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COUNCIL  
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Agenda item 31(b)

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## ASSEMBLY MATTERS

### (b) Preparations for the twenty-third regular session of the Assembly

#### A two-day extra session of MEPC during the Assembly

#### Note by the Secretary-General

#### SUMMARY

**Executive summary:** This document presents a proposal by the Secretary-General for a two-day extra session of the MEPC during the Assembly with a view to consideration for adoption of the proposed amendments to Annex I of MARPOL 73/78.

**Action to be taken:** Paragraph 10

**Related documents:** None

1 In the aftermath of the sinking of the tanker **Prestige** off the west coast of Spain in November 2002, the Secretary-General has, on various occasions, expressed the firm view that IMO should always and without exception be regarded as the only forum where safety and pollution prevention standards affecting international shipping should be considered and adopted.

2 In response to the Secretary-General's invitation for submission of proposals for consideration by the Organization, he has received, on 10 April 2003, proposals to amend Annex I of MARPOL 73/78 for further acceleration of the single-hull tanker phase-out scheme and other relevant measures from Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, The Netherlands, Portugal, Spain, Sweden and the United Kingdom, all being Parties to MARPOL 73/78.

3 The proposed amendments to Annex I of MARPOL 73/78 have been issued as document MEPC 49/16/1 for consideration by the forty-ninth session of the Marine Environment Protection Committee (MEPC 49), which will be held from 14 to 18 July 2003, under its agenda item 16 on Interpretations and amendments of MARPOL 73/78 and related instruments.

4 In order that MEPC 49 consider the proposed amendments and take action against a full background of relevant information, the Secretary-General has reactivated the Informal Group of Experts on the Impact Analysis of the Proposed Amendments to the MARPOL Convention, which was set up in 2000 in the wake of the **Erika** accident, in order to consider the impact

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associated with the new measures proposed as amendments to the MARPOL Convention. The outcome of the impact study by the Informal Group of Experts is expected to be made available for circulation by the beginning of June 2003.

5 Furthermore as requested by the submitting countries of the proposals, the Secretary-General has circulated the proposed amendments, in accordance with article 16(2)(a) of MARPOL 73/78, to all Members of the Organization and all Parties to MARPOL under cover of Circular letter No. 2458 of 10 April 2003, with a view to their adoption at an expanded session of the MEPC, which shall be held at least six months after circulation of the Circular letter.

6 In their communication on the proposed amendments to Annex I of MARPOL 73/78, the submitting countries of the proposals requested that the proposed amendments should be adopted at the earliest opportunity, so that the proposed measures would take effect as soon as possible.

7 In view of this request and recognizing that the earliest opportunity to adopt the proposed amendments would be at least six months after the circulation of the proposed amendments, MEPC 49 may wish to consider the holding of an extra session of the Committee in the expanded format before the end of 2003 for the purpose of considering for adoption the proposed amendments to Annex I of MARPOL 73/78.

8 No further meeting of MEPC is planned for 2003 under the approved meeting schedule of the Organization apart from the regular 49th session of MEPC in July and, under Rule 2 of the Rules of Procedure of MEPC, the Council's approval is required for holding an extra session of the Committee.

9 Having considered the matter and after consultation with the Chairman of MEPC, the Secretary-General proposes that, subject to consideration by MEPC 49 of the proposed amendments and the Committee's agreement on the need to hold such an extra session of the Committee in the expanded format this year with a view to consideration and adoption of the proposed amendments:

- .1 the Council approve the holding of a two-day extra session of MEPC in December 2003 under Rule 2 of the Rules of Procedures of MEPC, subject to the decision of MEPC 49 on the need for holding such a session; and
- .2 the Council approve the holding of the two-day extra session of MEPC during the 23rd regular session of the Assembly, in order that no additional costs are entailed by the Organization.

**Action requested of the Council**

10 The Council is invited to consider the proposal by the Secretary-General set out in paragraph 9 above and decide as appropriate.