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COUNCIL  
102nd session  
Agenda item 18(d)

C 102/18(d)/2  
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## EXTERNAL RELATIONS

### (d) Relations with non-governmental organizations

#### Request for permanent consultative status with IMO

#### Submitted by the International Fund for Animal Welfare (IFAW)

### SUMMARY

<b><i>Executive summary:</i></b>	The Assembly, at its twenty-fifth regular session in November 2007, granted consultative status to IFAW on a provisional basis for no more than two years, after which a review should be conducted. The Council, at its 102nd session, is invited to review the list of non-governmental organizations in consultative status with IMO. On the basis of its active participation in the work of IMO, IFAW invites the Council to consider converting its provisional consultative status into full consultative status, allowing IFAW to continue supporting IMO efforts to reduce the impact of shipping on marine wildlife
<b><i>Strategic direction:</i></b>	1.2
<b><i>High-level action:</i></b>	1.2.1
<b><i>Planned output:</i></b>	1.2.1.2
<b><i>Action to be taken:</i></b>	Paragraph 19
<b><i>Related documents:</i></b>	A 25/19(d)/1/Add.1 and C 102/18(d)/1

## BACKGROUND

1 The International Fund for Animal Welfare (IFAW) is an international, non-profit non-governmental organization that aims to promote animal welfare and conservation policies that advance the well-being of both animals and people. Protecting marine wildlife and preserving critical marine habitats is one of the main objectives of the organization.

2 Over the past three decades, working with a team of scientists, legal, environmental policy and management experts, IFAW has emerged as a leading organization in several areas directly related to the work of IMO, such as oil pollution preparedness and response, underwater noise and collisions between whales and ships.

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3 Since 1987, IFAW has operated a research vessel, **Song of the Whale**, which has been working to develop techniques for passive acoustic studies of marine mammals. Such work involved measurements of underwater noise sources, including noise from shipping, and relating these to animal behaviour.

4 IFAW has been involved in addressing the problem of collisions with whales and vessels for more than a decade starting with North Atlantic right whales in 1996. That work led to a mechanism that allowed the acoustic detection of right whales with a view to providing real-time data on whale presence to shipping. IFAW scientists have also conducted modelling studies based on the probability of sighting a whale and vessel manoeuvrability characteristics to help provide the best advice to mariners in order to reduce the risk of collisions with whales. In addition, IFAW actively contributes to the work of the International Whaling Commission (IWC) Scientific Committee and to the development of a global database for standardized reporting of collisions between vessels and whales.

5 Today, IFAW is considered a leading animal emergency response organization and has achieved international recognition in this field. IFAW emergency response team has helped manage the oiled wildlife responses in some of the most devastating oil spills in our world's recent history such as the **Prestige** (November 2002), the **Jessica** (January 2001); the **Treasure** (June 2000); the **Erika** (December 1999) and the **Exxon Valdez** (March 1989).

6 IFAW is currently finalizing protocols of best practice for rescue, treatment and rehabilitation of oiled wildlife. Such protocols, together with IFAW ongoing emergency response programme, would well complement the work of IMO in support of the OPRC Convention. Moreover, in the past few years, IFAW has intensified its oil spill prevention work looking at the real causes of chronic oil pollution and ways to address the problem. IFAW's maritime consultant is the Chair of the Society of Naval Architects and Marine Engineers (SNAME) Committee that works, *inter alia*, on improving the functioning of oil water separators and ways to facilitate compliance with MARPOL requirements.

7 Despite the significant progress in international regulations, international shipping still represents a serious threat to whales and other marine life. In the past few decades, IFAW has been working together with Governments, local authorities, the industry and oil companies trying to reducing these threats. However, we are conscious that effective global solutions can only be achieved through IMO.

8 Since the early 2000s, IFAW has followed closely the work of IMO committees and sub-committees and has promoted several initiatives taken by IMO Members (e.g., the designation of the South African Special Area under MARPOL Annex I) and helped in identifying and implementing measures to reduce the likelihood of collisions between ships and whales (e.g., mandatory ship reporting system for right whales in the United States).

## **2007 APPLICATION FOR CONSULTATIVE STATUS**

9 Given our increasing involvement in areas related to the work of IMO, in February 2007, IFAW decided to apply for its own consultative status with IMO. IFAW, indeed, met all the requirements to apply for such status, i.e.:

- IFAW is a **truly international organization** with 17 offices around the world and has aligned its practices with that of the United Nations and IMO with regard to the **“One China” policy**;

- IFAW works towards **practical** and **science-based** solutions, which benefit both “animals and people”, with a strong focus on the protection of marine wildlife;
- Before 2007, IFAW had **no access to IMO through another organization**, as our interests are not fully represented by other NGOs in consultative status;
- Over the years, IFAW has developed recognized **expertise in several areas directly related to the work of IMO**, such as oil pollution prevention, preparedness and response; protection of cetaceans from underwater noise and collisions with whales;
- IFAW has a long history of **constructive collaboration** with national and regional Governments, including IMO Member States, local authorities, coast guards, the shipping industry, and oil companies and fruitfully participates as an observer in a number of international organizations and conventions.

10 In June 2007, at its ninety-eighth session, the IMO Council agreed that IFAW meets the requirements for consultative status with IMO and decided to refer IFAW’s application to the MSC and MEPC for further screening. MEPC 56 noted that IFAW may assist IMO in achieving its objectives and, in particular, contribute to the technical assistance activities related to the implementation of the International Convention on Oil Pollution Preparedness, Response and Co-operation, and possibly on future work related to ship strikes with cetaceans. Based on these observations, the MEPC recommended to the Council to grant consultative status to IFAW on a provisional basis for two years, after which a review should be conducted. MSC 83 examined IFAW’s application and reached analogous conclusions.

11 Following the recommendations of MEPC 56 and MSC 83, the Council, at its twenty-fourth extraordinary session, decided to grant consultative status to IFAW on a provisional basis for no more than two years, after which a review should be conducted. This decision was endorsed by the IMO Assembly, at its twenty-fifth session.

12 The Council, at its 102nd session, will be invited to review the list of non-governmental organizations in consultative status with IMO and their participation in the Organization’s work in the past biennium.

## **IFAW’S PARTICIPATION IN THE WORK OF IMO IN THE CURRENT BIENNIUM**

### **Sub-Committee on Ship Design and Equipment (DE 51)**

13 IFAW attended, as an official observer for the very first time, the fifty-first session of the Sub-Committee on Ship Design and Equipment. IFAW submitted comments to the Correspondence Group on document DE 51/18/1 on the review of MEPC.1/Circ.511 (“Revised guidelines for systems for handling oil wastes on machinery spaces of ships incorporating guidance notes for an integrated bilge water treatment system”) and relevant MARPOL Annex I and Annex VI requirements. An IFAW representative participated in the working group on the review of MEPC.1/Circ.511 and relevant MARPOL Annex I and Annex VI requirements.

### Marine Environment Protection Committee (MEPC 57)

14 IFAW actively attended the fifty-seventh session of the Marine Environment Protection Committee with a delegation of four. IFAW co-sponsored two submissions and was involved in the drafting of other documents, in particular:

- **MEPC 57/18/2:** IFAW, together with Australia, Belgium, Italy, IUCN and the UNEP/CMS/ASCOBANS Joint Secretariat, submitted document MEPC 57/18/2 on “Measures for minimizing the risks of collisions with cetaceans”. On the basis of this submission, the MEPC agreed to add a new high-priority agenda item to its programme of work to develop a guidance document to minimize the risk of ship collisions with whales. This work is included in the work plan for MEPC 59 (July 2009), MEPC 60 (March 2010) and possibly MEPC 61 (October 2010).
- **MEPC 57/INF.22:** IFAW and Friends of the Earth International (FOEI) submitted an information document commenting on document MEPC 57/INF.4 “Shipping noise and marine mammals”, submitted by the United States, and adding additional information on underwater noise from shipping. The co-sponsors called for increased dialogue and efforts towards the reduction of underwater noise from large commercial vessels, through a combination of design and operational measures and further research and expressed their willingness to fully engage in this dialogue and contribute to future work on this matter, mainly through the work of IFAW research vessel **Song of the Whale**.
- IFAW as an active member of the Antarctic and Southern Ocean Coalition (ASOC) was involved in the drafting of an information document on “Antarctic area vessel issues” submitted by FOEI (MEPC 57/INF.19).

### Marine Environment Protection Committee (MEPC 58)

15 IFAW actively participated at the fifty-eighth session of the Marine Environment Protection Committee with a delegation of five members. IFAW co-sponsored one submission and assisted other delegations in gathering support for their proposals:

- Together with FOEI, Greenpeace International and World Wide Fund for Nature (WWF), IFAW submitted a proposal for the establishment of a joint IMO/Antarctic Treaty Consultative Meeting working group to consider and collaborate on solutions to shipping threats in the Antarctic Treaty Area.
- IFAW assisted the United States to gather support on its submission for a new high-priority work item to identify and address ways to minimize the introduction of incidental noise into the marine environment by commercial shipping (MEPC 58/19). Although not directly involved in the drafting of the United States submission, IFAW actively participated in the preparatory work that led to it (e.g., the workshop organised by **Okeanos – Foundation for the Sea in Hamburg, 2008**). The proposal aimed to minimize the introduction of noise through the development of non-mandatory technical guidelines for ship-quieting technologies, as well as potential navigation and operational practices. The United States also proposed the establishment of a correspondence group. The Committee agreed to add a new high-priority item on “Noise from commercial shipping and its adverse impact on marine life” to its work programme and

established a correspondence group under the chairmanship of the United States to progress work on this issue. The target completion date for this issue is either MEPC 61 (October 2010) or MEPC 62 (July 2011). IFAW is an active member of this correspondence group.

- IFAW assisted the United States with technical information for developing a draft guidance document for minimizing the risk of ship strikes with cetaceans (MEPC 58/18). Belgium also presented a summary of the IWC database on ship strikes (MEPC 58/1) which has been developed with key input from IFAW scientists. During MEPC, IFAW set up a small exhibition on ship strikes together with a rolling video in the foyer and assisted in the organization of a lunchtime side event held by the United States, Belgium and Australia on ship strikes.

### **Sub-Committee on Ship Design and Equipment (DE 52)**

16 IFAW, with a delegation of two, attended the fifty-second session of the Sub-Committee on Ship Design and Equipment. An IFAW representative participated in the working group on the amendments to the Guidelines for ships operating in arctic ice-covered waters (DE 52/9/1). In addition, IFAW's maritime consultant made an intervention in support of document DE 52/20/3 "A Guide for Diagnosing Contaminants in Oily Bilge Water to Maintain, Operate and Troubleshoot Bilge Water Treatment Systems" submitted by the Institute of Marine Engineering, Science and Technology (IMarEST). IFAW's maritime consultant is the Chair of the Society of Naval Architects and Marine Engineers Committee that developed this Guide.

### **ACTION PLANNED FOR 2009 AND BEYOND**

#### **Maritime Safety Committee (MSC 86)**

17 IFAW, together with FOEI, Greenpeace and WWF has submitted a document to MSC 86 supporting the proposal from the United States, Denmark and Norway (MSC 86/23/9) for a new work programme item be added to the agendas of DE and any other appropriate sub-committees with a view to developing mandatory requirements for shipping in the Polar regions. IFAW is planning to attend the meeting and eventually get involved in this new programme of work.

#### **Marine Environment Protection Committee (MEPC 59)**

18 At MEPC 59, IFAW will concentrate on the following subjects:

- **Underwater noise:** IFAW, together with FOEI, submitted a document on "Reducing underwater noise pollution from large commercial vessels" (MEPC 59/19/1). The document presents the findings and recommendations of a study commissioned and funded by IFAW specifically to address some of the issues raised in the noise reduction correspondence group and inform further work on this item. The study was conducted by Dr. Renilson to review practicable and cost-effective technologies that might be used to reduce underwater noise from large commercial ships.
- **Collisions with whales:** MEPC 58 decided to accept the United States draft guidance for minimizing the risk of collisions with cetaceans as an interim guide to be refined with input from interested parties. IFAW has made a submission to MEPC 59 containing suggestions for guidance for organizers of off-shore

recreational boating events to minimize risk of collisions with cetaceans to be considered as an annex to the current guidance. In April 2009, IFAW and the Belgian Government produced a leaflet for mariners on operational measures to reduce ship strikes. IFAW will liaise with IMO Secretariat with regard to the distribution of the leaflet at MEPC 59.

- **Antarctic Shipping:** IFAW, FOEI, Greenpeace and WWF submitted a document proposing a new work programme item on mandatory requirements for shipping in Polar Regions (MEPC 59/20/5).
- **Bilge water treatment system:** IFAW submitted a paper (MEPC 59/10/7) in support of document DE 52/20/3 “A Guide for Diagnosing Contaminants in Oily Bilge Water to Maintain, Operate and Troubleshoot Bilge Water Treatment Systems” proposed by IMarEST. The Guide will be discussed under agenda item 10 as part of the DE 52 report (MEPC 59/10/4). In addition, IFAW submitted a document in support of document MEPC 59/20/2 “A proposal for Guidelines for a Shipboard Oil Waste Pollution Prevention Plan” submitted by the United States (MEPC 59/20/6). IFAW’s maritime consultant provided technical assistance in the drafting of this proposal.
- Finally, IFAW is a member of the correspondence group on the review of MARPOL Annex V (**Regulations for the prevention of pollution by garbage from ships**) and will follow closely the discussions on this matter.

#### **ACTION REQUESTED OF THE COUNCIL**

19 In the past two years, IFAW has shown great interest and active participation in several areas of work of IMO. We have shown our ability to work constructively with IMO Members and the industry and to assist IMO in achieving its objectives. We have invested significantly in some of the ongoing programmes of work, such as the reduction of underwater noise and collisions with whales, which we would like to see completed, and we are keen to get involved in new areas of work (e.g., a possible DE work programme item on a mandatory Polar Code). Therefore, we invite the Council to consider converting our provisional consultative status into full consultative status so that we can continue providing our direct inputs to IMO efforts to reduce the impact of shipping on whales and other marine wildlife.