

COUNCIL  
108th session  
Agenda item 7

C 108/7  
11 April 2012  
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**CONSIDERATION OF THE REPORT OF THE  
MARINE ENVIRONMENT PROTECTION COMMITTEE**

**Note by the Secretary-General**

**SUMMARY**

<i>Executive summary:</i>	This document reports on the outcome of the sixty-third session of the Marine Environment Protection Committee
<i>Strategic direction:</i>	2 and 7
<i>High-level action:</i>	2.0.1 and 7.1 to 7.4
<i>Planned output:</i>	2.0.1.1 to 2.0.1.22 and 7.1.1.1 to 7.4.1.1
<i>Action to be taken:</i>	Paragraph 25
<i>Related documents:</i>	MEPC 63/23 and Add.1

**Introduction**

1 The report of the sixty-third session of the Marine Environment Protection Committee (MEPC 63/23 and Add.1) is submitted to the 108th session of the Council in accordance with the provisions of Article 39 of the IMO Convention.

2 The sixty-third session of the Committee was held from 27 February to 2 March 2012. It was attended by 99 Member States; one Associate Member; five United Nations system organizations; six intergovernmental and 47 non-governmental organizations. The Chairman was Mr. A. Chrysostomou (Cyprus) and the Vice-Chairman was Mr. Arsenio Dominguez (Panama).

3 Decisions of the Committee of interest to the Council are summarized in the ensuing paragraphs with reference to the paragraphs of document MEPC 63/23.

**Adoption of amendments to mandatory instruments**

4 The Committee considered and adopted (MEPC 63/23, paragraphs 6.1 to 6.19):

- .1 by resolution MEPC.216(63), amendments to MARPOL Annexes I, II, IV and V concerning regional arrangements for port reception facilities; and

- .2 by resolution MEPC.217(63), amendments to MARPOL Annex VI and the NO<sub>x</sub> Technical Code 2008 concerning regional arrangements for port reception facilities and certification of marine diesel engines fitted with Selective Catalytic Reduction Systems, respectively.

5 The above amendments are expected to enter into force on 1 August 2013 upon their deemed acceptance on 1 February 2013.

6 The Committee also adopted resolution MEPC.218(63) on the Development of technical onboard equipment in relation to the designation of the Baltic Sea as a Special Area under MARPOL IV.

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

7 The Committee made progress on the item (MEPC 63/23, paragraphs 2.1 to 2.43), including decisions to grant Basic Approval to three and Final Approval to five ballast water management systems that make use of Active Substances.

8 The Committee endorsed the updated Methodology for information gathering and conduct of work of the GESAMP-Ballast Water Working Group and approved its dissemination as a BWM circular to supersede the existing BWM.2/Circ.13 of June 2008.

9 The Committee adopted, by resolution MEPC.209(63), the 2012 Guidelines on design and construction to facilitate sediment control on ships (G12), revoking the prior Guidelines adopted by resolution MEPC.150(55).

10 The Committee, in noting that there are already 21 type-approved ballast water management systems available, encouraged all those States that have not ratified the BWM Convention to do so at their earliest opportunity.

### **Recycling of ships**

11 The Committee made progress on the item (MEPC 63/23, paragraphs 3.1 to 3.19) and, with a view to promoting the entry into force and implementation of the Hong Kong Convention, adopted:

- .1 by resolution MEPC.210(63), the 2012 Guidelines for safe and environmentally sound ship recycling; and
- .2 by resolution MEPC.211(63), the 2012 Guidelines for the authorization of ship recycling facilities.

12 The Committee considered the relationship between the Hong Kong Convention and the Basel Convention in respect of ship recycling and agreed that the Hong Kong Convention provided a level of control and enforcement that was at least equivalent to that established under the Basel Convention.

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

13 The Committee made progress on the item (MEPC 63/23, paragraphs 4.1 to 4.75) and, with a view to supporting the uniform implementation of the amendments to MARPOL Annex VI on energy efficiency for ships, adopted:

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- .1 by resolution MEPC.212(63), the 2012 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships;
  - .2 by resolution MEPC.213(63), the 2012 Guidelines for the development of a Ship Energy Efficiency Management Plan (SEEMP);
  - .3 by resolution MEPC.214(63), the 2012 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI); and
  - .4 by resolution MEPC.215(63), the Guidelines for calculation of reference lines for use with the Energy Efficiency Design Index (EEDI).

14 The Committee considered a draft MEPC resolution on the promotion of technical co-operation and transfer of technology relating to the improvement of energy efficiency of ships and agreed to continue its development with a view to adoption at MEPC 64.

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

15 The Committee made progress on the item (MEPC 63/23, paragraphs 5.1 to 5.59), including agreement on the need for further impact assessment of the proposed market-based measures (MBMs) for international shipping, with the focus on possible impacts on consumers and industries in developing countries. The draft terms of reference for the impact assessment will be further considered with a view to approval at MEPC 64.

16 The Committee also agreed to continue consideration of relevant issues, such as the ongoing work under UNFCCC on climate finance including funding sources for the Green Climate Fund and the possible incompatibility between WTO Rules and an MBM for international shipping.

### **Interpretation of, and amendments to, MARPOL and related instruments**

17 The Committee made progress on the item (MEPC 63/23, paragraphs 7.1 to 7.27) and adopted:

- .1 by resolution MEPC.219(63), the 2012 Guidelines for the implementation of MARPOL Annex V;
- .2 by resolution MEPC.220(63), the 2012 Guidelines for the development of garbage management plans; and
- .3 by resolution MEPC.221(63), the 2012 Guidelines for developing a Regional Reception Facilities Plan.

### **Implementation of the OPRC Convention and the OPRC-HNS Protocol and relevant conference resolutions**

18 The Committee made progress on the item (MEPC 63/23, paragraphs 8.1 to 8.19), including approval of:

- .1 the Guidance on sensitivity mapping for oil spill response;
- .2 the Guideline for oil spill response in fast currents;

- .3 the Operational guide on the use of sorbents for spill response; and
- .4 the Oil spill waste management decision support tool.

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

19 The Committee, having considered draft amendments to the Special Area Guidelines adopted by resolution A.927(22), approved a draft Assembly resolution on the 2013 Guidelines for the designation of Special Areas under MARPOL 73/78, to be submitted to the twenty-eighth session of the Assembly for adoption (MEPC 63/23, paragraph 9.2).

### **Reports of sub-committees**

20 The Committee considered and approved the reports of the sub-committees, which had dealt with environmental issues (MEPC 63/23, paragraphs 11.1 to 11.25), and:

- .1 in respect of the urgent matters emanating from BLG 16, approved the draft amendments to chapters 17, 18 and 19 of the IBC Code, subject to MSC 90's concurrent decision, with a view to adoption at MEPC 64; and
- .2 in respect of the outcome of DE 55 concerning development of environmental requirements for the Polar Code, decided that only new issues and additional requirements, which are not in other existing instruments, should be included in the Polar Code.

### **Other items**

21 The Committee also made progress on other items, including inadequacy of reception facilities; work of other bodies; status of conventions; harmful anti-fouling systems; promotion of implementation and enforcement of MARPOL and related instruments; technical co-operation activities for the protection of the marine environment; role of the human element; noise from commercial shipping and its adverse impacts on marine life; work programme of the Committee and subsidiary bodies; application of the Committees' Guidelines; and any other business.

22 The Committee, in considering the items listed in resolution A.1013(27) relating to its work, approved a report on the status of the planned outputs for the MEPC for the 2012-2013 biennium (MEPC 63/23, paragraph 19.11 and annex 34).

23 The Committee, in considering information on preparation for Rio+20 (20 to 22 June 2012), agreed that Rio+20 would be an opportunity for IMO to show continued leadership in the area of safe, secure, environmentally sound, efficient and sustainable shipping through cooperation (MEPC 63/23, paragraphs 22.8 to 22.13).

24 The Committee agreed to hold two intersessional meetings, subject to approval by the Council:

- .1 OPRC/HNS Technical Group, to be held in September 2012 in the week before MEPC 64; and
- .2 ESPH Working Group, to be held in October 2013.

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**Action requested of the Council**

25 The Council is invited to:

- .1 consider the report of the sixty-third session of the MEPC (MEPC 63/23 and Add.1) and, in accordance with Article 21(b) of the IMO Convention, transmit it, with any comments and recommendations, to the twenty-eighth session of the Assembly;
  - .2 note the adoption of amendments to MARPOL Annexes I, II, IV, V and VI as well as the NO<sub>x</sub> Technical Code 2008 (paragraphs 4 and 5);
  - .3 note the decisions taken, and work carried out, concerning the BWM Convention (paragraphs 7 to 10);
  - .4 note the decision taken, and work carried out, concerning the Hong Kong Convention (paragraphs 11 and 12);
  - .5 note the decisions taken, and work carried out, concerning implementation of the amendments to MARPOL Annex VI on energy efficiency for ships (paragraphs 13 and 14);
  - .6 note the progress made, and decisions taken, concerning impact assessment of the proposed Market-Based Measures for reduction of GHG emissions from ships (paragraphs 15 and 16);
  - .7 note the progress made, and decisions taken, concerning implementation of amendments to MARPOL and related instruments (paragraphs 6 and 17);
  - .8 note the decisions taken, and work carried out, concerning implementation of the OPRC Convention, the OPRC-HNS Protocol and relevant Conference resolutions (paragraph 18);
  - .9 note the approval of a draft Assembly resolution on the 2013 Guidelines for the designation of Special Areas under MARPOL 73/78, to be submitted to the twenty-eighth session of the Assembly for adoption (paragraph 19);
  - .10 note the approval of draft amendments to the IBC code with a view to adoption at MEPC 64 and the decision taken on development of the Polar Code (paragraph 20);
  - .11 note the status of planned outputs relating to the work of the MEPC for the 2012-2013 biennium (paragraph 22); and
  - .12 approve the intersessional meetings of the OPRC/HNS Technical Group in 2012 and the ESPH Working Group in 2013 (paragraph 24).
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