

Prevention or regulation

THE LONDON DUMPING CONVENTION REVIEWS ITS STRATEGY

The Convention on the Prevention of Marine Pollution by Dumping Wastes and other Matter, known as the London Dumping Convention (LDC), is a major global instrument that seeks to address the problem of marine pollution, by regulating the disposal of waste at sea from ships, aircrafts and other man-made structures. The LDC was opened for signature in November 1972 and has at present 69 countries as contracting parties. The fifteenth annual consultative meeting of the LDC (LDC15) is being held in London from 9 to 13 November 1992. Taking place in the aftermath of Earth Summit convened by the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro, LDC15 is expected to make an effective response to the problems of marine environment.

What makes this meeting potentially significant is its decision to review LDC's long-term strategy and to make necessary amendments in the convention and its annexes so as to make it a more forceful instrument in addressing the issue of dumping. It has been argued by some that the regulatory approach that the LDC has followed so far has been a major obstacle to being effective enough, and that this approach has even resulted in facilitating rather than combating dumping. There have been demands for a preventive or precautionary approach instead of a regulative one.

The meeting will consider an important proposal of far-reaching implications made by Denmark and supported by other Nordic countries. The proposal advocates a series of amendments to be adopted 'in principle' at LDC15 and to be formally adopted in 1993. If accepted, this would result in, among other things, the banning of:

- dumping at sea of radioactive as well as industrial wastes,
- ocean incineration of liquid noxious gases,
- seabed burial at sea of banned wastes, and
- the export of wastes destined for dumping to states that are not party to LDC.

Many of these issues debate in LDC over the convention adopted the first moratorium on marine dumping of low and intermediate level radioactive waste. In 1986, a second moratorium resolution stipulated that the moratorium will continue pending the completion of studies and assessments. The intergovernmental panel of experts investigating this issue is expected to complete its study by the end of next year. This means that if LDC15 does not take new decisions, the dumping of radioactive waste may resume once the panel submits its report. This is particularly worrisome in the light of the interest expressed in the prospect of dumping by Japan, Taiwan, France, United Kingdom and the United States.

LDC's scientific group has submitted a report on issues raised in earlier consultative meetings, and this has raised issues for deliberation at LDC15. These include the adoption of a waste assessment framework—a decision-making framework for determining the suitability of specific wastes proposed for ocean disposal.

Green peace has suggested that in tune with the preventive approach', a stricter reverse listing strategy needs to be adopted here, which would prohibit all dumping except those wastes listed as suitable for ocean disposal. They have also argued that the meeting should take adequate measures to prevent the use of hazardous wastes in the construction of artificial reefs and islands.

In the light of the UNCED recommendations, LDC15 will consider furthering its efforts to terminate the practice of sea incineration and the sea disposal of industrial wastes. In the case of sea incineration, LDC13 had targeted its termination by the end of 1994. Recently, an immediate ban has been demanded by some. In addition to the Danish proposal, the meeting will address other UNCED issues as well, related to North-South financial assistance and technology transfer. There have been demands for strengthened commitments by industrialized countries to assist developing countries in achieving ecologically sound and socially equitable development. ■