



Sixty-fourth session
Agenda item 76 (a)

Resolution adopted by the General Assembly on 4 December 2009

[without reference to a Main Committee (A/64/L.18 and Add.1)]

64/71. Oceans and the law of the sea

132. *Recalls* the resolution of the thirtieth Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (“the London Convention”) and the third Meeting of Contracting Parties to the London Protocol, held from 27 to 31 October 2008, on the regulation of ocean fertilization,^{58F 59} in which the Contracting Parties agreed, inter alia, that the scope of the London Convention and Protocol includes ocean fertilization activities and that, given the present state of knowledge, ocean fertilization activities other than for legitimate scientific research should not be allowed, and that scientific research proposals should be assessed on a case-by case basis using an assessment framework to be developed by the scientific groups under the London Convention and Protocol, and also agreed that, to this end, such other activities should be considered as contrary to the aims of the London Convention and Protocol and should not currently qualify for any exemption from the definition of dumping in article III, paragraph 1(b), of the London Convention and article 1, paragraph 4.2, of the London Protocol;

133. *Also recalls* decision IX/16 C adopted at the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity,⁵¹ in which the Conference of the Parties, inter alia, bearing in mind the ongoing scientific and legal analysis occurring under the auspices of the London Convention and Protocol, requested parties and urged other Governments, in accordance with the precautionary approach, to ensure that ocean fertilization activities were not carried out until there was an adequate scientific basis on which to justify such activities, including an assessment of associated risks, and that a global, transparent and effective control and regulatory mechanism was in place for those activities, with the exception of small-scale scientific research studies within coastal waters, and stated that such studies should be authorized only if justified by the need to gather specific scientific data, should be subject to a thorough prior assessment of the potential impacts of the research studies on the marine environment, should be strictly controlled and should not be used for generating and selling carbon offsets or for any other commercial purposes;