

REPORT ON THE OUTCOME OF THE SEVENTY THIRD SESSION OF THE IMO MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC 73)

Action Required: IR Commission members are invited to note the relevant outcomes of MEPC 73.

MEPC 73 was held at IMO Headquarters, London from 22 to 26 October 2018.

The agenda for the meeting was as follows:

1. Adoption of the agenda
2. Decisions of other bodies
3. Consideration and adoption of amendments to mandatory instruments
4. Harmful aquatic organisms in ballast water
5. Air pollution and energy efficiency
6. Further technical and operational measures for enhancing energy efficiency of international shipping
7. Reduction of GHG emissions from ships
8. Development of an action plan to address marine plastic litter from ships
9. Development of measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters
10. Identification and protection of Special Areas, ECAs and PSSAs
11. Pollution prevention and response
12. Reports of other sub-committees
13. Technical co-operation activities for the protection of the marine environment
14. Capacity building for the implementation of new measures
15. Work programme of the Committee and subsidiary bodies
16. Application of the Committee's method of work
17. Election of the Chair and Vice-Chair
18. Any other business
19. Consideration of the report of the Committee

Three working groups, one drafting group and one review group were established as follows:

- Working Group on Air pollution and energy efficiency.
- Working Group on Reduction of GHG emissions from ships.
- Working Group on Marine Plastic Litter.
- Drafting Group on Amendments to Mandatory Instruments.
- Review Group on Ballast Water Management.

The agenda items of possible interest from the meeting are summarised below.

4. Harmful aquatic organisms in ballast water

The BWM Convention entered into force on 8 September. The number of Contracting Governments was currently 79, representing 80.94% of the world's merchant fleet tonnage.

MEPC 73 adopted resolution MEPC.306(73) on Amendments to the Guidelines for ballast water management and development of ballast water management plans, inviting Governments to apply the Guidelines, as amended, as soon as possible and agreed to keep the Guidelines, as amended, under review. No mention was made of MEPC.1/Circ.792 on the "*Guidance for minimizing the transfer of invasive aquatic species as biofouling (hull fouling) for recreational craft*" or plans to amend these guidelines.

5. Air pollution and energy efficiency

Impact of MARPOL Annex VI NOX Tier III requirements on large yachts

MEPC had for its consideration the following documents:

- MEPC 73/INF.6 (ICOMIA), providing the full report of a recent study on the re-assessment of the impact of NOX Tier III requirements on large yachts of less than 500 gross tonnage which were designed and used solely for recreational purposes; and
- MEPC 73/5/11 (ICOMIA), providing additional information relating to this study and indicating ICOMIA's intention to propose to MEPC 74 a further delay of five years on the application of NOX Tier III emission requirements to yachts of 24 m or over and less than 500 gross tonnage.

Following consideration, MEPC, having noted the information provided by ICOMIA by way of the documents above, agreed that should Parties to MARPOL Annex VI wish to pursue a further delay of application of relevant regulations, a proposal for amendments to MARPOL Annex VI should be submitted to a future session of the Committee, and noted that such a proposal would not require a new output. ICOMIA undertook to respond to MEPC74.

8. Development of an action plan to address marine plastic litter from ships

It was noted that MEPC 72 had agreed to include a new output – "Development of an action plan to address marine plastic litter from ships" – in the 2018-2019 biennial agenda of MEPC with a target completion of 2020.

MEPC noted support for the establishment of a working group to consider the proposals submitted to MEPC73 with a view to developing a robust, outcomes-focused and measurable action plan to address marine plastic litter from ships. The Committee noted that it should be clear in its objectives and scope, set clear timelines, and provide a review and evaluation mechanism.

There was general support for IMO playing a leading role in further action to reduce marine plastic litter from ships. In relation to fishing vessels, there was agreement that the Organization should work closely with FAO in order to maximize the effectiveness of any measures addressing fishing vessels and/or fishing gear in relation to marine plastic litter and to minimize duplication of effort.

The Committee noted comments from several delegations highlighting the proposed measures that were considered important for inclusion in an action plan to address marine plastic litter from ships. In general, this included the need for further discussions on the issue of microplastics entering the marine environment via grey water; enhancing the use and regulation of reception facilities; the need to consider enhancing the enforcement of fishing vessels in relation to MARPOL Annex V; and how to address the issue of containers lost at sea.

Having noted broad support for the establishment of a Working Group, it was agreed that all proposals and comments that had been put forward under this agenda item should be referred to the Working Group for detailed consideration., however due to the volume of work it was also agreed to establish a correspondence group to continue work intersessionally on the issue under the coordination of the United Kingdom.

Reporting of containers lost at sea

With regard to containers lost at sea, MEPC 73 noted that the Working Group had agreed that the establishment of an obligation to report timely, specific and relevant identification and location information of containers lost at sea would not only have a positive impact on understanding the contribution of lost containers to marine plastic pollution but also potentially improve safety of navigation and the safety of fishing vessels.

The Committee also noted that the Working Group was uncertain as to whether MARPOL or SOLAS would be the more appropriate instrument to introduce a requirement for reporting containers lost at sea.

Consequently, MEPC 73 agreed to invite the Maritime Safety Committee to consider the establishment of a mandatory system for reporting containers lost at sea, taking into account the discussions of the Working Group on Marine Plastic Litter on this matter.

10 Identification and Protection of Special Areas, ECAs and PSSAs

MEPC noted information provided by Indonesia on the recent progress of the development of a PSSA proposal for the protection of Nusa Penida Islands in the Lombok Strait.

18 any Other Business

Transfer of invasive aquatic species through ships' biofouling

It was noted that MEPC 72 had agreed to review the 2011 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species (resolution MEPC.207(62)) but there was a view that the existing regulations and requirements related to the transfer of invasive aquatic species, such as the AFS and BWM Conventions and the Biofouling Guidelines, did not fully address the issue due to the absence of legal and mandatory measures on the prevention of transfer of invasive aquatic species outside of those present in ships' ballast water.

Several delegations agreed with the need to review the absence of regulatory measures on all potential pathways to prevent the transfer of invasive aquatic species by ships, and also highlighted that this should be discussed further by the Pollution Prevention and Response (PPR) Sub-Committee in conjunction with the review of the Biofouling Guidelines. A number of delegations also highlighted the contribution of effective hull cleaning in both reducing the transfer of invasive species and enhancing the energy efficiency of ships.

The Committee concluded by referring the issue to the PPR Sub-Committee for further consideration under the new output on the review of the Biofouling Guidelines.

Efforts to reduce underwater noise from commercial shipping

MEPC 73 recalled that MEPC 72 had encouraged Member States to continue to share their experiences in dealing with the reduction of underwater noise from shipping. In this connection, the Committee considered a submission from Canada and New Zealand on furthering international efforts to reduce the adverse impacts of underwater noise from commercial ships. An international workshop was to be held at IMO Headquarters from 30 January to 1 February 2019 on current and future quiet ship design. Several delegations expressed support for the workshop and further highlighted their concurrence on the importance of this issue to the protection of the marine environment.

MEPC 73 further noted information provided on highlighting scientific studies on shipping's contribution to underwater noise and the impact of underwater noise on marine species; and on their activities in relation to underwater noise.