

FORTY-SIXTH CONSULTATIVE MEETING  
OF CONTRACTING PARTIES TO THE  
LONDON CONVENTION  
&  
NINETEENTH MEETING OF CONTRACTING  
PARTIES TO THE LONDON PROTOCOL  
28 October – 1 November 2024  
Agenda item 5

LC 46/5/1  
9 August 2024  
Original: ENGLISH  
Pre-session public release:

## **MARINE GEOENGINEERING INCLUDING OCEAN FERTILIZATION**

### **Progress report from the Legal Intersessional Correspondence Group on Marine Geoengineering: Draft resolution**

**Submitted by the Co-Chairs of the Correspondence Group**

#### **SUMMARY**

*Executive summary:* This document presents a report on the progress made by the Legal Intersessional Correspondence Group (LICG) on Marine Geoengineering. This document presents the draft resolution referenced in paragraph 8 of that progress report.

*Action to be taken:* Paragraph 2

*Related document:* LC 46/5

#### **Introduction**

1 As referenced in paragraph 8 of their progress report (LC 46/5), the LICG has prepared a draft resolution for consideration by the governing bodies. This is presented in the annex to this document.

#### **Action requested of the governing bodies**

2 The governing bodies are invited to note the information provided and comment, as they deem appropriate.

\*\*\*



**ANNEX**

**DRAFT RESOLUTION LC-LP.X(2024)  
ON THE REGULATION OF MARINE GEOENGINEERING ACTIVITIES**  
(Adopted on month [ ], 2024)

**THE MEETING OF THE CONTRACTING PARTIES TO THE LONDON CONVENTION AND  
THE MEETING OF THE CONTRACTING PARTIES TO THE LONDON PROTOCOL,**

**RECALLING** the objectives of the London Convention (LC)<sup>1</sup> and Protocol (LP);<sup>2</sup>

**RECALLING** Resolution LC-LP.1(2008) on the regulation of Ocean Fertilization and resolution LC-LP.2(2010) on the Assessment Framework for Scientific Research involving Ocean Fertilization, [which together [apply] [remain relevant] to all LC Contracting Parties and continue to apply to LP Contracting Parties, pending the entry into force of the 2013 amendment to the LP];

**[RECALLING**, these resolutions [this resolution] apply to all LC Contracting Parties and continue to apply to LP Contracting Parties, pending the entry into force of the 2013 amendment to the LP];

**RECALLING** the Resolution of 2013 on the [Amendment of the London Protocol to Regulate the Placement of Matter for Ocean Fertilization and Other Marine Geoengineering Activities \(LP.4\(8\), 2013 Amendment\)](#),<sup>3</sup> which will enter into force when two thirds of Contracting Parties to the LP accept it;<sup>4</sup>

**URGING** [all] LP Contracting Parties to accept the 2013 Amendment and all LC Contracting Parties to accept London Protocol and the 2013 Amendment as soon as possible;

**NOTING** the [conclusions of the Scientific Group on Marine Geoengineering in 2023](#) and the Statements on Marine Geoengineering of the Governing Bodies in [2022](#) and [2023](#);

**NOTING** [decision X/33](#) adopted by the 10th Meetings of the Conference of the Parties to the Convention on Biological Diversity (CBD) in 2010, which at paragraph 8(w), "invites Parties and other Governments" to "ensure, in line and consistent with [decision IX/16 C](#), on ocean fertilization and biodiversity and climate change, in the absence of science based, global, transparent and effective control and regulatory mechanisms for geoengineering, and in accordance with the precautionary approach and article 14 of the Convention, that no climate-

---

<sup>1</sup> "Contracting Parties shall individually and collectively promote the effective control of all sources of pollution of the marine environment, and pledge themselves especially to take all practicable steps to prevent the pollution of the sea by the dumping of waste and other matter that is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea." (article I of the London Convention).

<sup>2</sup> "Contracting Parties shall individually and collectively protect and preserve the marine environment from all sources of pollution and take effective measures, according to their scientific, technical and economic capabilities, to prevent, reduce and where practicable eliminate pollution caused by dumping or incineration at sea of wastes or other matter. Where appropriate, they shall harmonize their policies in this regard." (article 2 of the London Protocol).

<sup>3</sup> In the 2013 Amendment, "marine geoengineering" is defined as "a deliberate intervention in the marine environment to manipulate natural processes, including to counteract anthropogenic climate change and/or its impacts, and that has the potential to result in deleterious effects, especially where those effects may be widespread, long lasting or severe." Resolution LP.4(8) – Amendments to article 1 – Definitions.

<sup>4</sup> London Protocol, article 21(3).

related geoengineering activities<sup>5</sup> that may affect biodiversity take place, until there is an adequate scientific basis on which to justify such activities and appropriate consideration of the associated risks for the environment and biodiversity and associated social, economic and cultural impacts, with the exception of small scale scientific research studies that would be conducted in a controlled setting in accordance with article 3 of the Convention, and only if they are justified by the need to gather specific scientific data and are subject to a thorough prior assessment of the potential impacts on the environment" and forthcoming decisions of CBD Parties;

**NOTING** the [IPCC Special Report of 2018 on Global Warming of 1.5°C](#), the [IPCC Special Report of 2019 on the Ocean and Cryosphere in a Changing Climate](#), and the [2019 GESAMP Report on a High Level Review of a Wide Range of Proposed Marine Geoengineering Techniques](#);

**NOTING** that knowledge on the effectiveness and potential environmental impacts of (mention/insert names of the marine geoengineering techniques to which this resolution should apply here) is currently insufficient to justify activities other than legitimate scientific research;<sup>6</sup>

[RECOMMENDS that LP Contracting Parties act voluntarily/on a voluntary basis in line with the following suggestions, pending the entry into force of the 2013 Amendment in a form that includes (mention/insert names of the marine geoengineering techniques to which the resolution should apply here) in Annex 4 of the 2013 Amendment]:

- (1) **[DECIDE/AGREE that/AFFIRM that]** for the purposes of this resolution, **Ocean Alkalinity Enhancement** means (insert definition here), **Ocean Sinking of Biomass for Carbon Storage** means (insert definition here), **Marine Surface Albedo Enhancement Involving Reflective Particles** means (insert definition here),
- (2) **[DECIDE/AGREE that/ AFFIRM that]** the scope of the LC and LP includes the three marine geoengineering activities mentioned in paragraph (1) to which this resolution should apply;
- (3) **[RESOLVE/AGREE that/ AFFIRM that]** in order to provide for legitimate scientific research, such research should be regarded as placement of matter for a purpose other than the mere disposal thereof under article III.1(b)(ii) of the LC and article 1.4.2.2 of the LP;
- (4) **[EMPHASIZE/AGREE that/ AFFIRM that]** scientific research proposals should be assessed on a case-by-case basis using the Assessment Framework outlined in Annex 5 of the 2013 Amendment (LP.4(8) (2013)) and other applicable

---

<sup>5</sup> Without prejudice to future deliberations on the definition of geoengineering activities, understanding that any technologies that deliberately reduce solar insolation or increase carbon sequestration from the atmosphere on a large scale that may affect biodiversity (excluding carbon capture and storage from fossil fuels when it captures carbon dioxide before it is released into the atmosphere) should be considered as forms of geoengineering which are relevant to the Convention on Biological Diversity until a more precise definition can be developed. It is noted that solar insolation is defined as a measure of solar radiation energy received on a given surface area in a given hour and that carbon sequestration is defined as the process of increasing the carbon content of a reservoir/pool other than the atmosphere.

<sup>6</sup> See paragraph 5 below for the definition of "legitimate scientific research".

Waste Assessment Guidelines<sup>7</sup> as appropriate, including the [Assessment Framework for Scientific Research Involving Ocean Fertilization](#) adopted in 2010 (LC-LP.2 (2010));

(5) **[RESOLVE/AGREE that/ AFFIRM that]** for the purposes of this resolution, legitimate scientific research should be defined as those proposals that have been assessed and found acceptable under the Assessment Framework as outlined in Annex 5 of the 2013 Amendment (LP.4(8) (2013));

(6) **[EMPHASIZE/AGREE that/ AFFIRM that]** consultations should be held as outlined in Paragraphs 10 – 12 of the Assessment Framework outlined in Annex 5 of the 2013 Amendment (LP.4(8) 2013)) to ensure transparency and objectivity;

(7) **[DECIDE/AGREE that/ AFFIRM that]**, given the present state of knowledge, any activities involving the [applicable] marine geoengineering activities as mentioned in paragraph (1), other than legitimate scientific research, [should not be allowed/ should be deferred; [To this end][Given the present state of knowledge], such other activities should be considered as contrary to the aims of the Convention and Protocol and not currently qualify for any exemption from the definition of dumping in article III.1(b) of the Convention and article 1.4.2 of the Protocol;] [given the present state of knowledge, any activities involving the [applicable] marine geoengineering activities [listed in paragraph (2)], other than legitimate scientific research, would be contrary to the aims of the Convention and Protocol and [should not be allowed / should be deferred]; and

(8) **NOTES** that this resolution should be reviewed at appropriate intervals in light of new and relevant scientific information and knowledge, pending the entry into force of the 2013 Amendment in a form that includes the marine geoengineering activities mentioned in paragraph (1) above to Annex 4 of the 2013 Amendment.

---

<sup>7</sup> The linked IMO webpage entitled "Waste Assessment Guidance" provides "Related Documents" at the top right, where several Waste Assessment Guidelines can be downloaded. See also "Waste Assessment Guidelines under the London Convention and Protocol: 2014 edition," which is available from IMO Publications, <https://www.imo.org/en/publications/Pages/Home.aspx>. Waste Assessment Guidelines cover various types of waste, including bulky items, carbon dioxide streams, dredged material, fish waste, inert inorganic geological material, organic material of natural origin, platforms and structures, sewage sludge and vessels.