

## **TERMS OF REFERENCE FOR THE HELCOM EXPERT GROUP ON ENVIRONMENTAL RISKS OF HAZARDOUS SUBMERGED OBJECTS (HELCOM SUBMERGED) (AGREED BY HELCOM HOD 43/2013<sup>1</sup>)**

The work of the Expert Group HELCOM SUBMERGED (HELCOM expert group on environmental risks of hazardous submerged objects) will be carried out under the supervision of HELCOM RESPONSE and will be based on the framework terms of reference described below.

### **Background**

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- HELCOM is responsible for monitoring the status of the Baltic Sea Ecosystem and, as deemed necessary, for deciding on respective protective measures.
- According to the Work Programme of HELCOM RESPONSE, the group is *inter alia* responsible for collecting additional information on dumped chemical munitions.
- In 1995 the HELCOM Final Report of the *ad hoc* Working Group on Dumped Chemical Munitions (HELCOM CHEMU report) was presented to HELCOM 16.
- Mindful of the time period since 1995 and in particular of the technical and scientific developments and new available information such as actual investigations and research programs, further information provided by other organizations/companies and as well as with regard to reported incidents (including discovery of phosphorus on beaches), the *Ad Hoc* Expert Group To Update And Review The Existing Information On Dumped Chemical Munitions In The Baltic Sea (HELCOM MUNI) was tasked with the elaboration of an updated report by the HELCOM Ministerial Meeting in 2010:
  - ✓ compile all kinds of additional information on dumping activities especially after the World War II;
  - ✓ check whether the general conclusions of the „CHEMU-report“ are still valid;
  - ✓ check whether all recommendations as set out in the „CHEMU-report“ are fulfilled in a satisfactory way;
    - identify obstacles that may have led to unsatisfactory fulfillment;
    - develop additional recommendations (including the need for further research) as deemed necessary;
    - use suitable models in order to assess the ecological risks related to sea dumped chemical munitions;
    - update or as deemed necessary, develop Guidelines for affected groups e.g. fishermen, based on existing national guidelines;
  - ✓ together with lead country Denmark review the existing reporting system with the aim of involving HELCOM Contracting Parties more actively into reporting obligations.
- A close link was established between the work of HELCOM MUNI and the implementation process of the Remediation and mitigation Action of the EUSBSR PA Hazard, Flagship Project “Assess the need to clean up chemical weapons”, led by Poland (i.a., regarding the possible upcoming need for research funding). This project aims to assess the need to clean up

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<sup>1</sup> HOD 50-2016 approved the prolongation of the work of SUBMERGED until the end of 2018 with the change that for clarity the Group moves from standing Chairs to topic chairmanship, using the currently identified topic leads (munitions: Germany and Poland, wrecks: Finland) as rotating Chairs (c.f. paragraph 4.103 of the outcome of the meeting).

contaminated wrecks and dumped chemical munition where it is required to protect sensitive marine ecosystems, taking into account earlier and present work carried out by HELCOM. Furthermore, commitments that have been made in the framework of the Baltic Sea Action Summit on February 10, 2010, in Helsinki were included into the work of HELCOM MUNI (e.g., commitments from Lithuania and Nord Stream).

- The HELCOM MUNI report will be presented at the 34<sup>th</sup> Annual Meeting of the Helsinki Commission in 2013 and, when approved, will supersede the HELCOM CHEMU report.

### **Current state of affairs**

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- Technical and scientific developments and research projects (e.g., the EU-funded research program CHEMSEA) are currently ongoing.
- Taking further into account that Contracting Parties are conducting various activities on a national level continuously adding to the existing state of knowledge, HELCOM MUNI concluded that its report should only be considered as a step in an ongoing process. Periodical updates of the report will become necessary when significant new findings will be made available.
- With regard to the increasing utilization of the seafloor for economic purposes (e.g., offshore wind farms, sea cables, pipelines), the likelihood of encountering the hazardous legacy of the sea-dumped munitions is increasing. Incidents which involve legacy munitions occur every year in the Baltic Sea. The increasingly evident conflict between new and old usages of the seafloor necessitates the availability of *forward-looking* options to achieve a definite solution of these problems.
- White phosphorus has been found washed out on the beaches of the southern Baltic Sea and poses a risk for beach visitors.
- Numerous wrecks containing harmful substances including oil have been identified within national hydrographic surveys and other activities, with some of these objects located close to natural amenities and recreational areas.
- The HELCOM MUNI suggested that its report should be updated when significant new findings become available. Therefore the establishment of a new expert group HELCOM SUBMERGED under the responsibility of HELCOM RESPONSE is recommended. The Terms of Reference should encompass all kinds of submerged hazardous objects, containing harmful substances, including oil, lost or dumped packed dangerous goods (e.g. containers), munitions and warfare materials, which may affect the environment and other activities in the Baltic Sea.

### **Tasks and Organization**

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- Concerning tasks, HELCOM SUBMERGED will
  - proceed from the foundation of information, conclusions and recommendations provided by the HELCOM MUNI report and other relevant studies;
  - compile and assess information about all kinds of hazardous objects, including contaminated wrecks, lost or dumped packed dangerous goods (e.g. containers), dumped hazardous waste, munitions and warfare materials which may affect the environment and other activities in the Baltic Sea (e.g., human beings involved in shipping and offshore construction) and assess the associated risks;

- produce a one off HELCOM thematic assessment on environmental risks of hazardous submerged objects covering contaminated wrecks, lost or dumped dangerous goods (e.g. containers), chemical munitions and other objects;
  - seek co-operation with OSPAR relating to such objects dumped close to the HELCOM area which could affect the convention area (e.g., in the Kattegat and Skagerrak areas);
  - compile and maintain statistics of reported incidents with lost cargoes, contaminated wrecks and dumped munitions or hazardous waste, as well as review and adjust the reporting and information system for incidents, as deemed necessary;
  - on periodic basis, or as need arises,
    - check the validity and, as deemed necessary, update previously issued conclusions;
    - check and facilitate the implementation of previously issued recommendations;
    - update previously issued recommendations or develop additional recommendations as deemed necessary, e.g. the specific needs for further research;
    - issue updated information when new significant findings become available;
  - develop and maintain, as well as monitor application of a HELCOM toolbox for assessment of site-specific environmental risks related to potential abandonment, relocation and intended recovery or clean-up of dumped munitions and contaminated wrecks;
  - update previously issued Guidelines or develop new Guidelines for all potentially affected groups, as deemed necessary, taking into account existing national guidelines and contingency plans;
  - develop and maintain procedures for training of crews of response vessels that can be engaged in emergency response actions involving dumped munitions;
  - develop and maintain a knowledge collection of best available technologies on dealing with lost packed chemical cargoes, dumped munitions and contaminated wrecks and dangerous waste;
  - follow and interact with national and international (research) projects and ensure transfer of knowledge and products (e.g., with the currently ongoing CHEMSEA projects and the International Dialogue on Underwater Munitions).
- Concerning organizational matters, the Expert Group will:
    - be chaired by a Chairperson, to be elected at the first meeting;
    - have the option to invite experts to officially join the Expert Group;
    - as far as possible work via correspondence, and convene as need arises, and will organize their meetings thematically to ensure participation of experts on specific topics, and
    - report at least once every year to HELCOM RESPONSE by written procedure or through representation.
  - HELCOM Contracting Parties and HELCOM Observer Organizations are invited to actively participate in the work of HELCOM SUBMERGED.

### **Timeline**

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The Expert Group is established for three year period<sup>1</sup>. Prolongation of the expert group should be considered at the end of the three year period and based on the results of the work.