

**CO2 SEQUESTRATION IN SUB-SEABED FORMATIONS:
CONSIDERATION OF PROPOSALS TO AMEND ANNEX 1 TO THE LONDON
PROTOCOL**

**Proposal to amend Annex 1 to the 1996 Protocol to the Convention on the Prevention of
Marine Pollution by Dumping of Wastes and Other Matter, 1972**

**Submitted by Australia
co-sponsored by France, Norway and the United Kingdom**

SUMMARY

- Executive summary:** This document contains a proposal to amend Annex 1 to the London Protocol. The proposed amendment seeks to add carbon dioxide streams from carbon dioxide processes for sequestration to the list of materials at Annex 1 to the Protocol, to allow the sequestration of this material in sub-seabed geological formations.
- Action to be taken:** Paragraph 9
- Related documents:** LC/SG-CO2 1/7 ; LC/CM-CO2 1/5

1 Australia notes the conclusions of the SG Intersessional Technical Working Group on CO₂, that ocean acidification, caused by high levels of anthropogenic CO₂, is a cause for serious concern and that the sequestration of carbon-dioxide streams in sub-seabed geological formations is one technically feasible waste management option (LC/SG-CO2 1/7).

2 Australia calls for an amendment of the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (the London Protocol), to remove any doubt that the Parties recognise the role of this type of sequestration as part of a suite of measures to tackle the challenges of climate change and ocean acidification.

3 Pursuant to Article 22 of the London Protocol, Australia, a Party to the Protocol, proposes that Annex 1 to the Protocol be amended to allow for the sequestration of captured carbon dioxide streams into sub-seabed geological formations. The full text of the proposed amendment is attached hereto at annex 1. This proposed amendment is to be treated as a single package.

4 Australia notes that the text of the proposed amendment reflects the deliberations of the CM Intersessional Legal and Related Issues Working Group on CO₂ Sequestration, during its meeting at IMO Headquarters from 10 to 12 April 2006. Australia further notes that these deliberations were informed by the SG Intersessional Technical Working Group on CO₂ Sequestration, during its meeting at IMO Headquarters from 3 to 7 April 2006.

5 Australia proposes that this amendment be adopted during the first Meeting of Contracting Parties serving as the meeting of the Parties to the London Protocol. Australia proposes that this amendment be adopted by resolution. The elements of a possible resolution are attached hereto at annex 2.

6 The Secretariat is requested to communicate promptly the text of this proposed amendment to the Parties to the London Protocol, but in no event later than six months before the first Meeting of Contracting Parties, in accordance with Article 22.1, and to take such additional actions as may be required by the London Protocol and/or the applicable Rules of Procedure being applied, to enable adoption of this amendment by the Contracting Parties at their first Meeting. Australia further requests that the adoption of this proposed amendment to the London Protocol be placed on the provisional agenda of the first Meeting of Contracting Parties.

7 Australia reserves the right to call for the adoption of the proposed amendment as detailed at annex 1, or a similar text with any minor variations as agreed between Parties prior to adoption of the amendment, at the first Meeting of Contracting Parties.

8 This proposal, prepared by Australia, is co-sponsored by France, Norway and the United Kingdom. Australia invites other Parties to the Protocol to co-sponsor either the amendment proposal at annex 1, or the possible resolution at annex 2, or both. Accordingly, Australia requests the Secretariat to:

- .1 inform Parties that the proposal is open to co-sponsorship;
- .2 promptly inform Parties in the event that the amendment proposal has been co-sponsored by two-thirds of the Parties to the London Protocol; and
- .3 circulate to Parties a list of co-sponsors of this amendment proposal immediately prior to the first Meeting of Contracting Parties.

Action requested of the Meeting of Contracting Parties

9 The Meeting of Contracting Parties is invited to consider the amendment in this document with a view to its adoption.

ANNEX 1**PROPOSED AMENDMENT TO ANNEX 1 TO THE LONDON PROTOCOL**

1.8 Carbon dioxide streams from carbon dioxide capture processes for sequestration

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4 Carbon dioxide streams referred to in paragraph 1.8 may only be considered for dumping, if:

- .1 disposal is into a sub-seabed geological formation; and
- .2 they consist overwhelmingly of carbon dioxide. They may contain incidental associated substances derived from the source material and the capture and sequestration processes used; and
- .3 no wastes or other matter are added for the purpose of disposing of those wastes or other matter.

In paragraph 3, replace "1.7" with "1.8", to take account of the new paragraph 1.8.

ANNEX 2**ELEMENTS OF A RESOLUTION TO ADOPT THE PROPOSED AMENDMENT**

Recalling the objectives of the 1996 Protocol to the London Convention ("London Protocol") that include the protection and preservation of the marine environment from all sources of pollution;

Seriously concerned by the implications for the marine environment of climate change and ocean acidification, due to elevated concentrations of carbon dioxide in the atmosphere;

Considering that carbon dioxide capture and sequestration is one of a portfolio of options to reduce levels of atmospheric carbon dioxide;

Noting that the scope to facilitate such action is within the mandate of the London Protocol;

Noting that, since the adoption of the London Protocol, developments in technology have made it practical to capture carbon dioxide from industrial and energy-related sources, transport it and inject it into sub-seabed geological formations for long-term isolation from the atmosphere;

Welcoming the work of the CM Intersessional Legal and Related Issues Working Group on CO₂ Sequestration and its conclusions, as set out in its report LC/CM-CO₂ 1/5;

Welcoming the work of the SG Intersessional Technical Working Group on CO₂ Sequestration and its conclusions, as set out in its report LC/SG-CO₂ 1/7;

Welcoming the work of the Intergovernmental Panel on Climate Change and in particular its Special Report on Carbon Capture and Storage

Desiring to facilitate and regulate the sequestration of captured carbon dioxide streams into sub-seabed geological formations to seek to ensure protection of the marine environment;

Desiring to update the London Protocol in light of these objectives;

Stressing that this amendment may not be interpreted as legitimizing the disposal of any other waste or other matter for the purpose of disposing of those other wastes or other matter;

1 *Adopts* the following amendment to Annex 1 to the London Protocol in accordance with Article 22 of the Protocol: (shown in annex 1 of this document).

2 *Requests* the Scientific Group of the London Protocol to consider the development of further guidance on the application of Annex 2 to the Protocol to carbon dioxide sequestration for consideration by the 2nd Meeting of Contracting Parties, and to collaborate with the Scientific Group of the London Convention, with the aim of developing common guidance on this subject as far as possible.