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MEDPOL Focal Points Meeting

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

Agenda Item 5: Review of proposed updates of the Annex

Proposals for Updating the Annex to the Dumping Protocol

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Note by the Secretariat

The 21st Ordinary Meeting of the Contracting Parties (COP-21) to the Barcelona Convention and its Protocols (Naples, Italy, 2-5 December 2019) adopted Decision IG.24/10 which called for updating the Annexes to the Land-Based Sources and Activities (LBS Protocol) and the Protocol for the Prevention and Elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft or Incineration at the Sea.

Decision IG.24/10 of COP-21 also requested the establishment of a Working Group composed of experts designated by the Contracting Parties to review the Annex to the Dumping Protocol and to make proposals for consideration of the 22nd Meeting of the Contracting Parties (COP-22), Antalya Turkey, December 2021.

The Working Group of designated experts met on 9 February 2021 via videoconference. The Meeting reviewed and agreed to proposed updates with modifications.

The Working Group further expanded the major amenities defined under the characteristics of dumping sites in relation to values and other uses of the sea in areas under consideration for dumping such as, spawning, nursery and fishing areas, marine protected areas and exploitable resources. The Working Group also agreed to assess potential effects of dumping in selected sites, with available technology using modelling tools. The Working Group recognized the importance of establishing a compliance monitoring programme, where applicable, to related to permitting conditions granted by the competent authorities. The modifications agreed, during the meeting of the Working Group, also provide for waste assessment; consideration of other management and disposal options; as well as a better consideration of emerging issues related to minimization of possible impacts.

The updated annex to the Dumping Protocol is presented herein to the MEDPOL Focal Points for their consideration and review. The green **type bold text** indicates the accepted changes in the Annex by the Working Group.

List of Abbreviations / Acronyms

COP	Conference of the Parties
EU	European Union
GES	Good Environmental Status
LBS Protocol	Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities
LC-LP	London Convention and Protocol
MAP	Mediterranean Action Plan
MED POL	Programme for the Assessment and Control of Marine Pollution in the Mediterranean
MSFD	Marine Strategy Framework Directive
UNEP	United Nations Environment Programme

DUMPING PROTOCOL TO THE BARCELONA CONVENTION

ANNEX

The factors to be considered in establishing criteria governing the issue of permits for the dumping of matter at sea taking into account Article 6 include:

A. CHARACTERISTICS AND COMPOSITION OF THE MATTER

1. Total amount and average compositions of matter dumped (e.g. per year).
2. Origin and form (e.g. solid, sludge, liquid, or gaseous **within the matter, e.g. gases in sediments, or any mixture of these forms**).
3. Properties: physical (e.g. solubility and density), chemical and biochemical (e.g. oxygen demand, nutrients) and biological (e.g. presence of viruses, bacteria, yeasts, parasites, **invasive species**).
- 4: Toxicity **including but not limited to, trace metals, organohalogens, organosilicons, biocides (e.g. TBT), petroleum hydrocarbons, or other toxic substances, and as their mixtures.**
5. Persistence: physical, chemical and biological.
- 6: Accumulation and biotransformation in biological materials and sediments **including but not limited to, trace metals, organohalogens, organosilicons, biocides (e.g. TBT) or other toxic substances.**
7. Susceptibility to physical, chemical, and biochemical changes and interaction in the aquatic environment with other dissolved organic and inorganic materials.
8. Probability of production of taints or other changes reducing marketability of resources (fish, shellfish, etc.)
9. **Presence of marine litter/debris (e.g. plastic materials, micro-litter, etc.).**

B. CHARACTERISTICS OF DUMPING SITE AND METHOD OF DEPOSIT

1. Location of the **dumping site** (e.g. coordinates, depth and distance from the coast), **location/distance in relation to other amenities**, values and other uses of the sea in the areas under consideration (e.g. amenity areas, spawning, nursery and fishing areas, **marine protected areas** and exploitable resources).
2. Rate of disposal per specific period (e.g. quantity per day, per week, per month).
3. Methods of packaging and containment, if any.
4. Initial dilution achieved by proposed method of release, particularly the speed of the ship.
5. **Physical, chemical and biological characteristics of the water-column and the seabed, including:**
 - a) Dispersal characteristics (e.g. effects of currents, tides and wind on horizontal transport and vertical mixing).
 - b) Water characteristics, physical, **chemical and biological** (e.g. temperature, pH, salinity, turbidity, transparency, stratification, oxygen indices of pollution-dissolved oxygen (DO), chemical oxygen demand (COD), biochemical oxygen demand (BOD5), nitrogen present in organic and mineral form, including suspended matter, **other dissolved gases, organic carbon**, other nutrients (**phosphate, nitrate, nitrite, ammonia and silicate**) and productivity).
 - c) Bottom characteristics (e.g. **substrate**, topography/**morphology**, geochemical and geological characteristics and biological productivity).
 - d) **Levels of underwater noise, particularly in relation to sensitive resources (e.g. cetaceans and pinnipeds, etc.)**
6. Existence and effects of other dumpings which have been made in the dumping area (e.g. heavy metal background reading and organic carbon content).
7. **Assessment of the constituent fluxes associated with dumping in relation to existing fluxes of substances in the marine environment.**
8. **Consideration of the physical characteristics of the waste proposed for disposal in relation to the site characteristics and waste assessment.**
9. **Assessment of potential effects of dumping in the selected site(s) using, *inter alia*, modelling tools and cumulative effects of other activities in the same maritime sector, taking into consideration C.1, C.2 and C.3 under “Section C: General Considerations and Conditions”.**

10. When issuing a permit for dumping, the Contracting Parties shall endeavour to determine whether an adequate scientific basis exist for assessing the consequences of such dumping in the area concerned, in accordance with the foregoing provisions and taking into account seasonal variations. If it is accepted that a permit can be issued, then a suitable field monitoring programme may be developed/implemented, where appropriate.

C. GENERAL CONSIDERATIONS AND CONDITIONS

1. Possible effects on amenities (e.g. presence of floating or stranded material, turbidity, objectionable odor, discoloration and foaming).
2. Possible effects on marine life, fish and shellfish culture, fish stocks and fisheries, seaweed harvesting and culture, **as well as effect on local communities living near islands or near marine protected areas.**
3. Possible effects on other uses of the sea (e.g. impairment of water quality for industrial use, **such as desalination plants**, underwater corrosion of structures, interference with ship operations from floating materials, interference with fishing, **mariculture**, or navigation through deposit of waste or solid objects on the sea floor and protection of areas of special importance for scientific or conservation purposes).
4. **Consideration of possible waste reduction/prevention techniques at source including: a) product reformulation; b) clean production technologies; c) process modification; d) input substitution; e) and on-site, closed-loop recycling.**
5. **Consideration of the following hierarchy of waste or other matter management options: re-use; off-site recycling; destruction of hazardous constituents; treatment to reduce or remove the hazardous constituents; disposal on land and in water.**
6. The practical availability of alternative land-based methods of treatment, disposal or elimination or of treatment to render the matter less harmful for sea dumping.
7. **Economic and operational feasibility.**