Governments of Canada, Italy, Republic of Korea, United Kingdom, United States, and UNEP-MAP MEDPOL. The Workshop was organized under the London Convention and Protocol Technical Co-operation and Assistance Programme.



FAO Headquarters

²

The Barcelona Dumping Protocol requires two more ratifications to come into force.

The Workshop was attended by 21 participants from Albania, Algeria, Bosnia & Herzegovina, Croatia, Cyprus, Egypt, Greece, Israel, Italy, Lebanon, Monaco, Montenegro, Morocco, Spain, Syria, Tunisia, Turkey and an observer from the Palestinian Authority. A full list of participants and resource persons is set out in Annex 1 to this report.

In total ten resource persons provided the lectures/presentations from the London and Barcelona Convention perspectives at this Workshop, as indicated in the final programme of the Workshop (see Annex 2 to this report). This provided the participants with a wealth of experiences drawn from several regions in the world. In addition, all participants provided a lecture informing the Workshop on their national approaches and regulations for the protection of the marine environment including, in particular, to the management of dumping of wastes at sea. After the Workshop, this report and all Workshop presentations were also distributed to all participants and resource persons.

The Italian Istituto Superiore per la Protezione e la Ricerca Ambientale (ISPRA) and the Italian Ministry of Environment, Land and Sea provided logistical support and had arranged for the meeting facilities and technical equipment during the Workshop. The venue at the FAO Headquarters offered adequate space and other facilities for resource persons and participants alike.

Activities and proceedings

4 Pre-workshop assignments

Prior to the Workshop, the publications listed in Annex 3 to this report were sent to the organizers via the FAO for distribution by the support staff from ISPRA. These and other materials supplied by the Ministry were made available to the participants at the start of the Workshop.

5 Opening Ceremony

The Workshop was officially opened by Dr. Ezio Amato (ISPRA) on behalf of the Italian Government. He warmly welcomed the participants and resource persons to Rome. He stressed that the Workshop was a fine example of the co-operation between the two dumping instruments. Dr. Fouad Abousamra (UNEP), Dr. Chris Vivian (Chairman of the Scientific Groups under the London Convention and Protocol) and Mr. René Coenen (Office for the London Convention and Protocol, IMO) also welcomed the participants and hoped that the participants would benefit from the broad range of expertise available. Dr. Abousamra and Mr. Coenen also thanked the hosts for providing the excellent arrangements and support for organizing this Workshop and looked forward to sharing ideas and experiences during the Workshop.



Opening Ceremony

6 Description of presentations

Several presentations were given at the Workshop as indicated in the programme and as summarized below in the sequence in which they were given. Time was allocated for questions and clarifications after each presentation, which often contributed to a lively atmosphere.

Day 1

Legal Framework for Marine Pollution Management:

Introduction to the London and Barcelona Dumping Protocols – Similarities and differences

The **London Convention and Protocol (LC/LP)** were introduced and several important operative articles in the Protocol were highlighted. The achievements and lessons learned under these agreements were briefly described, as well as the current and future issues for discussion at the annual meetings of Contracting Parties. Although ample attention was still given under LP to “traditional” dumping issues, with an emphasis on dumping of dredged material, and to keeping implementation guidelines up to date, increasing attention was given to issues such as CO₂ capture and storage in sub-seabed geological formations, the regulation of ocean fertilization, spoilt cargo management, best management practices for removal of anti-fouling coatings from ships and guidance on the placement of artificial reefs. Finally, the benefits and costs of joining the LP were described. Protection of the marine environment from dumping should be seen as an important component of the protection of the oceans from all sources of pollution.

It was noted that Croatia, Cyprus, Egypt, France, Greece, Italy, Libya, Malta, Monaco, Montenegro, Morocco, Serbia, Slovenia and Spain were Parties to the LC and that Egypt, France, Italy, Slovenia and Spain were also Party to the LP.

In terms of added benefits to Mediterranean countries if they became Parties to the LP, it was noted that they could have access to the regulatory and standard-setting process which is currently in place regarding dumping ‘world-wide’ (such as CO₂ sequestration in the seabed, and possibly in 2009, regulation of ocean fertilization) as well as access to technical assistance and experience of a wider Group of Parties to aid marine environmental protection and capacity building.

The presentation on the Barcelona Dumping Protocol included an overview of the **Barcelona Convention with its Protocols** which address all major sources of pollution in the marine environment:

- .1 Prevention and Emergency Response (managed by REMPEC in Malta);
- .2 Pollution from Land-based Sources and Activities (managed by MED-POL in Athens);
- .3 Specially Protected Areas and Biodiversity (managed by RAC-SPA in Tunis);
- .4 Offshore Exploration and Exploitation;
- .5 Hazardous wastes (transboundary) (managed by MED-POL);
- .6 Integrated Coastal Zone Management; and
- .7 Dumping of wastes into the Sea (managed by MED-POL).

The Barcelona Convention and its Protocols, together with the Mediterranean Action Plan, form part of the UNEP Regional Seas Programme.

With regard to the Dumping Protocol (BP), it was noted that it was adopted in 1976 and had been in force since 1978. It was amended in 1996, to align with the LP. However while 15 countries (out of 20 in Mediterranean region) had ratified it, it had yet to enter into force. It was stressed that the BP only allows the dumping of dredged materials, fish waste platforms and inert geological materials, but not, for instance, vessels, which had been banned since 2000.

The BP Secretariat has developed a number of Guidelines to assist in the management of the permissible wastes and is currently developing National Threshold Values and Levels for dredged materials (refer separate presentation given on Day 2).

Reporting of dumping activities by Parties under both agreements Assessment of possible non-compliance to the Dumping Protocol in the Mediterranean

This presentation focussed on an assessment of dumping reports carried out for the biennium 2004-2005. It was derived from an analysis of country reports received from 15 Parties to the BP in that period.

It was noted that some 80% of countries did not carry out an EIA for disposal sites and a similar percentage did not have any pre-selected dumping sites. It was therefore concluded that the impacts of dumping was not well understood in the region. Similarly limited pre and post dumping monitoring had occurred.

It was also noted that while dredged material formed the largest component of materials to be dumped into the sea, brine (from food and other industrial processes) was a major source of waste being dumped into the sea. Fish and other food wastes and inert materials were also dumped in large quantities.

It was concluded that non-compliance, due to lack technical capacity, is a major issue in the region and consequently the removal of this barrier to compliance should be the main focus in the coming years. This work could include joint planning and implementation of LC/LP and BP technical co-operation activities; greater national co-ordination (e.g. establish a national committee on dumping) and increase ratifications/accession to the dumping

Protocols with greater enforcement. Further recommendations are set out in Section 12 of this report.

London Protocol reporting requirements and procedures

In this presentation some specific LP administrative requirements and procedures relating to reporting of dumping activities were highlighted. This included the arrangements for exceptions/exemptions under the Protocol, such as ‘force majeure’, emergencies and placement for a purpose other than disposal; a brief overview of the requirement to monitor disposal sites; the preparation and submission of monitoring reports (field- and compliance-monitoring); as well as the annual reports of dumping activities and the related review process which is normally undertaken by the Scientific Groups.

With regard to annual reporting it was noted that some 50% of Parties to the LC-LP reported regularly to the Secretariat. It was stressed that reporting should not be seen as an onerous task and that minimal data – that should be collected at the national level as an obligation under the instruments – could be provided to the Secretariats in electronic form. It was noted that this included NIL reports, indicating that no dumping had occurred in that particular year.

All reporting forms, invitations and instructions on reporting, and annual compilation reports were now available on the London Convention web-site at: (http://www.imo.org/dynamic/mainframe.asp?topic_id=1512).

Other relevant international agreements and programmes (global and regional) and their linkages with the LP and BP

Subsequently, the relationships between LP and several other important international agreements and programmes to protect the (marine) environment were set out. These included: MARPOL (1973/1978); the Ballast Water Management Convention (2004); the Antifouling Systems Convention (2001); the UN Convention on the Law of the Sea (UNCLOS 1982); the IMO Guidelines and Standards for the Removal of Offshore Installations (1989); the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal (1989); the UN Framework Convention on Climate Change (UNFCCC, 1992) and its Kyoto Protocol (1997); and the UNEP Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (1995). The conclusion was that the instruments (LP and BP) are compatible and consistent with many other agreements, but that, occasionally, the boundaries between these agreements need to be clarified in the interest of their harmonized and effective implementation.

Introduction to key implementation guidelines

Key components of the Waste Assessment Guidance

After the key components of the ‘Generic’ Waste Assessment Guidance (WAG) was introduced, an explanation followed of the initial elements of the WAG covering the waste audit, waste prevention and management options. The need was emphasized for comprehensive strategies and coordination to prevent marine pollution and minimizing waste generation. Waste management principles use a ‘tiered’ approach composed of a hierarchy of potential waste management options. The waste disposal principles are: avoid transfer from one part of the environment to another (air, water land), use scientifically based procedures, integrate waste management strategies, and develop waste management

procedures (e.g., WAGs). It was important to use good science in application of these principles.

Further elements of the WAG were explained covering the identification of disposal sites and the permitting process. The WAG can form the basis for characterization of wastes under both LC and LP. Action lists are mechanisms for screening wastes on the basis of the potential effects of ocean disposal of a waste on the environment or human health. Factors for characterization include the origin, amount, composition, physical/chemical/biological properties, persistence, toxicity, bioaccumulation, and biotransformation. In the context of waste characterization, key issues of concern were given for all permissible waste streams, including for carbon dioxide waste streams.

Choices of which contaminants to analyze can usually be based on routes and sources of contamination (point and non-point), history (data and uses), and ability to interpolate (i.e., is there a guidance or standard level?). Where decisions cannot be made based on chemistry and existing data, biological testing can be done. National action levels can also be based on biological responses. Issues for biological responses included:

1. Battery approach.
2. Variability, which may be high for some test responses and needs to be considered during interpretation of the tests.
3. Response to contaminants versus non-contaminants.
4. Sampling and methodology procedures (i.e., how many samples are needed).
5. Interpretation of results – reference samples and controls are needed and it should be determined in advance how the results will be interpreted.



View of participants and lecturers

Day 2

Introduction to the “2008 Guidance for the Development of Action Lists and Action Levels for Dredged Material”

This presentation, as part of the introduction to the WAG, provided an overview of the newly adopted Guidance document which focuses on approaches to build action lists and

levels. It was noted that the Guidance gives the main options and considerations which must be undertaken as well as provides a range of examples from various countries.

Action lists are mechanisms that assist in screening candidate wastes and their constituents on the basis of their potential effects on human health and the marine environment. Action levels establish rules to identify wastes (in this case dredged materials) that:

- may be disposed because the risk for adverse effects is low;
- may not be disposed without management controls because the risks are high; or
- require additional information to make a sound judgement about the potential for the dredged material to cause adverse effects.

Several approaches to setting benchmarks were discussed including reference based and effects based approaches as well as examples of chemicals of concern (such as heavy metals, hydrocarbons and TBT).

It was concluded that the approaches chosen to setting benchmarks and the methods chosen to assemble the information in order to make sound decisions need to be dependent on a clear understanding of national needs and objectives and the objective of protecting the marine environment.

A draft version of the National Threshold Limit Values (NTLV) for dredged materials for Mediterranean countries was introduced during this presentation. The Guidance is intended to assist Contracting Parties in developing their own national Action Lists and Levels as well as their own National Threshold Limit Values for dredged material proposed for disposal at sea.

While the BP Guidelines for dredged material management, which contained tiered analytical requirements for chemical, biological and physical properties, was adopted in 1999, specific guidance for the establishment of threshold limits was needed to discriminate between material suitable for disposal at sea and material not suitable for this purpose. To illustrate this issue, a worked example was provided for Italian dredged material.

The example included a comparison of upper and lower threshold values for various contaminants used in other countries. It was noted that NTLVs for metal contaminants have been more commonly developed, with organic contaminants less frequently so. Most countries set TLV's for PCB [As a formulation?] but not for individual congeners. The typology of toxicity tests applied can differ greatly in different countries and often they need to be standardised and validated. Several countries prefer to use the reference based approaches to determine the lower TLV and multiply this by a factor (e.g. between 1.5 to 5) to obtain the upper threshold limit.

Chemical and ecotoxicological criteria for dredged material classification and management: Italian guidelines for an integrated approach

This presentation focussed on the integration of chemical analyses with a wide battery of bioassays that provide evidence on the biological and potentially harmful effects of remobilized contaminants from dredging and disposal operation. Examples from the ICRAM's technical framework were introduced. A classification of dredged sediment

quality and compatible management options was derived on the basis of the results of this integration of chemical analyses and biological effects.

CDF in the Port of Leghorn (Italy): environmental monitoring plan and seven years of activities

An informative overview of the Italian experiences on monitoring of confined disposal facilities (CDF) near the Port of Leghorn was provided. It was noted the CDFs are an effective way of dealing with contaminated sediments and their use involves the integration of engineering, environmental, regulatory, social and economic effects. CDFs have nationwide employment, in fact, remediation or clean up of polluted material are relatively expensive compared to placement/storage in a CDF. It was also noted that Italy's (APAT-ICRAM) "*Manual for the handling of marine sediment*" (2007), includes the criteria that must be carried out for CDFs construction and management.

National reports on the implementation of the Barcelona and London Protocols

Each participant was asked to present their perspective on dumping activities in their country.

Albania:

Albania provided an overview of legal and administrative measures in place to implement the Barcelona Dumping Protocol. The key legislation is the Law no. 8905 "On the protection of the marine environment from pollution and damages" which was enacted on 6 June 2002. It addresses the prohibition of dumping wastes, prohibition of incineration at sea, issuance of permits. Several other laws enacted between 2003 and 2006 addressed the application of measures to ships and aircraft; loading of material on such vessels and the administration of solid and hazardous wastes.

Algeria:

Algeria introduced its perspective on dumping activities and provided an overview of its current laws as they relate to the Barcelona Convention and its dumping protocol. The latter was implemented via Law 145 and adopted in 2007. It was noted that Algeria was interested in increasing its capability to implement the dumping instrument, particularly in relation to the different guidelines and site monitoring. It was also interested in the issue of CO₂ capture and storage in sub-seabed geological formations.

Bosnia & Herzegovina (B&H):

B&H provided the Group with an introduction to its key geographical and political parameters including an overview of its government structure and environmental laws that had been enacted. It indicated that it was Party to the Barcelona Convention (by succession) and four Protocols (SPA, LSB and Emergency and the Dumping Protocol). It was also Party to a further 45 multi-lateral environmental agreements and is in the process to ratify *inter alia* the Basel Convention, Biodiversity Convention and the UNFCCC. B&H has one coastal town/port (Nuem) and a very small coastline (24 km) and has no sea dumping activities.



Participants from Algeria and Croatia

Croatia:

Croatia highlighted that it was a Party to both the BP and LC, each by way of succession. Ratification of the LP has not yet been undertaken. It provided a thorough review of the laws that give effect to the dumping instruments, including the Environment Protect Act (2007), the Maritime Domain and Sea Harbours Act and the Regulation on the protection of the marine environment in protected ecological and fishery zones which are the main laws in this respect.

Croatia, however does not have a separate institutional structure for issuing permits and monitoring of dumping activities. Identification of dumping sites is carried out on a case by case basis, using existing legal provisions. A number of waste streams are assessed under the Waste Management Act (WMA), and dredged material, for instance is assessed under an EIA process. However, vessels, platforms, waste from animal origin, radioactive waste and ammunitions are not considered under the WMA.

Croatia is planning to improve the existing national legal framework dealing with the protection of marine environment and dumping activities, including the preparation and adoption of a Law on protection of marine environment (in harmony with the EU Marine Strategy Framework Directive and all other ratified international agreements related to marine protection including dumping activities); ratify of the London Protocol; and prepare a new Waste Act (in harmony with the new EU Directive 2008/98 on Waste) that would incorporate provisions regarding dumping of waste into the sea and give a basis for elaboration of a sublegal act dealing with dumping. It also hoped to improve surveillance of the sea and inspection control.

Cyprus:

Cyprus provided an overview of dumping activities for the years 2006 to 2008. It highlighted that permits were issued under the BP and the LC, and that in the period under consideration, only one permit was issued for 1.5 million m³ of dredged material from Limassol Port following the consideration of an EIA. The competent authority is the Department of Fisheries and Marine resources under the Ministry of Agriculture, natural Resources and Environment and is responsible for implementing the BP. A second permit for spoilt cargo was issued under the LC in 2006. The competent authority in this case is the Department of Merchant Shipping, Ministry of Communications and Works.

Egypt:

Egypt highlighted its efforts to combat pollution in the Mediterranean Sea (Horizon 2020 which included 7 major projects. Other projects to tackle pollution in the Mediterranean included an industrial modernization program and the development of an environmental facility.

An overview was provided of the Egyptian monitoring system which has water quality monitoring stations at several locations along the Mediterranean coast. It was noted that Law no. 9 (2009) implements the dumping protocols in Egypt (Barcelona and London Protocols). There is a permanent national committee that considers and issues permits for dumping. The law contains severe penalties for illegal dumping activities. In 2008, 4 permits were issued for dumping dredged material.

Greece:

Greece stated that it had extensive legislation governing the protection of the marine environment from pollution; not least of which is Law 743/77 as codified by Presidential Decree 55/1998, concerning the Protection of the marine environment. The Hellenic Centre for Marine Research (HCMR) of the Hellenic Ministry of Development, General Secretariat of Research and Technology, provides an opinion concerning the suitability of dredged material for dumping, and if so where and under what conditions, upon submission of such a request of opinion to HCMR from the Hellenic Ministry of Mercantile Marine, Aegean and Island Policy, in accordance with the permitting procedure.

Greece has ratified most of the Protocols of the Barcelona Convention. The original Dumping Protocol was ratified as early as 1978 and, more recently, Greece has ratified the amendments to the Barcelona Convention and the LBS Protocol and has ratified the New Emergency Protocol.

The London Convention 72 was ratified by Greece in 1981. Since 1999 it has also ratified a number of Conventions governed by the IMO concerning the protection of the marine environment, including the OPRC/HNS 2000 Protocol, MARPOL, and Bunkers Convention 2001. Similarly all the amendments of Annexes I - VI of MARPOL have been ratified with presidential decrees and ministerial decisions.

The ratification of international Conventions and Protocols is a long process requiring a number of different actions and involving different Ministries, depending on their competency and the subject of the Protocol under examination. In this respect the competent authorities are currently examining jointly the issues that need to be resolved for the ratification of the amendments to the Barcelona Convention Dumping Protocol which would be expected to pave the way for the ratification of the London Protocol.



Participants from Egypt, Greece, Israel and Italy

Israel:

Israel introduced its laws and regulations that give effect to the Barcelona Dumping Protocol. Permits are considered and issued under an inter-ministerial committee and its decisions are taken in accordance with the MED-POL Guidelines. It was stressed that no permits are issued where a feasible less contaminating land based option is available.

Examples of dumping activities in the period 2006-2008 were provided. It was noted that 30 permits for dredged material were given in this period. Israel highlighted that it had banned the disposal of coal ash, industrial sludges, vessels and brines. Several new projects were in the pipeline at Haifa and Ashod Ports (maintenance and capital works), marinas in Tel Aviv, Jaffa, Herzeliya and Ashod.

Israel also mentioned that monitoring of all dumping sites was a major activity. Regular enforcement was carried out through on-site visits, GPS tracking of disposal barges and compliance was enforced through severe penalties. It believed that the placement of artificial reefs (cleaned vessels) was an issue that needed to be revisited under the BP as the demand for good dive sites was increasing. Israel was also interested in environmentally friendly dredging techniques.

Italy:

Italy informed the Group that it had been a Party to BP since 1999 and Party to the LP since 2006 (LC Party since 1984). Italy indicated that it implemented the BP and LP through its Marine Strategy.

Its dumping activities were mainly from dredging operations. Dredged volumes are on average (data from 1999 onwards) about 5 million cubic meters per year (mostly derived from maintenance and capital dredging in ports). Before 1999 practically the only option for managing dredged sediments was dumping at sea (over 3 miles from the coastline) or disposal on land.

As from year 2000, a new trend can be observed towards an environmentally sustainable management of those activities related to structural intervention in the coastal areas. The

ICRAM's technical framework on scientific aspects of environmental protection related to the dredging marine and brackish bottoms, has the purpose to fill the gap between the existing legislation and the international protocols and requirements for dredged materials.

Lebanon:

Lebanon provided the Group with an overview of the damage and clean-up operations of a large oil spill that resulted from military action conducted along the Lebanese coastline. Some clean-up action included the 'dredging' of oil based residues from the sea bed. It was noted that this incident affected large parts of the Mediterranean coastline and would impact on the marine environment for many years.



Participants from Monaco, Montenegro, Morocco, PA, Syria and the organizers

Monaco:

Monaco introduced an overview of its legal framework that gave effect to the BP and LC. It mentioned that no or limited dumping had taken place along its coastline. It also agreed with Israel that the placement of cleaned vessel as artificial reefs would need to be addressed in future as it had an increasing interest in providing safe diving sites.

Montenegro:

Montenegro provided a brief overview of its actions in regard to dumping activities. While it was not a Party to the BP it became a Party to the LC on 3 June 2006, by succession. It has since that time been in a period of transition and is interested in ratification of the LP. Montenegro also provided information about its oil spill response interests.

Morocco:

Morocco highlighted its regulatory framework for implementing the BP and LC and indicated that it dumped approximately 200-400 MT of dredged material per year.



Participants from Tunisia, Turkey and B&H

Spain:

Spain provided a detailed overview of its dumping activities and in particular the management of dredged materials according to its national recommendations (guidance) on dredged materials (RGMD) enacted by CEDEX in 1994. It highlighted that since 1992, disposal of dredged material required a specific permit issued by the maritime authority.

From 1995, these authorities require a detailed characterization and classification of sediments in accordance with the RGMD. Spain disposed between 2 to 4 million tonnes of material per year from Spanish harbours from 2005 to 2007 as a result of capital and maintenance dredging. It also mentioned that the RGMD was being revised to include further chemical and biological assessment requirements. It is expected to be finalized in 2010.

It was also noted that Spain has placed some 170 vessels (after decontamination) between 2005 and 2007 as artificial reefs in Spanish waters.

Syria:

Syria is one of the Mediterranean States which has a small shoreline of some 185 km and a territorial sea which extends up to 12 nm. There are very few incompatible uses of these waters. In spite of this reality Syria has ratified the Barcelona Protocol (Dumping) by legislative decree issued in December 2008, but it has not entered into force yet. It is recommended that consultation or advice from the London Convention and MED POL Secretariats is necessary to expedite the implementation of the Protocol.

Syria has a comprehensive National Law under title The National law for protection of Marine Environment issued on February 2006 which deals with all types of pollutants according to MARPOL and the Barcelona Conventions and its amendments (with the exception of the dumping elements). This law will be subject to modification later this year. In this regard it was recommended that the London Protocol and MED POL Secretariats

provide assistance to implement the two Protocols through a national workshop with an emphasis on technical issues.

Tunisia:

Tunisia provided a thorough review of its implementing legal framework enacted over the period 1976 to 2006. This included giving effect to MARPOL, BC and its Protocols, LC, and UNCLOS. Tunisia also provided an overview of disposal of WWII ammunitions in its territorial seas. A programme was currently being undertaken to assess these disposal sites. Various other coastal projects were highlighted, including aquaculture projects, shellfish farms, desalination plants, dredging of Ports and oil exploration projects.

It was noted that a national (inter-ministerial committee) considers and issues permits for dumping at sea, involving all key Ministries (environment, defense, fisheries, public health) as well as scientific bodies.

Tunisia also provided information about current dredging activities in the Complex portier Radès – La Goulette, Port de Sfax and Port de Gabés. Since 1996 water quality has been monitored along the Tunisian coast to assess, *inter alia*, the impact of various activities.

Turkey:

Turkey introduced the Group to its complex coastline (some 8000 km long) which includes parts of the Black Sea (20%), Aegean Sea (33%), the Marmara Sea (14%) and the Mediterranean Sea (19%), each with their own specific legal arrangements governing dumping issues. The Aegean and Mediterranean parts fall under the BP and the Black Sea under the Black Sea Dumping Protocol.

The legal framework controlling dumping in Turkey includes the 'Control of Ships Wastes' (by-law), the 'Control of Dredging Operations' (by-law). The control mechanism is through an EIA process, which takes into account the opinion of the Ministry of Environment and Forestry (Department of Marine and Coastal Management). This process would include sampling and analysis of the proposed material. Additionally the dredging process would be reviewed to eliminate negative impacts during the operations.

It was noted that there are no pre-determined dumping areas and that no National limits for dredging and dumping, however, mostly, the criteria contained in the annex to the BP is applied.

Turkey is very keen to learn more about the issue of dumping and hosted a national UNEP/MAP Workshop in Ankara in November 2007. The aims were to strengthen national legislation, evaluate licensing aspects and enhance compliance monitoring. Some of the conclusions of the Workshop were that specific disposal areas should be determined and special monitoring regimes should be developed. As a result Turkey is developing a national By-law to assist in registration of dumping activities as well as a GIS that would assist in this matter.

Palestinian Authority (PA):

A short overview was provided about the Palestinian coastal strip (Gaza) and the key issues that confront it. A lack of technical capacity was stressed.

Day 3

Beneficial Uses of Dredged Material: Opportunities and experiences

Specific attention was given to the potential beneficial uses of dredged sediments, recognizing that about 90% of the dredged material which is annually reported to be dumped, worldwide, is uncontaminated. Beneficial use is aimed at utilizing a waste as a resource for productive use. Examples are: (1) engineered uses of sediments, such as beach nourishment and sediment capping; (2) environmental enhancement, such as habitat creation, reef restoration, or the creation of mudflats and dunes; and (3) other uses, such as reclamation after mining activities have been completed. Important considerations for beneficial uses are: the grain size of the sediment, organic content, habitat replacement, the logistics of such use (transport, handling areas, and process rates) and the cost differential compared with the dumping of the material in question.

Finally a short presentation was provided on dredging techniques particularly for contaminated sediments. This focused on a number of useful Guidance documents that are freely available from the US Army Corps of Engineers Website: <http://cl.ercdc.usace.army.mil/dots/> . The website contains a host of information about environmental aspects of dredging.

Review of the report and map on dumping of ammunitions in the Mediterranean Sea

This presentation provided the Group with an overview of dumping of obsolete ordnance (OO), including that of chemical weapons (CW). The quantity of CW material dumped at sea world-wide is thought to be about three times larger than the chemical arsenals of Russia and United States. For instance between 1946 and 1948, during the “Davey Jones Locker” mission, the U.S. navy scuttled into the Skagerrak Strait 11 ships loaded with 30.000-40.000 tons of German ammunitions (containing yperite, chloroacetophenone, phosgene and tabun) and Britain scuttled 34 old vessels loaded with 127.000 tons of war surplus. This material, if unstable can cause long term harm to the marine environment and to human health. For example, fisherman who often trawl unexploded ordnance in their nets, may suffer serious injury. Fish and other organisms have also been identified as suffering impacts due to leaking or otherwise unstable OO. Italy has therefore been very active in locating and identifying OO dumping sites along the Italian coast and specifically in the Adriatic Sea, as well as studying the effects on marine species. During the period June/August 2004 three sampling campaigns were carried out on specimens of demersal fish and benthic invertebrates were collected in order to obtain tissues for chemical and biological analyses.

Additionally, following a specific request of Contracting Parties to the Barcelona Convention in their 13th meeting, held in November 2005, the Coordination Unit of the Mediterranean Action Plan undertook an assessment of the unexploded ammunitions and OO dumped in the Mediterranean Sea, through questionnaires and investigating nautical charts. Seven State Parties provided information (Bosnia and Herzegovina, Croatia, Italy, Malta, Monaco, Spain and Tunisia).

It was noted that the National Ministry of Defence seem to be the most appropriate Institution informed on this subject, rather than the Environment Ministries. Consultation of nautical charts and sailor notices produced by the British Admiralty and the Italian *Istituto Idrografico della Marina Militare* was also found to be useful. The consultation

allowed the team to identify 67 ammunitions dumping areas and 71 firing practice and exercise areas.

Italy was currently using sophisticated ROV and magneto-acoustic methods to identify sites and material more accurately. It has also worked with fisherman to identify sites and also developed a guide for use by fisherman to advise on the best actions to take if a bomb was trawled up during fishing operations.

Placement of Artificial Reefs: Guidelines and experiences

A brief overview was given of the contents of the recently completed comprehensive “LC-LP/UNEP Guidelines for the Placement of Artificial Reefs”, which have been published in May 2009 and distributed to the participants. This publication is available at no cost.

Technical Co-operation and Assistance Programme – Outreach in the Mediterranean Region

The mandate for the Technical Co-operation and Assistance Programme (TCAP) under the LC and LP was described including the benefits for recipients. Several current and planned projects in other parts of the world were used as examples of the types of activities that could be undertaken. An overview was given of where funding comes from, and the need for making direct requests to the IMO for TC activities.

In the discussion a number of suggestions were offered to resource future activities under the LC/LP-TCAP, including: the GEF (International Waters Programme); oil industry (e.g. OPEC International Development Finance) and Contracting Parties (indirect through development aid funds).

Workshop close-out session

This session provided the Workshop with an opportunity to check pending issues, for evaluation and discussion of recommendations. This was followed by the presentation of certificates to all participants. This session also provided for opportunities and recommendations for co-ordinated implementation of the London and Barcelona Protocols. Recommendations and follow-up actions are set out in Section 12 below.

7 Assessment and Anticipated Outcome

The majority of participants were very pleased with the content the Workshop. As the Workshop aimed to raise awareness of the legal, technical and administrative implications of ratifying the LP and the BP.

8 Evaluation Questionnaire

An evaluation questionnaire form was distributed on the final day of the Workshop and all (17) participants returned their forms with comments and suggestions. The evaluation of the completed questionnaires is shown at Annex 5. The general impression of the effectiveness of the Workshop is given in Section 9 below.

9 Assessment of the Evaluation Questionnaires

Since the Workshop was conducted in a very relaxed manner there was a lively atmosphere and the Workshop was much appreciated by all.

The 17 participants had a wide variety of background, experiences and interests. In general, they were of the opinion that the content of the Workshop was very good and that the delivery of the presentations had been positive and encouraging. Their overall understanding of the LP/BP and their relevance for the needs of their countries had changed considerably. Most had their expectations fulfilled and appreciated the PowerPoint presentations. Overall, all lecturers were rated between good and excellent.

10 Closing ceremony

The organizers delivered short notes of thanks. This was followed by the presentation of certificates to all participants, a copy of which is set out in Annex 4 to this report. The good work that had begun at this Workshop needs to be followed-up by concrete steps, possibly in the form of specialist support at the national level in co-operation with UNEP-MAP.

11 Achievements and Conclusions

The Workshop was very well organized by the hosts from a logistical and programmatic point of view. The staff of the Italian Ministry of Environment, Land and Sea & ISPRA and FAO were extremely helpful, ensuring good support for the Workshop. The participants showed a keen interest in the subject matter and this was very encouraging and provided for solid outcomes to this Workshop. Discussions and questions were informative, to the point, and lively and the participants showed a good knowledge of the subject by the end of the seminar.

In general the Workshop was deemed to be a great success by all the participants with particularly positive feedback received.

12 Recommendations for follow-up action

The following conclusions/recommendations were identified:

- .1 States to ratify the two dumping Protocols;
- .2 co-ordination between relevant administrations/agencies at the national level needs to be improved;
- .3 consider establishing national multi-sectoral committees/groups within States to assist in implementation of the two dumping Protocols through National laws and regulations;
- .4 improve enforcement measures and guidelines at the national level;
- .5 organize Mediterranean workshops on action levels and regional laboratories³;
- .6 in respect to future Technical Co-operation, it would be advantageous to seek additional sources of funding and support, including from oil industry, and from additional efforts with GEF;

³

The Government of Italy offered to assist in the organization of such workshops.

- .7 use extensive knowledge and experience of both Barcelona and London Parties to continue outreach and coordination;
- .8 hold further sub regional meetings on specific issues – coordinated by specific countries;
- .9 additional effort on capacity building through National workshops; and
- .10 there was also a need to integrate the work of new compliance group under the LP into the activities to promote the dumping protocols and assist with capacity building.



Mosaic of Neptune (god of the sea in Roman mythology) in Ostia Port

13 Annexes

Annex 1 – List of Participants

LIST OF PARTICIPANTS - LISTE DES PARTICIPANTS

**ALBANIA
ALBANIE**

Ms Etleva Canaj
Director
Agency of Environment and Forestry
Ministry of Environment, Forests and Water
Administration
23 Halil Bega Str.
Tirana
Albania
Tel: +355-4-2371242
Mob.: +355-0682072317
Fax: +355-4-2371243
E-mail: etlevacanaj@yahoo.com

ALGERIA

ALGERIE

M. Farid Nezzar
Ingénieur en Chef
Directeur d'études
Ministère de l'Aménagement du Territoire et de
l'Environnement
Rue des Quatre Canons
16000 Alger
Algeria
Tel : +213 21 43 2867
Fax : +213 21 432867
E-mail : farid_nezzar@yahoo.fr

**BOSNIA AND HERZEGOVINA
BOSNIE ET HERZÉGOVINE**

Mr Senad Oprasic
Head of Environmental Protection Department
Ministry of Foreign Trade and Economic
Relations Musara 9
71000 Sarajevo
Bosnia and Herzegovina

Tel: +387 33 552365
Fax: +387 33 552365
E-mail: senadoprasic@yahoo.com,
senadoprasic@meteo.gov.sa

**CROATIA
CROATIE**

Ms Sandra Troselj Stanisic
Advisor
Ministry of Environment and Physical Planning
& Construction
Uzarska Ulica 2/I
Rijeka 51000
Croatia

Tel : +385 51 213 499
Fax : +385 51 214 324
E-mail : sandra.troselj-stanisic@mzopu.hr

**CYPRUS
CHYPRE**

Ms Marina Argyrou
Marine Environment Division
Department of Fisheries and Marine Research
Ministry of Agriculture, Natural Resources and
Environment
101 Bethleem Street, 1416 Nicosia, Cyprus
Tel: +357 22807852
Fax: +357 22775955
E-mail: margyrou@dfmr.moa.gov.cy.

**EGYPT
ÉGYPTE**

Mr Mahmoud Ismail
National Coordinator NEDCMP
Egyptian Environmental Affairs Agency (EEAA)
30 Misr-Helwan El-Zyrae Road
P.O. Box 11728 Maadi, Cairo
Egypt
Tel: +202 252564 91/92
Fax: +202 25256494
E-mail: mahmoud_s51@yahoo.com

**GREECE
GRECE**

Ms Maria Caparis
Greek National Centre for the Environment and
Sustainable Development
Villa Kazouli,
241 Kifissias Ave.,
14561 Kifissia, Athens
Greece
Tel: + 30 210 8089271
Fax: + 30 210 8084707
E-mail : mkapari@ekpaa.gr

**ISRAEL
ISRAEL**

Mr Gideon Bettelheim
Marine Pollution Inspector, M.C.E.D.
Ministry of Environmental Protection
P.O.Box 811
31007 Haifa
Israel
Tel: +972 4 8633500
Fax: +972 4 8633520
Mob.: +972 506233060
E-mail: Galiap@sviva.gov.il

**ITALY
ITALIE**

Ms Irene Di Girolamo
Ministry for the Environment, Land and Sea
Via Capitan Bavastro, 174
Rome 00154
Italy
Tel: +39 06 5722 5340
Fax: +39 06 5722 8390
E-mail: digirolamo.irene@minambiente.it

Dr Ezio Amato

Senior Researcher
Environmental Emergencies at Sea Service
Coordinator
Istituto Superiore per la Protezione e la Ricerca
Ambientale (ISPRA)
Via di Casalotti, 300
00166 Rome, Italy

Tel : +39 06 61570455
Fax : +39 06 61561906
E-mail : ezio.amato@isprambiente.it

Mr Angelo Ciasca

Ministry for the Environment, Land and Sea
Via Capitan Bavastro, 174
Rome 00154, Italy

Tel: +39 06 5722 8003
Fax: +39 06 5722 8390
E-mail: ciasca.angelo@minambiente.it

Mr David Pellegrini

First Researcher
Via di Casalotti, 300
00166 Rome, Italy

Tel : +39 05 86260201
Fax : +39 05 86260201
E-mail : d.pellegrini@icram.org

Mr Andrea Gaion

Fellowship
Via di Casalotti, 300
00166 Rome, Italy

Tel : +39 05 86260201
Fax : +39 05 86260201
E-mail : a.gaion@alice.it

Mr Luigi Alcaro

Researcher
Via di Casalotti, 300
00166 Rome, Italy

Tel : +39 06 61570535
Fax : +39 06 61561906
E-mail : luigi.alcaro@isprambiente.it

Ms Raffaella Piermarini

Researcher
Via di Casalotti, 300
00166 Rome, Italy

Tel : +39 06 615701
Fax : +39 06 61561906
E-mail : r.piermarini@icram.it

LEBANON
LIBAN

Mr Berj Hatjian

Director General
Ministry of Environment
Lazarieh Centre, 7th Floor, Block A-4 New
Beirut
Lebanon

Tel: 961-1-976555 ext. 500 or 418
Fax: 961-1-976530/981532
E-mail: dgmoie@moe.gov.lb

MONACO
MONACO

M. Pierre Bouchet

Adjoint de Direction
Direction des Affaires Maritimes
Quai Jean Charles REY
98000 MONACO
Monaco

Tel: +377 98 98 22 80
Fax: +377 98 98 22 81
E-mail : pbouchet@gouv.mc

MONTENEGRO
MONTENEGRO

Ms Ksenija Rakosevic

Advisor for the Implementation of International
Regulations
Marsala Tita No. 7
P.O. Box 14
85000 Bar
Montenegro

Tel: +382 30 313240
Fax: +382 30 313274
E-mail: ksenija.rakocevic@msd-ups.org

MOROCCO
MAROC

M. Larbi Sbai

Professeur Universitaire
Conseiller au Département des Pêches Maritimes
Quartier Administratif, Haut Agdal
Département de Pêches Maritimes
10000 Rabat
Maroc

Tel : +212 5 37 68 82 60
Fax : +212 5 37 68 82 99
E-mail: sbai@mpm.gov.ma

**SPAIN
ESPAGNE**

Ms Aida Velasco-Munguira

Project Manager
Centro de Estudios de Puertos y Costas. CEDEX
Antonio Lopez, No. 81
Plaza de San Juan de la Cruz s/n
28026 Madrid
Spain

Tel: +34 913 357 707
Fax: +34 913 357 622
E-mail: aida.Velasco@cedex.es

**SYRIAN ARAB REPUBLIC
RÉPUBLIQUE ARABE SYRIENNE**

Mr Ali Dayoub

Head of Marine Anti-Pollution Department
P.O. Box 505 Lattakia
Syria

Tel : +963 41 473876/472593
Mobile: +963 41 475805
Fax : +963 112140761
E-mail : dayoub.ali@gmail.com

**TUNISIA
TUNISIE**

Mme Mounira Hamdi

Chef de Service de suivi de la pollution hydrique
Agence Nationale de Protection de
l'Environnement
Direction de contrôle
Centre Urbain Nord, 15 Rue
7051 cité Essalem BP 52 Belvédère
2080 Tunis
Tunisie

Tel:+ 216 71 233600
Fax:+ 216 71 232811
E-mail: hamdim76@yahoo.fr

**TURKEY
TURQUIE**

Ms Özlem Karakurt

Assistant Expert / Environmental Engineer
T.R. Ministry of Environment and Forestry
Sogutozu Caddesi No: 14/E
06560 Ankara
Turkey

Tel: +90 312 2075263
Fax: +90 312 2076695
E-mail: ozlemkarakurt82@yahoo.com

**OBSERVER
OBSERVER**

**PALESTINIAN AUTHORITY
AUTHORITE PALESTINIENNE**

Mr Aaeid Ayoub
Marine Pollution Expert
42, rue du Moulin d'Ascq
Villeneuve d'Ascq
59493 Lille
France

Tel: +33 9 54791055 (France)
E-mail: ayed_ayoub@yahoo.com

**UNITED NATIONS BODIES AND SECRETARIAT UNITS
SECRETARIAT DES NATIONS UNIES**

**INTERNATIONAL
ORGANIZATION
ORGANISATION
INTERNATIONALE**

MARITIME Mr René Coenen
Head
MARITIME Tel: +44 20 7587 3239 (Direct line)
E-mail: rcoenen@imo.org

Mr Edward Kleverlaan
Technical Officer
Tel: +44 20 7587 3122 (Direct line)
E-mail: ekleverlaan@imo.org

Ms Jennifer Rate
Administrative Assistant
Tel: +44 20 7463 4213 (Direct line)
E-mail: JRATE@imo.org

Office for the London Convention and Protocol
Marine Environment Division
International Maritime Organization
4 Albert Embankment
London, SE1 7SR
United Kingdom
Fax: +44 20 7587 3210

**UNITED NATIONS ENVIRONMENT
PROGRAMME
COORDINATING UNIT FOR THE
MEDITERRANEAN ACTION PLAN
PROGRAMME DES NATIONS UNIES
POUR L'ENVIRONNEMENT
UNITE DE COORDINATION DU PLAN
D'ACTION POUR LA MEDITERRANEE**

Dr Fouad Abousamra
MED POL Programme Officer
Tel: +30 210 72 73 116
E-mail: fouad@unepmap.gr

Ms Elise Giougourtzian
MED POL Secretary
Tel: +30 210 72 73 131
E-mail: elise@unepmap.gr

Coordinating Unit for the Mediterranean Action
Plan
P.O. Box 18019
48 Vassileos Konstantinou Avenue
116 10 Athens, Greece
Tel: +30 210 7273100
Fax: +30 210 7253196/7
E-mail: unepmedu@unepmap.gr
<http://www.unepmap.org>

INVITED EXPERTS EXPERTS INVITES

Dr Chris Vivian

Chairman, LC/LP Scientific Groups
Topic Leader – Coastal Development
Centre for Environment, Fisheries and Aquaculture Science (CEFAS)
Remembrance Avenue
Burnham-on-Crouch, Essex CMO 8HA
United Kingdom

Tel: +44 (0) 1621 787253
Tel: +44 (0) 1621 787200
Fax : +44 (0) 1621 784989
E-mail: chis.vivian@cefas.co.uk
Web: www.cefas.co.uk

Dr Gi-Hoon Hong

Vice Chairman, LC/LP Scientific Groups:
Senior Scientist, Marine Biogeochemistry and Isotopes Wastes Management
Korea Ocean Research & Development Institute (KORDI)
Ansan, P. O. Box 29, Seoul 425-600
Republic of Korea

Tel: +82 31 400 6180/ 6181
Fax: +82 31 408 4493
E-mail: ghhong@kordi.re.kr

Ms Linda Porebski

Vice Chairman, LC/LP Scientific Groups:
Chief, Marine Protection Programs Division
Environment Canada
351 St. Joseph Blvd., 12th Floor
Gatineau, Quebec, K1A 0H3
Canada

Tel: +1 819 953 4341
Fax: +1 819 953 0913
Mbl: +1 819 762 8249
E-mail: Linda.Porebski@ec.gc.ca

Mr David Taillefer

Disposal at Sea Adviser
Environment Canada
7th Fl., Place Vincent Massey
351 St. Joseph Blvd
Hull, Quebec, K1A 0H3
Canada

Tel: +1 819 956-5225
Fax: +1 819 953 0913
E-mail: David.Taillefer@ec.gc.ca

Mr Darrell Brown

Deputy Director
Oceans and Coastal Protection Division
US Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. 4504T
Washington, DC 20460
USA

Tel: +202 566-1256
Fax: +202 566-1334

Ms Molly Madden

U.S. Environmental Protection Agency
Oceans and Coastal Protection Division
1200 Pennsylvania Avenue, N.W. 4504T
Washington, DC 20460
USA

Tel: +202-566-1279
Fax: +202-566-1546

Annex 2 - Final Workshop Programme



**IMO/UNEP/MAP-MEDPOL Regional Workshop
Promotion of the London and Barcelona Dumping Protocols
FAO Headquarters, Rome, 20 to 22 May 2009
Workshop Programme**

Day 1, Wednesday, 20 May 2009

Speakers:

08.30-09.30	Arrival and registration of participants	
09.30-10.30	<p align="center">Official opening (Leader – Dr. Ezio Amato)</p> <ul style="list-style-type: none"> Welcome Addresses by representatives of hosts Workshop aims and objectives Introductions of participants Timetable and materials 	<p>Ezio Amato</p> <p>René Coenen</p> <p>Fouad Abousamra</p> <p>Chris Vivian</p>
10.30-11.00	<u>Refreshments</u>	
Session leader – Darrell Brown		
11.00-12.30	<p>Legal Framework for Marine Pollution Management</p> <ul style="list-style-type: none"> Introduction to the London and Barcelona Dumping Protocols (LP and BP): similarity/differences/opportunities Reporting of dumping activities by Parties under both agreements Discussion/questions 	<p align="center">IMO/MEDPOL</p> <p>René Coenen</p> <p>Fouad Abousamra</p> <p>Edward Kleverlaan</p>
12.30-14.30	<u>Lunch</u>	
Session leader – Edward Kleverlaan		
14.30-16.00	<p>Legal Framework for Marine Pollution Management (Continued)</p> <ul style="list-style-type: none"> Other relevant international agreements and programmes (global and regional) and their linkages with the LP and BP Discussion/questions 	<p>Chris Vivian</p> <p>Gi-Hoon Hong</p>
16.00-16.30	<u>Refreshments</u>	
Session leader – Molly Madden		
16.30-17.30	<p>Introduction to key implementation guidelines</p> <ul style="list-style-type: none"> Key components of the Waste Assessment Guidance Discussion/questions 	<p>David Taillefer</p> <p>Darrell Brown</p> <p>Chris Vivian</p> <p>Gi-Hoon Hong</p>

Day 2, Thursday, 21 May 2009

Session leader – Chris Vivian		
09.00-09.45	Introduction to the “2008 Guidance for the Development of Action Lists and Action Levels for Dredged Material” <ul style="list-style-type: none"> • Introduction • Discussion/questions 	Linda Porebski David Taillefer
09.45-10.30	Review of the Mediterranean Guidelines for the establishment of National Threshold Limit Values (NTLV) for dredged materials <ul style="list-style-type: none"> • Introduction 	Ezio Amato
<i>10.30-11.00</i>	<u>Refreshments</u>	
Session leader – Fouad Abousamra		
11.00-11.45	Review of the Mediterranean NTVL Guidelines (continued) <ul style="list-style-type: none"> • Discussion/recommendations 	Ezio Amato Linda Porebski
11.45-12.30	Chemical and ecotoxicological criteria for dredged material classification and management: Italian guidelines for an integrated approach <ul style="list-style-type: none"> • Discussion/questions 	Andrea Gaion (ISPRA, Leghorn)
<i>12.30-14.00</i>	<u>Lunch</u>	
Session leader – Ezio Amato		
14.00-14.45	CDF in the port of Leghorn (Italy): environmental monitoring plan and seven years of activities <ul style="list-style-type: none"> • Discussion/questions 	Davide Sartori (ISPRA, Leghorn)
14.45-16.00	National reports on the implementation of the Barcelona and London Protocols <ul style="list-style-type: none"> • Discussion/questions • Recommendations 	Countries representatives
<i>16.00-16.30</i>	<i>Refreshments</i>	
Session leader – Gi-Hoon Hong		
16.30-17.30	Beneficial Uses of Dredged Material: Opportunities and experiences Introduction Discussion/questions	Molly Madden Chris Vivian
<i>17.30</i>	<i>End of day two</i>	

Day 3, Friday, 22 May 2009

Session leader – René Coenen		
09.00-10.30	Review of the report and map on dumping of ammunitions in the Mediterranean Sea	MEDPOL Luigi Alcaro, ISPRA
	<ul style="list-style-type: none"> • Introduction • Discussion • Recommendations 	
<i>10.30-11.00</i> <u>Refreshments</u>		
Session leader – David Taillefer		
11.00-12.00	Placement of Artificial Reefs: Guidelines and experiences	Molly Madden Darrell Brown
	<ul style="list-style-type: none"> • Introduction • Discussion/questions 	
<i>12.00-13.30</i> <i>Lunch Break</i>		
Session leader – Chris Vivian		
13.30-14.30	Technical Co-operation and Assistance – Outreach in the Mediterranean Region	Countries representatives Fouad Abousamra Edward Kleverlaan Darrell Brown
	<ul style="list-style-type: none"> • Introduction • Discussion/questions (Panel: Darrell Brown, Fouad Abousamra, René Coenen, Edward Kleverlaan) • Recommendations 	
<i>14.30-15.00</i> <u>Refreshments</u>		
Session leader – Linda Porebski		
15.00-16.00	Close-out session	René Coenen Fouad Abousamra Chris Vivian
	<ul style="list-style-type: none"> • Pending issues • Opportunities and recommendations for co-ordinated implementation of the London and Barcelona Protocols • Evaluation • Presentation of Workshop Certificates • Concluding remarks 	
+16.30	Visit to Ostia Antica (Old Roman Port)	

Annex 3 – Reference materials

Materials/Publications provided by IMO:

IMO Publication IA532E – Text of the London Convention and Protocol 2003
Text of the London Convention, with all amendments
Text of the London Protocol, as amended in 2006

IMO Publication I537E – Sampling of Dredged Material – Guidelines for the Sampling and Analysis of Dredged Material intended for Disposal at Sea (2005)

IMO Publication I531E – Guidelines on the London Convention (2006)

Text of Guidance for the development of Action Lists and Action Levels for Dredged Material (2008)

Text of the Risk Assessment and Management Framework for CO₂ Sequestration in Sub-Seabed Geological Structures (CS-SSGS) (2006)

Text of the Revised Guidelines for the Assessment of Wastes or Other Matter that May be Considered for Dumping (2008)

Circulars:

LC-LP.1/Circ.1 – Notification under Article 8.2 regarding a case of emergency: Example: Application for Emergency Dumping Permit Port-Daniel-Est

LC-LP.1/Circ.15 - Invitation to reporting on activities related to disposal at sea of wastes or other matter

LC-LP.1/Circ.17 - “Tutorial: Guidelines for the Assessment of Wastes Proposed for Disposal at Sea”

LC-LP.1/Circ.18 - Main results of the 29th Consultative Meeting and 2nd Meeting of Contracting Parties

LC-LP.1/Circ.19 – Final Report on Permits issued in 2004

Other reference material:

Lists and Map of Parties to the London Convention and Protocol (November 2008)

All Workshop presentations on CD-ROM

Websites for reference information:

www.imo.org

www.londonconvention.org

www.dredging.org/

www.dredging.org/content.asp?page=28

www.cl.erdc.usace.army.mil/dots/

www.pianc-aipcn.org/

www.ropme.org

www.ec.gc.ca/seadisposal

*

Materials/Publications provided by UNEP:**Working documents**

- UNEP(DEPI)/MED WG. 338/1 Tentative Programme (Annex 1)
- UNEP(DEPI)/MED WG. 338/2 Ammunitions dumping sites into the Mediterranean Sea
- Draft Guidance Document on the Development of National Threshold Limit Values (Ntlvs) for Dredged Materials which could be dumped into the Mediterranean Sea (English only)

Information documents

- UNEP(DEPI)/MED WG. 328/Inf. 1 Provisional List of Documents
- UNEP(DEPI)/MED WG. 328/Inf. 2 Provisional List of Participants

Reference documents

- UNEP(DEC)/MED WG. 190/7 Draft Guidelines for The Management of Fish Waste or Organic Materials resulting from the processing of Fish and other Marine Organisms, Athens, Greece, 11-14 September 2001
- UNEP(DEC)/MED WG. 228/14 Guidelines, Dumping of Platforms and other man-made Structures at Sea, Athens, Greece, 15 – 18 September 2003
- UNEP(DEC)/MED WG. 270/10 Guidelines for the Placement at Sea of matter for purpose other than the mere disposal (Construction of Artificial Reefs), Athens, Greece, 21 - 24 September 2005
- UNEP(DEC)/MED WG. 270/11 Guidelines for the Dumping of Inert Uncontaminated Geological Materials, Athens, Greece, 21 - 24 September 2005
- MAP Technical Series No. 129 Guidelines for the management of Dredged Material
- MAP Technical Series No. 136 Guidelines for the management of Fish Waste or Organic Materials resulting from the processing of fish and other Marine Organisms

Annex 4 – Certificate issued



Certificate / Certificat

This is to certify that / Le présent document certifie que

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participated in the / a participé à l'

***IMO UNEP/MAP - MED POL Workshop for the promotion of the
London and Barcelona Dumping Protocols
Atelier OMI PAM/ PNUE - MED POL de promotion des Protocoles
"immersions" des Conventions de Londres et de Barcelone***

*held in Rome, Italy, 20 - 22 May 2009 / qui s'est tenu à Rome, Italie, 20 - 22 mai 2009
organized by / organisé par*

**The Office of the London Convention and Protocol /
le Bureau pour la Convention et le Protocole de Londres
and/ et
UNEP/MAP - MED POL**

With the cooperation of / Avec la coopération

Ministry of Environment of Italy / du Ministère de l'environnement d'Italie

René Coenen
Deputy-Director / Directeur Adjoint
Marine Environment Division /
Division du milieu marin
International Maritime Organization/
Organisation maritime internationale

Francesco Saverio Civili
Coordinator / Coordonnateur
MED POL Programme
UNEP/MAP

Annex 5 – Evaluation of Completed Questionnaires

EVALUATION OF COMPLETED QUESTIONNAIRES

17 replies were received from the 17 countries in the MED attending this Workshop and from the representative of the Palestinian Authority attending the Workshop. Not all respondents answered all the questions.

Question 1

	Very little	Little	Moderately	Much	Very much
<u>Overall, how much did the workshop change your level of understanding of the LP in relation to the BP of 1995?</u>			3	9	5

Question 2

	Very little	Little	Moderately	Much	Very much
<u>How much did the workshop influence your level of understanding of the relevance of LP for the needs of the countries bordering the MED?</u>			2	8	7

Question 3

	Not met		Partially met	Met	Fully met
<u>Did the Workshop meet your expectations?</u>			1	9	7

Question 4

	Insufficient	Sufficient	Generally OK	Generally OK +	Very good detail level
<u>Overall, were the presentations of sufficient detail?</u>	1		3	8	5

Question 5

	Yes, too much	A bit too much	Generally OK	Generally OK +	No, any repetition helped
<i>Did the Workshop presentations provide too much redundancy / repetition?</i>			6	8	2

Question 6

	Poor	OK	Good	Very Good	Excellent
<i>How would you rate the presenters?</i>					
Dr. Ezio Amato				6	9
Mr. René Coenen			1	6	9
<i>Dr. Fouad Abousamra</i>			1	7	8
<i>Dr. Chris Vivian</i>			1	6	8
<i>Ms. Linda Porebski</i>			3	4	8
<i>Mr. David Taillefer</i>		1	1	5	7
<i>Mr. Darrell Brown</i>			2	4	8
<i>Mrs. Molly Madden</i>			1	3	8
<i>Dr. Gi-Hoon Hong</i>		3	1	6	5
<i>Mr. Edward Kleverlaan</i>			3	5	8

Luigi Alcaro is missing from the above score-sheet but his presentation on the dumped ammunitions in the MED was well received by the participants!!!

Question 7

	Need improvement	Need little improvement	Generally OK	Helpful	Very helpful
<u>How helpful were the visual presentations for understanding the Workshop material?</u>			3	7	7

Question 8

	Need improvement	Need little improvement	Generally OK	Helpful	Very helpful
<u>How helpful were the handouts (Documents/ brochures, etc.) for understanding the workshop material?</u>			2	4	11

Question 9 – what presentations in the workshop were most useful to you? Why?

- All presentations (mentioned 3 times);
- The national presentations showing the differences between the countries and their experiences (mentioned 2 times);
- Guidelines on placement of artificial reefs (mentioned 2 times);
- Lebanon DVD about the effects and cleanup of the oil spill following the bombardment of the coastal power plant by Israel in its war against Hezbollah (2006);
- Application of the guidelines;
- The introduction showing the differences between the London and Barcelona Protocols;
- Edward's presentation showing how IMO functions;
- NTLVs for the MED and the LP Action List levels presentations; and
- Luigi Alcaro's presentation showing the lack of co-operation between the military and environmental agencies concerning the mapping of the chemical warfare dumps at sea.

Question 10 - what presentations in the workshop were least useful to you? Why?

No replies received that were worth recording here.
