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## CONSIDERATION OF THE REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE

### Note by the Secretary-General

#### SUMMARY

**Executive summary:** This document reports on the outcome of the fifty-sixth session of the Marine Environment Protection Committee

**Action to be taken:** Paragraph 78

**Related document:** MEPC 56/23 and Add.1

## FIFTY-SIXTH SESSION OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE

### INTRODUCTION

1 The report of the fifty-sixth session of the Marine Environment Protection Committee (MEPC 56/23 and Add.1) is submitted to the twenty-fourth extraordinary session of the Council in accordance with the provisions of Article 39 of the IMO Convention.

2 The fifty-sixth session of the Committee was held at the Royal Horticultural Halls and Conference Centre, London, from 9 to 13 July 2007. It was chaired by Mr. A. Chrysostomou (Cyprus) and was attended by 87 Member States, one Associate Member, one State not Member of IMO, four UN agencies, six intergovernmental and 34 non-governmental organizations.

3 At the invitation of the Secretary-General, the Secretary-General of the World Meteorological Organization (WMO), Mr. Michel Jarraud, addressed the Committee on matters of common interest to the two Organizations, in particular, on issues relevant to climate change and global warming.

4 Decisions taken by the Committee during the session under review, which are of interest to the Council, are summarized in the ensuing paragraphs.

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**ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS****Amendments to MARPOL Annexes I and IV**

5 The Committee adopted, by resolution MEPC.164(56), amendments to MARPOL Annexes I and IV concerning reception facilities outside Special Areas and discharge of sewage. The amendments are expected to enter into force on 1 December 2008 upon their deemed acceptance on 1 June 2008.

**Amendments to the 1973 Intervention Protocol**

6 The Committee adopted, by resolution MEPC.165(56), amendments to the 1973 Intervention Protocol concerning the list of substances annexed to the Protocol. The amendments are expected to enter into force three months upon their deemed acceptance at the end of six months after they have been communicated to all Parties to the Protocol for acceptance.

**Amendments to the IBC Code**

7 The Committee adopted, by resolution MEPC.166(56), amendments to the IBC Code concerning chapters 11, 17, 18 and 19 of the Code. The amendments are expected to enter into force on 1 January 2009 upon their deemed acceptance on 1 July 2008.

**PREVENTION OF AIR POLLUTION FROM SHIPS****Revision of MARPOL Annex VI and the NO<sub>x</sub> Technical Code**

8 The Committee, having considered the report of BLG 11 on the revision of MARPOL Annex VI and the NO<sub>x</sub> Technical Code with a view to further reducing air pollution from ships, noted the progress made by the Sub-Committee and approved its request for an extension of one session to complete the revision work.

***Intersessional meeting***

9 The Committee agreed that there was a strong need for an intersessional meeting of the BLG Working Group on Air Pollution in the latter part of 2007 and approved the intersessional meeting with clear terms of reference.

***Revised timetable***

10 The Committee, in view of the progress made so far, approved a revised timetable on the revision of MARPOL Annex VI and the NO<sub>x</sub> Technical Code as follows:

- .1 the intersessional meeting of the BLG Working Group on Air Pollution to continue the revision work and report to BLG 12 (4 – 8 February 2008); and
- .2 BLG 12 to finalize all technical revisions for consideration and approval by MEPC 57 (31 March – 4 April 2008) and the text so approved to be circulated for adoption at MEPC 58 (6 – 10 October 2008).

### ***Informal Cross Government/Industry Scientific Group of Experts***

11 The Committee endorsed a proposal by the Secretary-General that an Informal Cross Government/Industry Scientific Group of Experts be set up to undertake a comprehensive study to evaluate the effects of the different fuel options proposed under the revision of MARPOL Annex VI, the objective of which was to gather and present facts and data that would facilitate the Committee's decision-making process in line with the revision timetable agreed by the Committee.

### ***Washwater criteria for exhaust gas-SOx cleaning systems***

12 The Committee made good progress in the development of the Washwater criteria for exhaust gas-SOx cleaning systems and instructed the intersessional meeting of the BLG Working Group on Air Pollution to finalize the Washwater criteria, as well as associated amendments to the Guidelines for on-board exhaust gas-SOx cleaning systems (resolution MEPC.130(53)), the outcome of which would be submitted directly to MEPC 57 for action as appropriate.

### ***Worldwide average of sulphur content in residual fuel oils***

13 The Committee noted that the sulphur monitoring programme, which is required under MARPOL Annex VI and has been ongoing since 1999, revealed that the average sulphur content in residual fuel oils for 2006 was 2.59%, which is a reduction from the 2005 average of 2.70%.

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

14 The Committee considered follow-up actions to resolution A.963(23) on "IMO policies and practices related to reduction of greenhouse gas emissions from ships", including progress made in line with the "Work plan to identify and develop the mechanisms needed to achieve the limitation or reduction of CO<sub>2</sub> emissions from international shipping", and took the following decisions.

### ***Update of the 2000 IMO Greenhouse Gas Study***

15 The Committee, recognizing that the figures on ships' contribution to climate change as presented in the documents differed significantly, agreed that it needed factual information when taking decisions which would affect such a large industry for decades and, to that end, decided to undertake an update of the 2000 IMO Greenhouse Gas (GHG) Study and approved the timeframe, scope and terms of reference for that purpose. The aim is to submit the updated Study, if possible, to MEPC 59 (July 2009), but at the latest in 2010.

16 On the issue of technical, operational and market-based methods for the control of GHG emissions from ships, the Committee, noting that this included a wide range of issues and, therefore, there was a need to gather all the different ideas during the intersessional period, approved the establishment of a correspondence group with clear terms of reference, the report of which would be presented to MEPC 57 for consideration and action as appropriate.

### ***GHG module in GISIS***

17 The Committee agreed that the data from application of the "Interim guidelines for voluntary ship CO<sub>2</sub> emission indexing for use in trials" should be collected in an IMO database and, to that end, decided to establish a GHG module with an approved format in IMO's Global Integrated Shipping Information System (GISIS) as soon as possible. The aim of this exercise

was to make the data available to Member States and the industry to promote further work, so that a common approach might be established for trials, which would enable shipowners to evaluate the performance of their fleet with regard to fuel efficiency.

### ***Co-operation with other UN bodies***

18 The Committee, in line with resolution A.963(23), agreed, in its work to develop GHG strategies and mechanisms for international shipping, to continue co-operation with the Secretariats of the UNFCCC, ICAO and other relevant UN bodies.

## **HARMFUL AQUATIC ORGANISMS IN BALLAST WATER**

### **Adoption of guidelines required under the BWM Convention**

19 The Committee made further progress in the development of the guidelines required under the BWM Convention and adopted:

- .1 by resolution MEPC.161(56), the Guidelines for additional measures regarding ballast water management including emergency situations (G13); and
- .2 by resolution MEPC.162(56), the Guidelines for risk assessment under regulation A-4 of the BWM Convention (G7).

### **Adoption of guidelines for the Antarctic Treaty area**

20 The Committee adopted, by resolution MEPC.163(56), the Guidelines for ballast water exchange in the Antarctic Treaty area.

### **Approval of ballast water management systems that make use of Active Substances**

21 The Committee, having considered the report of the third meeting of the GESAMP Ballast Water Working Group, which was held in February 2007 to review whether proposals of the ballast water management systems that make use of Active Substances comply with the BWM Convention, decided to give:

- .1 both Basic Approval and Final Approval to the PureBallast System proposed by Sweden and Norway; and
- .2 Basic Approval to the NK Ballast Water Treatment System proposed by the Republic of Korea.

22 The Committee agreed to hold the fourth meeting of the Working Group in November 2007 to review forthcoming proposals of the ballast water management systems that make use of Active Substances.

23 The Committee also noted that the Methodology for information gathering and conduct of work on the matter had been further developed to facilitate the work of the Working Group.

### **Availability of ballast water treatment technologies**

24 The Committee re-established the Ballast Water Review Group during the session to conduct, *inter alia*, a further review of the availability of ballast water treatment technologies to achieve the performance standard required under regulation D-2 of the BWM Convention by 1 January 2009, the first date when new ships are required to comply with the standard.

25 The Committee, having considered the report of the Review Group, noted the conclusion of the Review Group that a limited number of ballast water treatment technologies would be available to meet the first implementation date of the BWM Convention. However, the Review Group remained concerned that the capability of all ships subject to regulation B-3.3 of the Convention to meet the D-2 standard in 2009 could be affected by procedural and logistical problems that include:

- .1 whether Type Approval test sites are being developed; are up and running; and whether commercial sites have the capacity for testing the number of technologies being developed;
- .2 whether a system can actually overcome the practical difficulties of moving from Basic Approval to Final Approval;
- .3 the lower than expected participation in the approval process under Procedure (G9) by manufacturers and Administrations;
- .4 the slow pace of ratifications of the BWM Convention caused by the lack of a complete set of Guidelines and/or the lack of approved technologies; and
- .5 possible limitations and delays caused by the timing of the MEPC and GESAMP-BWWG's consideration of the ballast water management systems that make use of Active Substances for Basic and Final Approval.

26 The Committee, recognizing that most of the delegations which took the floor were of the view that moving forward the first application date of the D-2 standard by two years would be more appropriate, agreed, subject to appropriate reviews, to consider 1 January 2011 as the new possible D-2 application date.

27 The Committee, to that end, invited Members and observers to submit documents to MEPC 57 aimed at providing guidance on how to address the concerns of the Review Group and, in particular, how to ensure that the shipowners facing problems related to unavailability of ballast water treatment technologies are not legally penalized, with a view to taking a final decision at that session.

### **RECYCLING OF SHIPS**

#### **Development of the draft convention**

28 The Committee recalled that the Assembly, by resolution A.981(24), requested it to develop a new legally-binding instrument on ship recycling and to work towards completion of the new instrument in time for adoption in the 2008-2009 biennium.

29 The Committee, having considered the report of the intersessional meeting of the Working Group on Ship Recycling, re-established the Working Group during the session to further develop the draft international convention for the safe and environmentally sound recycling of ships.

30 The Committee noted that the Working Group had made good progress in the development of the draft convention, albeit a large number of regulations remained in square brackets.

### ***Revised work plan***

31 The Committee, in view of the progress made so far, revised its work plan with a view to finalizing the draft Convention in time for adoption by a diplomatic conference planned in early 2009, the budget for which had already been approved by the ninety-seventh session of the Council.

### ***Intersessional meeting***

32 The Committee, in line with the revised work plan, agreed to hold another intersessional meeting of the Working Group in January 2008 to further develop the draft convention for consideration by MEPC 57. The Committee instructed the intersessional meeting to reduce the number of square brackets in the draft convention to the minimum possible by consensus or by clear majority.

### **Development of the guidelines**

33 The Committee also made some progress in the development of the guidelines for the safe and environmentally sound ship recycling as required under the draft convention. The Committee noted that a number of other guidelines also need to be developed for the convention, including the guidelines for ship recycling facilities and the guidelines on the inventory of hazardous materials.

34 The Committee agreed that priority should always be given to the development of the draft Convention, as the guidelines could be finalized after the adoption of the convention.

### **Joint ILO/IMO/Basel Convention Working Group on Ship Scrapping**

35 The Committee, having considered the need for a third meeting of the Joint ILO/IMO/Basel Convention Working Group on Ship Scrapping, agreed that, within the existing terms of reference for the Joint Working Group, the following two elements could be included in the agenda of the proposed third meeting, bearing in mind that ILO, as the hosting organization, would be setting the agenda in collaboration with the Secretariats of the two other organizations:

- .1 joint technical co-operation activities; and
- .2 co-ordinated approach to interim measures to be taken pending entry into force of the new IMO convention.

36 The ILO representative clarified that the Governing Body of ILO would take a decision concerning the third meeting of the Joint Working Group at its meeting in November 2007.

## **International Ship Recycling Trust Fund**

37 The Committee noted with appreciation that the Ship Recyclers' Association of Turkey had donated the sum of US\$5,000 to IMO's International Ship Recycling Trust Fund, the aim of which is to raise awareness of the safety, health and environmental issues related to ship recycling.

## **IDENTIFICATION AND PROTECTION OF SPECIAL AREAS AND PSSAS**

### **Designation and protection of PSSAs**

#### ***Designation of the Papahānaumokuākea Marine National Monument as a PSSA***

38 The Committee, having considered the proposal submitted by the United States to designate the Papahānaumokuākea Marine National Monument (North-West Hawaiian Islands) as a Particularly Sensitive Sea Area (PSSA) in accordance with the Revised PSSA Guidelines (resolution A.982(24)), approved, in principle, the designation of the area as a PSSA.

39 The Committee noted that the United States had submitted detailed proposals on the Associated Protective Measures (APMs) for the PSSA to the NAV Sub-Committee for consideration, which would provide recommendations to the Committee with a view to final designation at MEPC 57.

#### ***Protection of the Galapagos PSSA***

40 The Committee noted that MSC 82 had adopted, by resolution MSC.229(82), a new mandatory ship reporting system for the Galapagos PSSA (Ecuador) and decided that the reporting system should be implemented six months after its adoption, i.e., on 1 July 2007 at 0000 hours UTC.

### **Protection of Special Areas under the MARPOL Convention**

#### ***Status of the existing Special Areas under MARPOL***

41 The Committee, having considered the status of the existing Special Areas under MARPOL Annexes I, II and V as well as the SOx Emission Control Areas (SECAs) under MARPOL Annex VI, noted that the stringent discharge requirements for extra protection of many Special Areas had taken effect as adequate reception facilities had been provided by the Parties bordering those areas.

42 The Committee urged, in the meantime, the Parties bordering several other Special Areas, for which the discharge requirements have not yet taken effect, to provide adequate reception facilities, so that the Committee could establish an effective date for them as soon as possible.

#### ***Protection of the Southern South African waters as a Special Area***

43 The Committee, noting that adequate reception facilities for the Southern South African waters Special Area under MARPOL Annex I have been provided by South Africa, established, by resolution MEPC.167(56), the date of 1 August 2008 when the discharge requirements for the Special Area shall take effect.

***Protection of the “Gulfs area” as a Special Area***

44 The Committee, noting that adequate reception facilities for the Gulfs area Special Area under MARPOL Annexes I and V have been provided by the States bordering the area, established, by resolution MEPC.168(56), the date of 1 August 2008 when the discharge requirements for the Special Area shall take effect.

**INTERPRETATIONS AND AMENDMENTS TO MARPOL AND RELATED INSTRUMENTS****Review of MARPOL Annex V**

45 The Committee recalled that, at its last session, it decided to undertake a review of MARPOL Annex V and established a correspondence group to start the work.

46 The Committee, having considered the report of the correspondence group, approved the framework and timetable for a complete revision of the Annex and associated guidelines without prejudice to a Party’s right to bring proposed amendments to the attention of the Committee during the interim period. The Committee also approved the revised terms of reference for the correspondence group to continue the work.

**Approval of unified interpretations**

47 The Committee, having considered proposals to clarify several regulations in MARPOL Annex I, approved three unified interpretations to:

- .1 regulation 12A concerning oil fuel tank protection;
- .2 regulation 22 concerning pump-room bottom protection; and
- .3 regulation 25.3.3 concerning hypothetical outflow of oil.

48 The Committee also approved a unified interpretation to the revised Guidelines on implementation of effluent standards and performance tests for sewage treatment plants (resolution MEPC.159(55)).

**Application of regulation 4.1.3 of MARPOL Annex II**

49 The Committee, having considered several submissions on the matter, decided to urge all Parties to take into account the outcome of the debate that the majority of the delegations who spoke agreed that allowing the carriage of any cargo, including vegetable oil, in excess of the 3,000 m<sup>3</sup> operational limit on a Ship Type 2 is in violation of the provisions of the MARPOL Convention and would distort competition and penalize the owners that are compliant with the provisions of the Convention.

**Proposed phase-out of existing pollution prevention equipment**

50 The Committee considered a proposal to phase-out existing oily water separators and oil discharge monitoring systems complying with resolutions MEPC.60(33) and A.586(14), respectively, which had been superseded by resolutions MEPC.107(49) and MEPC.108(49).



51 The Committee, after discussion, instructed the DE Sub-Committee to examine, with a target completion date of 2009:

- .1 the practicalities and time scale for the proposed phase-out;
- .2 the possible upgrading of existing equipment and the development of an appropriate standard for such an upgrade; and
- .3 the need to address in-service maintenance issues for all pollution prevention equipment under the MARPOL Convention.

### **Applicability of the MARPOL Convention to FPSOs and FSUs**

52 The Committee, having considered the applicability of the MARPOL Convention to Floating Production, Storage and Offloading Facilities (FPSOs) and Floating Storage Units (FSUs), confirmed that article 2 of the Convention on the definition of a “ship” is applicable, for the purposes of the Convention, to FPSOs and FSUs with the special requirements for these types of ships as defined in regulation 39 of MARPOL Annex I and resolution MEPC.139(53), as amended.

## **IMPLEMENTATION OF THE OPRC CONVENTION AND THE OPRC-HNS PROTOCOL AND RELEVANT CONFERENCE RESOLUTIONS**

### **Manual on Oil Pollution**

53 The Committee approved the revised text of the Manual on Oil Pollution – Section V: Administrative aspects of oil spill response, and instructed the Secretariat to carry out final editing for publishing as an IMO publication.

### **New work on pollution preparedness and response**

54 The Committee, having considered a number of submissions for new work concerning pollution preparedness and response, including Guidance Documents on establishment of co-ordinated Joint Information Centres during oil spill response; on Incident Command System; on oil spill response in fast currents; on identification and observation of spilled oil; and on oil spill response offshore *in situ* burning, referred them, with clear instructions, to the next session of the OPRC-HNS Technical Group for consideration.

### **Intersessional meeting**

55 The Committee also considered the report of the sixth session of the OPRC-HNS Technical Group and, having noted the progress made on various items and the work remaining to be done, approved the holding of the next meeting of the Technical Group in the week prior to MEPC 57 together with a revised work programme and provisional agenda.

## **REPORTS OF SUB-COMMITTEES**

56 The Committee considered and approved, in general, reports of the sub-committees, which had dealt with environmental issues, and took action as summarised in the ensuing paragraphs.

**Report of DE 50**

- 57 The Committee noted the progress made by DE 50 concerning:
- .1 the revision of MEPC.1/Circ.511 on the Revised Guidelines for handling oily wastes in machinery spaces of ships incorporating guidance notes for an integrated bilge water treatment system (IBTS); and
  - .2 the harmonized implementation of the Revised Guidelines and specifications for pollution prevention equipment for machinery space bilges of ships (resolution MEPC.107(49) ).

**Report of BLG 11**

- 58 The Committee noted the progress made by BLG 11 and, in particular:
- .1 endorsed the Sub-Committee's proposal that tripartite agreements be made available on IMO's public domain website as soon as possible to overcome the time gap between concluding a tripartite agreement and its appearance in the MEPC.2/Circular in December each year;
  - .2 approved the issuance of MEPC.1/Circ.590 on the Revised Guidance note and reporting form on cleaning additives, as a consequence of the revised MARPOL Annex II;
  - .3 agreed to a long-term funding scheme for the GESAMP/EHS Working Group that the cost would be shared between the Organization and the industry based on a fixed cost per application;
  - .4 noted the divergent views on the application and nature of proposed amendments to MARPOL Annex I on ship-to-ship oil transfer operations and endorsed the Sub-Committee's decision to establish a correspondence group to progress the work with an extended target completion date of 2008;
  - .5 approved, subject to concurrent decision by MSC 83, the holding of an intersessional meeting of the ESPH Working Group in the latter part of 2008; and
  - .6 noted the views on the proposed ban of the use and carriage of heavy grade oil (HGO) in the Antarctic area and, after discussion, agreed to return the issue to the Sub-Committee to examine all available options and make recommendations to MEPC 57.

**Report of FSI 15**

- 59 The Committee noted the progress made by FSI 15 and, in particular:
- .1 approved, subject to concurrent decision by MSC 83, two draft Assembly resolutions for adoption by the twenty-fifth session of the Assembly:
    - .1 the Revised Code for the Implementation of Mandatory IMO Instruments; and

- .2 the Revised Survey Guidelines under the Harmonized System of Survey and Certification;
- .2 approved, subject to concurrent decision by MSC 83:
  - .1 the course of action taken by the Sub-Committee for the adoption of the Code of the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code) and to make it mandatory under SOLAS; and
  - .2 the draft MSC-MEPC.4/Circular on the Code of good practice for port State control;
- .3 endorsed the Sub-Committee's decisions to establish a correspondence group to progress the work items in the Action Plan to tackle the inadequacy of port reception facilities and to issue the revised consolidated format for reporting alleged inadequacies of port reception facilities by means of MEPC/Circ.469/Rev.1;
- .4 noted the possible reasons for the low rate of mandatory reports under the MARPOL Convention and endorsed the action taken by the Sub-Committee to address this issue; and
- .5 endorsed the decision by the Sub-Committee to commence, at FSI 16, the revision of the Revised Guidelines on the implementation of the ISM Code by Administrations (resolution A.913(22)).

#### **TECHNICAL CO-OPERATION SUB-PROGRAMME FOR THE PROTECTION OF THE MARINE ENVIRONMENT**

60 The Committee noted an update on the activities for protection of the marine environment carried out from June 2006 to March 2007 under the Integrated Technical Co-operation Programme (ITCP), and on the activities carried out during the same period for the GEF-funded major projects under the direct supervision of the Organization's Marine Environment Division, as follows:

- .1 achievements under the ITCP, which pertained mainly to the training of officials for developing countries through seminars/workshops/training courses and promotion of regional co-operation through the development of regional action plans, particularly in relation to the MARPOL and OPRC Conventions;
- .2 the Project on Building Partnerships for Environmental Protection and Management of the Seas of East Asia (PEMSEA);
- .3 the PDF-B Project on Building Partnerships to Assist Developing Countries to Reduce the Transfer of Harmful Aquatic Organisms in Ships' Ballast Water (GloBallast Partnerships);
- .4 the Project on the Development of a Regional Marine Electronic Highway (MEH) Demonstration Project in the Straits of Malacca and Singapore; and

- .5 the EC/MEDA-financed project on EUROMED Co-operation on Maritime Safety and Prevention of Pollution from Ships (SAFEMED).

61 The Committee expressed gratitude to IMO partners for their financial and/or in-kind contributions to the ITCP and invited Member States, international organizations and the shipping and oil industry to continue and, if possible, increase their support for the ITCP so that successful delivery of the Programme can be achieved.

#### **ROLE OF THE HUMAN ELEMENT**

62 The Committee considered the matter through the Joint MSC/MEPC Working Group on the Human Element and approved, subject to concurrent decision by MSC 83:

- .1 an updated action plan for the Organization's Strategy to Address the Human Element;
- .2 Guidelines for operational implementation of the ISM Code by companies; and
- .3 Guidelines on qualifications, training and experience necessary for undertaking the role of the Designated Person under the provisions of the ISM Code.

63 The Committee, in considering the request from ILO to establish a Joint ILO/IMO Working Group on the Human Element, agreed, subject to concurrent decision by MSC 83, that:

- .1 the Joint MSC/MEPC Working Group on the Human Element should continue its work in accordance with the Organization's Strategy to Address the Human Element (MSC-MEPC.7/Circ.4);
- .2 there was no compelling need to establish a Joint ILO/IMO Working Group at this stage to address the issues relating to seafarers' training; hours of work and rest; manning levels; seafarers' fatigue; career and skill development, as these were already being addressed by the STW Sub-Committee on a regular basis; and
- .3 in future, when preparing or reviewing other technical text or proposals on matters within the technical competence of both Organizations, if considered necessary, an *ad hoc* Joint ILO/IMO Working Group could be established on a case by case basis, with specific terms of reference, to properly address the human element on a tripartite basis.

#### **FORMAL SAFETY ASSESSMENT**

64 The Committee considered how to carry out a more in-depth analysis of the proposed Environmental Risk Assessment Criteria for inclusion in the Guidelines for Formal Safety Assessment for use in the IMO rule-making process (MSC/Circ.1023-MEPC/Circ.392).

65 The Committee, noting that further work, including more research, was needed on the matter, agreed to establish a correspondence group to review the proposed Criteria and instructed it to submit a report to MEPC 57 for consideration and action as appropriate.

## **WORK PROGRAMMES OF THE COMMITTEE AND SUBSIDIARY BODIES**

### **Work programme and agendas of the Committee**

66 The Committee considered and approved the items to be included in the agendas for MEPC 57, MEPC 58 and MEPC 59. The Committee also agreed to the establishment of working and review groups at MEPC 57.

### **New work programme items for sub-committees**

#### ***Translocation of invasive aquatic species through biofouling of ships***

67 The Committee, having considered the proposal by Australia, New Zealand, the United Kingdom, Friends of the Earth International (FOEI) and the World Conservation Union (IUCN), decided to include a new high priority item in the work programme of the BLG Sub-Committee on “Development of international measures for minimizing the translocation of invasive aquatic species through bio-fouling of ships” and in the provisional agenda of BLG 12, with a target completion date of 2010 (three sessions).

#### ***Performance of shipboard pollution prevention equipment***

68 The Committee, having considered the proposal by Dominica to include a new item in the work programme of the DE Sub-Committee on amendments to MARPOL Annex I to address the problem of illegal oil discharges from ships through electronic control means, was of the view that it is important at this stage to consider how to deal with the issue, including how to improve the performance of shipboard pollution prevention equipment, and not to make amendments to MARPOL Annex I. The Committee, therefore, decided to instruct the DE Sub-Committee to consider the matter under the item “Any other business” and to advise MEPC 57 accordingly.

### **Work programmes and provisional agendas for the BLG and FSI Sub-Committees**

69 The Committee considered and approved the work programmes of the BLG and FSI Sub-Committees and the provisional agendas for their forthcoming meetings, as amended.

### **Work programmes of the DSC, NAV, DE and STW Sub-Committees**

70 The Committee considered and approved the work programme items of the DSC, FP, NAV, DE and STW Sub-Committees, as amended, which relate to environmental issues.

### **Intersessional meetings of the working/technical groups**

71 The Committee, in view of its heavy workload and the urgency to make progress on several important items on its agenda, agreed to the convening of the following intersessional meetings:

- .1 BLG Working Group on Air Pollution, to be held in the latter part of 2007;
- .2 Working Group on Ship Recycling, to be held in January 2008;
- .3 ESPH Working Group, to be held in the latter part of 2008; and

- .4 OPRC-HNS Technical Group, to be held in the week prior to MEPC 57 in March 2008.

## **APPLICATION OF THE COMMITTEE'S GUIDELINES**

### **Review of the Committees' Guidelines**

72 The Committee noted that the Committees' Guidelines on the organization and method of work, as revised by both the MSC and MEPC, had been issued as MSC-MEPC.1/Circ.1.

### **Adherence to the Committees' Guidelines**

73 The Committee noted the concerns expressed by the delegation of the Bahamas, supported by several other delegations, that the Committees' Guidelines were not being strictly adhered to in that the increased number of working, technical, drafting and correspondence groups and intersessional meetings resulted in unrealistic timescales and priorities being allocated to work programme items as well as taxing the resources of Member States, in particular, the developing and least developed countries, as well as the Secretariat.

74 The Chairman of the Committee stated that those concerns were chronic problems faced by the Committees and their subsidiary bodies, which had been dealt with in the past. The Chairman assured the Committee that these concerns would be considered at the Chairmen's Meeting to be held prior to MSC 83 in Copenhagen and that he would report back to MEPC 57.

### **Need for capacity-building when developing new instruments or amending existing ones**

75 The Committee, having considered the outcome of MSC 82 on a proposal that the Committees and sub-committees should ensure, when developing new instruments and/or when amending existing ones, that guidance for their implementation is prepared, agreed to consider the matter further at MEPC 57 and invited delegations to submit documents to that session, taking into account the outcome of further considerations by MSC 83.

## **ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN FOR 2008**

76 In accordance with rule 17 of its Rules of Procedure, the Committee unanimously re-elected Mr. Andreas Chrysostomou (Cyprus) as Chairman; and Mr. Ajoy Chatterjee (India) as Vice-Chairman, both for 2008.

## **APPLICATIONS FOR CONSULTATIVE STATUS**

77 The Committee's recommendations on this issue are reported under agenda item 12.

## **ACTION REQUESTED OF THE COUNCIL**

78 The Council is invited to:

- .1 consider the report of the fifty-sixth session of the Marine Environment Protection Committee (MEPC 56/23 and Add.1) and, in accordance with article 21(b) of the IMO Convention, transmit it, with its comments and recommendations, to the Assembly;

- .2 note the adoption by the Committee of amendments to MARPOL Annexes I and IV, the 1973 Intervention Protocol and the IBC Code (paragraphs 5 to 7);
- .3 note the progress and decisions made by the Committee in the revision of MARPOL Annex VI and the NOx Technical Code, including the establishment of an Informal Cross Government/Industry Scientific Group of Experts; and in the work to reduce greenhouse gas emissions from ships (paragraphs 8 to 18);
- .4 note the progress and decisions made by the Committee relevant to the implementation of the BWM Convention, including the adoption of two new sets of guidelines and the approval of two new ballast water management systems that make use of Active Substances (paragraphs 19 to 27);
- .5 note the progress and decisions made by the Committee in developing a draft international convention for the safe and environmentally sound recycling of ships (paragraphs 28 to 37);
- .6 note the action taken by the Committee concerning the designation and protection of Special Areas and PSSAs, including designation, in principle, of the Papahānaumokuākea Marine National Monument of the United States as a new PSSA (paragraphs 38 to 44);
- .7 note the approval by the Committee of unified interpretations and other measures to promote the implementation of the MARPOL Convention and related instruments (paragraphs 45 to 52);
- .8 note the action taken by the Committee concerning implementation of the OPRC Convention, the OPRC-HNS Protocol and associated relevant conference resolutions (paragraphs 53 to 55);
- .9 note the action taken by the Committee concerning technical co-operation matters for the protection of the marine environment (paragraphs 60 and 61);
- .10 note the action taken by the Committee on issues relating to the Human Element and Formal Safety Assessment (paragraphs 62 to 65);
- .11 note the action taken by the Committee on new work programme items for sub-committees (paragraphs 67 and 68); and
- .12 endorse the action taken by the Committee in approving intersessional meetings for working/technical groups scheduled to meet in 2007 and 2008 (paragraph 71).