

Covering a packed agenda when it met for its 61st session from 27 September to 1 October, 2010 in London, the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO), progressed its work on a number of important issues, including the reduction of emissions of greenhouse gases from ships, the adoption of the revised MARPOL Annex III, the approval of a revised text for MARPOL Annex V, and the implementation of the ballast water and ship recycling conventions.

## **Reduction of emissions of greenhouse gases from ships**

**Technical and operational measures:** Having considered means by which technical and operational measures could be introduced in the Organization's regulatory regime, the Committee noted the intention of some States party to MARPOL Annex VI - Regulations for the prevention of air pollution from ships, to request the Secretary-General to circulate proposed amendments to that Annex, to make mandatory, for new ships, the Energy Efficiency Design Index (EEDI) and the Ship Energy Efficiency Management Plan (SEEMP)), both of which have already been disseminated for voluntary use. The circulated draft amendments would then be considered by the Committee's next session, in July 2011, with a view to adoption under MARPOL Annex VI. The Committee also noted, however, that some other States did not support the circulation of the proposed amendments.

Although decisions as to how to proceed with the next step of IMO's climate change strategy were not reached by consensus, nevertheless the Committee made progress on all three elements of its work, namely technical, operational and market-based measures, and it is expected that further substantial progress will continue to be made at the July 2011 meeting.

The EEDI is a non-prescriptive, performance-based mechanism that leaves the choice of technologies to use in a specific ship design to the industry. As long as the required energy-efficiency level is attained, ship designers and builders would be free to use the most cost-efficient solutions for the ship to comply with the regulations.

The SEEMP establishes a mechanism for a shipping company and/or a ship to improve the energy efficiency of ship operations.

**Market-based measures:** The Committee also held an extensive debate on how to progress the development of suitable market-based measures (MBMs) for international shipping, following the submission of a comprehensive report by an Expert Group, which had carried a feasibility study and impact assessment of several possible market-based measures submitted by governments and observer organizations.

The scope of the work of the Expert Group was to evaluate the various proposals on possible MBMs, with the aim of assessing the extent to which they could assist in reducing GHG emissions from international shipping, giving priority to the maritime sectors of developing countries, least developed countries (LDCs) and Small Island Developing States (SIDS). The MBM proposals under review ranged from a contribution or levy on all CO<sub>2</sub> emissions from international shipping or only from those ships not meeting the EEDI requirement, via emission trading systems, to schemes based on a ship's actual efficiency, both by design (EEDI) and operation (SEEMP).

The Committee agreed Terms of Reference for an intersessional meeting of the Working Group on GHG Emissions from Ships, to be held in March 2011, tasking the group with providing an opinion on the compelling need and purpose of MBMs as a possible mechanism to reduce GHG emissions from international shipping and further evaluating the proposed MBMs considered by the Expert Group, including the impact of the proposed MBMs on, among others, international trade, the maritime sector of developing countries, LDCs and SIDS, as well as the corresponding environmental benefits. A report from the intersessional group will be submitted to MEPC 62 in July 2011.

### **Revised MARPOL Annex III to prevent pollution from packaged goods adopted**

The revised MARPOL Annex III Regulations for the prevention of pollution by harmful substances carried by sea in packaged form was adopted by consensus during the session and is expected to enter into force on 1 January 2014 in order for changes to the Annex to coincide with the next update of the mandatory International Maritime Dangerous Goods (IMDG) Code, specifying that goods should be shipped in accordance with relevant provisions.

### **Revised MARPOL Annex V text approved**

The MEPC approved, with a view to adoption at its next session, amendments to revise and update MARPOL Annex V Regulations for the prevention of pollution by garbage from ships, following a comprehensive review of this Annex.

The main changes include the updating of definitions; the inclusion of a new requirement specifying that discharge of all garbage into the sea is prohibited, except as expressly provided otherwise (the discharges permitted in certain circumstances include food wastes, cargo residues and water used for washing deck and external surfaces containing cleaning agents or additives which are not harmful to the marine environment); expansion of the requirements for placards and garbage management plans to fixed and floating platforms engaged in exploration and exploitation of the sea-bed; and the proposed addition of discharge requirements covering animal carcasses.

### **Ballast water management systems approved**

After consideration of the reports of the thirteenth and fourteenth meetings of the Joint Group of Experts on the Scientific Aspects of Marine Environment Protection (GESAMP) Ballast Water Working Group, which met in May and July 2010, respectively, the MEPC granted Final Approval to six ballast water management systems that make use of active substances and Basic Approval to three such systems.

The MEPC also approved circulars on the Framework for determining when a Basic Approval granted to one BWMS may be applied to another system that uses the same Active Substance or Preparation and Guidance for Administrations on the type approval process for ballast water management systems in accordance with the G8 Guidelines (for approval of ballast water management systems).

The MEPC reiterated the need for countries to ratify the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004, to achieve its entry into force at the earliest opportunity. To date, 27 States, with an aggregate merchant shipping tonnage of 25.32 per cent of the world total, have ratified the Convention. The Convention will enter into force twelve months after the date on which not fewer than 30 States, the combined merchant fleets of which constitute not less than 35 percent of the gross tonnage of the world's merchant shipping, have become Parties to it.

The MEPC noted the conclusion of the Review Group on Ballast Water Treatment Technologies (BWRG) that, for ships with ballast water capacity up to 5,000 cubic metres, including those constructed in 2011, there are sufficient technologies available to meet the requirements of the Convention and their number is increasing.

### **Emission Control Area proposal put forward to next session for adoption**

The MEPC approved a proposal to designate certain waters adjacent to coasts of Puerto Rico (United States) and the Virgin Islands (United States) as an ECA for the control of emissions of nitrogen oxide (NOX), sulphur oxide (SOX), and particulate matter under MARPOL Annex VI Regulations for the prevention of air pollution from ships and agreed to consider the proposal for adoption at its next session.

Currently, there are two designated ECAs under Annex VI, the Baltic Sea area and the North Sea area, while a third area, the North American ECA, was adopted in March 2010, with expected entry into force in August 2011.

### **Recycling of ships**

The MEPC continued its work on developing guidelines intended to assist ship recycling facilities to commence introducing voluntary improvements to meet the requirements of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, which was adopted in May 2009.

It was agreed to re-establish the intersessional Correspondence Group on Ship Recycling to further develop the draft Guidelines for safe and environmentally sound ship recycling, Guidelines for the development of the Ship Recycling Plan and Guidelines for the authorization of Ship Recycling Facilities.

The Committee encouraged Governments to ratify the Convention, which has been signed, subject to ratification, by five countries, and to review the programme for technical assistance aimed at supporting its early implementation.

### **Annex IV special area proposal approved**

The MEPC approved draft amendments to amend MARPOL Annex IV Prevention of pollution by sewage from ships to include the possibility of establishing "Special Areas" for the prevention of such pollution and to designate the Baltic Sea as a Special Area under this Annex. The amendments will be considered for adoption at the next session.

### **Revised IAPP form supplement adopted**

The MEPC adopted amendments to MARPOL Annex VI Regulations on the prevention of air pollution from ships to amend the Form of Supplement to the International Air Pollution Prevention (IAPP) Certificate.

The revised form is intended to clearly and precisely document the extent of a ship's compliance with regulations 4 and 14 of MARPOL Annex VI regarding sulphur oxide (SO<sub>x</sub>) values, or the possibility of using equivalent arrangements, outside or inside an Emission Control Area (ECA). The revised form is expected to enter into force on 1 February 2012 but the Committee noted that Member Governments have been invited to use the revised form of Supplement to the IAPP Certificate at the earliest possible opportunity.

The MEPC also adopted revised Guidelines for monitoring the worldwide average sulphur content of residual fuel oils supplied for use on board ships.

### **PSSA for Strait of Bonifacio to be further considered at next session**

The MEPC considered a proposal submitted by France and Italy to designate the Strait of Bonifacio as a Particularly Sensitive Sea Area (PSSA), and noted that the overwhelming majority of delegations that spoke agreed with the proposal, in principle, subject to a review by the Technical Group on PSSAs, which will be convened at the Committee's next session. In the meantime, the proponents were invited to also submit their proposals for associated protective measures to the Sub-Committee on Safety of Navigation for its consideration.

### **Implementation of the OPRC Convention and OPRC-HNS Protocol**

The MEPC considered the report of the eleventh meeting of the OPRC HNS Technical Group, held in the week prior to the Committee's session, and approved the following draft texts developed by the Technical Group: the revised Manual on oil pollution, Section I - Prevention and the Guidance document on the implementation of an incident management system.