

## **International Regulations Briefing for Marine Environment Protection Committee 69<sup>th</sup> Session**

**Monday, 18 to Friday, 22 April 2016**

### **1 Adoption of the agenda**

The sixty-ninth session of the Marine Environment Protection Committee was held at IMO Headquarters from 18 to 22 April 2016, under the chairmanship of Mr. A. Dominguez (Panama). The Vice-Chairman of the Committee, Mr. H. Saito (Japan), was also present.

The Secretary-General welcomed participants and delivered his opening address, the full text of which can be downloaded from the IMO website at the following link:

<http://www.imo.org/en/MediaCentre/SecretaryGeneral/Secretary-GeneralsSpeechesToMeetings/Pages/MEPC-69-opening.aspx>

The Committee adopted the agenda for the session and agreed to be guided by the provisional timetable, on the understanding that it was subject to adjustments depending on the progress made each day.

### **2 Decisions of other bodies**

MEPC noted the decisions of MSC95, Council 114 and Assembly 29 and agreed to take action as appropriate under the relevant agenda items.

### **3 Consideration and adoption of amendments to mandatory instruments**

The Committee was invited to consider and adopt proposed amendments to:

- MARPOL Annex II, related to the revised GESAMP Hazard Evaluation Procedure; MEPC agreed that the amendments should come into force on 1 Sep 2017.
- MARPOL Annex IV, related to the Baltic Sea Special Area; The Committee agreed to consider the draft amendments to MARPOL Annex IV regarding the Baltic Sea Special Area, together with the associated documents (see item 10).
- MARPOL Annex VI, amendments related to record requirements for operational compliance with NOX Tier III emission control areas; MEPC agreed that the amendments should come into force on 1 Sep 2017.
- NOX Technical Code 2008, related to the testing of gas-fuelled and dual fuel engines for the NOX Tier III strategy; MEPC agreed that the amendments should come into force on 1 Sep 2016.

### **4 Harmful aquatic organisms in ballast water**

The Committee noted that the number of Contracting Governments to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention) on 18 April 2016 was 49, representing 34.79% of the world's merchant fleet tonnage. The Committee urged those States which have not yet ratified the Convention to do so at the earliest possible opportunity.

The remainder of this item concerned type approved convention shipping ballast water management systems and proposed amendments to the BWM Convention; as such there was little of concern for World Sailing.

### **5 Air pollution and energy efficiency**

This item dealt with fuel quality and the legal framework in MARPOL Annex VI for assuring the quality of fuel oil for use on board ships. No agreement was reached and there is little of interest to World Sailing.

### **6 Further technical and operational measures for enhancing the energy efficiency of international shipping**

This item dealt with an intersessional meeting of the Working Group on further technical and operational measures for enhancing energy efficiency, which was held at IMO Headquarters from 9 to 11 September 2015. Again there is little of interest for World Sailing.

### **7 Reduction of GHG emissions from ships**

This item considered the outcomes of the United Nations Climate Change Conferences held in Bonn, Germany, in June, August and October 2015; and in Paris, France, from 30 November to 11 December 2015. The MEPC then discussed reduction targets for international shipping and “fair share”. MEPC recognised that IMO is an outstanding organization but to remain credible a work plan needs to be developed, otherwise the issue will be dealt with elsewhere!

### **8 Amendments to MARPOL Annex V, Form of Garbage Record Book**

This item is of no interest to World Sailing

### **9 Use of electronic record books**

This item concerned the use of electronic record books under MARPOL and is of no interest to World Sailing

### **10 Identification and protection of Special Areas and PSSAs**

Under this item MEPS considered:

Designation of the Tubbataha Reefs Natural Park as a PSSA; this was supported and passed to the Technical Group on PSSAs, for review, with a view to assessing whether it meets the provisions of the Revised Guidelines for the identification and designation of Particularly Sensitive Sea Areas

Use of Ecologically or Biologically Significant Marine Areas (EBSA) criteria for PSSAs to aid in the review of existing or identification of prospective PSSAs, with the aim to enhance the PSSA designation process. A comparative analysis of their criteria highlighted that both EBSAs and PSSAs share common features related to ecological sensitivity; however, they were no substitute for the PSSA criteria which include socio-economic aspects as well as assessing an area's vulnerability to impacts from international shipping. In view of this it is suggested that, when considering potential PSSAs in future, interested parties should

consider EBSAs as a valuable reference tool to support the use of the Revised PSSA Guidelines.

Minimizing ship strikes to cetaceans. Following discussion, the Committee noted the information provided and encouraged Member Governments to assist in making mariners and authorities aware of the ship strike issue, including reporting any incidents to the IWC Ship Strike Database<sup>5</sup> in order to improve understanding of the issue and inform mitigation measures.

The establishment of effective dates and other issues related to the Baltic Sea Special Area under MARPOL Annex IV was also discussed under this item this related to the disposal of sewage in shore-side facilities and is of little concern to World Sailing.

### **11 Inadequacy of reception facilities**

This concerned the adequacy or otherwise of port facilities and approval of the "Port reception facilities – How to do it" manual.

### **12 Pollution prevention and response**

The Committee noted that, due to the close proximity of PPR 3 and MEPC 69 and in accordance with the Committees' Guidelines, the outcome of PPR 3 would be reported to MEPC 70, However, MEPC 69 was asked to note and approve three urgent actions; these are considered under agenda item 19 (see paragraphs 19.8 and 19.9).

### **13 Reports of other sub-committees**

Under this item MEPC noted and, in general, approved the report of the second session of the Sub-Committee on Implementation of IMO Instruments and took action on a wide range of issues that are of little interest to World Sailing.

### **14 Promotion of implementation and enforcement of MARPOL and related instruments**

This is a standing item on the MEPC work programme with the purpose of fostering compliance and promoting the implementation of MARPOL and other related instruments, mandatory or recommendatory. However it concerns pollution prevention equipment for machinery space bilges of ships and provisions for sewage treatment plants and is of no interest for World Sailing.

### **15 Technical cooperation activities for the protection of the marine environment**

This item noted the IMO activities that were aimed at assisting Member States in the implementation of the provisions of relevant IMO Conventions (AFS, BWM, MARPOL, OPRC, OPRC-HNS, Ship Recycling), also including the London Protocol related to the protection of the marine environment. The Committee also noted with appreciation the financial support from the European Union to implement a new global project on "Capacity Building for Climate Mitigation in the Maritime Shipping Industry".

The Secretary-General, recalling that the central theme of his election campaign had been "A voyage together", similar to the UN's sustainable development goals pledge "No one left behind", stated

that while rule-making was very important, effective implementation was even more important, and that in order to have effective implementation, proper capacity building programmes should be developed for those Member States in need of such technical cooperation.

#### **16 Capacity building for the implementation of new measures**

Generally, amendments to mandatory instruments and to outputs related to mandatory instruments had been found to have no capacity-building implications. However, there was an identified need for technical assistance related to updates to domestic legislation that could be undertaken through the Organization's technical cooperation and assistance to Member States.

MEPC 69 asked the Vice-Chairman, in consultation with the Chairman and with the assistance of the Secretariat, to submit to MEPC 70 a preliminary assessment of capacity-building implications or technical assistance needs related to the amendments to mandatory instruments and the new outputs related to proposed new measures approved at the current session.

#### **17 Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments as identified by the SG-RAR**

This item considered notification and circulation through the Global Integrated Shipping Information System (GISIS) and encouraged Member Governments to use GISIS modules to fulfil relevant reporting requirements. As such the item is of no interest to World Sailing.

#### **18 Application of the Committees' Guidelines**

The Committee noted that Assembly had adopted, inter alia, the resolution on Application of the Strategic Plan and the High-level Action Plan of the Organization, which requested the Council and the committees to review and revise, during the 2016-2017 biennium, their guidelines on the organization and method of work, taking account of the resolution, as appropriate.

#### **19 Work programme of the Committee and subsidiary bodies**

The Committee noted that MEPC 70 and MEPC 71 have been scheduled to take place from 24 to 28 October 2016 and from 8 to 12 May 2017, respectively.

#### **20 Any other business**

There were no items of additional business of interest to World sailing.

#### **21 Action requested of other IMO bodies**

The actions were requested of the Council and of MSC; nothing under this item affects World Sailing.