



MARINE ENVIRONMENT PROTECTION
COMMITTEE
47th session
Agenda item 20

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**REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE
ON ITS FORTY-SEVENTH SESSION**

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1 INTRODUCTION

1.1 The forty-seventh session of the Marine Environment Protection Committee was held at IMO Headquarters from 4 to 8 March 2002 under the chairmanship of Mr. Michael Julian (Australia).

1.2 The session was attended by delegations from:

ALGERIA	LEBANON
ANTIGUA AND BARBUDA	LITHUANIA
ARGENTINA	LUXEMBURG
AUSTRALIA	MALAYSIA
BAHAMAS	MALTA
BANGLADESH	MARSHALL ISLANDS
BELGIUM	MAURITANIA
BRAZIL	MEXICO
CANADA	MOROCCO
CHILE	NAMIBIA
CHINA	NETHERLANDS
COLOMBIA	NEW ZEALAND
COTE D'IVOIRE	NIGERIA
CUBA	NORWAY
CYPRUS	PANAMA
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA	PERU
DENMARK	PHILIPPINES
DOMINICA	POLAND
ECUADOR	PORTUGAL
EGYPT	REPUBLIC OF KOREA
ESTONIA	ROMANIA
FINLAND	RUSSIAN FEDERATION
FRANCE	SAINT VINCENT AND THE GRENADINES
GERMANY	SAUDI ARABIA
GHANA	SINGAPORE
GREECE	SLOVENIA
GUATEMALA	SOUTH AFRICA
HONDURAS	SPAIN
ICELAND	SWEDEN
INDIA	THAILAND
INDONESIA	TRINIDAD AND TOBAGO
IRAN (ISLAMIC REPUBLIC OF)	TURKEY
IRELAND	UKRAINE
ISRAEL	UNITED KINGDOM
ITALY	UNITED STATES
JAMAICA	URUGUAY
JAPAN	VANUATU
LATVIA	VENEZUELA
LIBERIA	

by representatives from the following Associate Member of IMO:

HONG KONG, CHINA

by representatives from the following United Nations and Specialized Agencies:

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE
(UNFCCC)
UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP)
WORLD HEALTH ORGANIZATION (WHO)

by observers from the following intergovernmental organizations:

EUROPEAN COMMISSION (EC)
INTERNATIONAL OIL POLLUTION COMPENSATION FUNDS (IOPC FUNDS)
REGIONAL ORGANIZATION FOR THE PROTECTION OF THE MARINE
ENVIRONMENT (ROPME)
INTERNATIONAL MOBILE SATELLITE ORGANIZATION (IMSO)

and by observers from the following non-governmental organizations:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)
INTERNATIONAL ORGANIZATION FOR STANDARDIZATION (ISO)
INTERNATIONAL UNION OF MARINE INSURANCE (IUMI)
INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU)
INTERNATIONAL NAVIGATION ASSOCIATION (PIANC)
BALTIC AND INTERNATIONAL MARITIME COUNCIL (BIMCO)
INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)
INTERNATIONAL CARGO HANDLING CO-ORDINATION ASSOCIATION (ICHCA)
EUROPEAN CHEMICAL INDUSTRY COUNCIL (CEFIC)
OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)
FRIENDS OF THE EARTH INTERNATIONAL (FOEI)
INTERNATIONAL ASSOCIATION OF THE INSTITUTES OF NAVIGATION (IAIN)
INTERNATIONAL FEDERATION OF SHIPMASTERS' ASSOCIATIONS (IFSMA)
INTERNATIONAL ASSOCIATION OF OIL AND GAS PRODUCERS (OGP)
ASSOCIATION OF EUROPEAN SHIPBUILDERS AND SHIPREPAIRERS (AWES)
INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS
(INTERTANKO)
INTERNATIONAL TANKER OWNERS POLLUTION FEDERATION LIMITED
(ITOPF)
INTERNATIONAL UNION FOR CONSERVATION OF NATURE AND NATURAL
RESOURCES (IUCN)
SOCIETY OF INTERNATIONAL GAS TANKER AND TERMINAL OPERATORS
LTD (SIGTTO)
GREENPEACE INTERNATIONAL
INTERNATIONAL COUNCIL OF CRUISE LINES (ICCL)
INTERNATIONAL ASSOCIATION OF DRY CARGO SHIPOWNERS
(INTERCARGO)
WORLD WIDE FUND FOR NATURE (WWF)
INTERNATIONAL PETROLEUM INDUSTRY ENVIRONMENTAL
CONSERVATION ASSOCIATION (IPIECA)

THE INSTITUTE OF MARINE ENGINEERING, SCIENCE AND TECHNOLOGY
(IMarEST)
INTERNATIONAL SHIP MANAGERS' ASSOCIATION (ISMA)
INTERNATIONAL PARCEL TANKERS ASSOCIATION (IPTA)
INTERNATIONAL SAILING FEDERATION (ISAF)
THE INTERNATIONAL MARINE CONTRACTORS ASSOCIATION (IMCA)
WORLD NUCLEAR TRANSPORT INSTITUTE (WNTI)
INTERNATIONAL HARBOUR MASTERS' ASSOCIATION (IHMA)
ROYAL INSTITUTION OF NAVAL ARCHITECTS (RINA)

The Chairman of the Maritime Safety Committee (MSC), Mr. T. Allan (United Kingdom), the Chairman of the Technical Co-operation Committee (TCC), Captain M.U. Ahmed (Bangladesh), the Chairman of the Sub-Committee of the Ship Design and Equipment (DE), Mr. A. Chrysostomou (Cyprus), the Chairman of the Sub-Committee on Bulk Liquids and Gases (BLG), Mr. Z. Alam (Singapore) and the Chairman of the Sub-Committee on Flag State Implementation, Mr K.T. Lim (Republic of Korea) were also present.

1.3 The Secretary-General welcomed participants and then mentioned the IMO activities on matters of maritime security. In the wake of the terrorist attacks in the United States on 11 September last year, the Assembly at its 22nd session adopted resolution A.924(22) on Review of measures and procedures to prevent acts of terrorism which threaten the security of passengers and crews and the safety of ships. The meeting of the MSC Intersessional Working Group on Maritime Security held two weeks ago made significant progress in preparation for an IMO Conference on Maritime Security to be convened in conjunction with MSC 76 later this year.

1.4 The Secretary-General stated that the Assembly recognized the achievements of the MEPC during the past two years, especially the successful adoption of the revised MARPOL regulation 13G with regard to accelerated phasing-out of single-hull tankers and the successful adoption of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships (AFS Convention) prepared by the MEPC. All these achievements by the MEPC emphasized the role of IMO in the development of regulations and its ability to respond quickly to such demands.

1.5 The Secretary-General stated that, since the AFS Convention sets 1 January 2003 as the target date for global prohibition of application of TBT paints, it was of paramount importance that the Convention should come into force as soon as possible. The Convention had been ready for signature from the beginning of February and would remain open for signature until the end of this year. The Secretary-General urged Member Governments to take positive steps to ratify and implement the Convention at the earliest opportunity so that measures eradicating harmful anti-fouling paints could be implemented as scheduled in the provisions of the Convention.

1.6 The Secretary-General also informed the Committee that the Assembly adopted resolution A.929(22) on entry into force of MARPOL Annex VI, urging Member Governments to accelerate their ratification process for the Annex so that it too could enter into force as soon as possible.

1.7 The Secretary-General stated that the problem of harmful aquatic organisms in ballast water, which was first raised at IMO in 1988, was now recognized as one of the four major threats to the health of the oceans. The Committee was charged with the responsibility of finding a workable and acceptable solution to the problem. The last sessions the Council and the Assembly approved, in principle, the holding of a Diplomatic Conference on ballast water

management in 2003, therefore there were only two sessions left for the Committee to develop the draft Convention so that it could be circulated well before the proposed Diplomatic Conference in 2003. The Committee must complete the framework of the Convention and develop the ballast water standards during this session.

1.8 The Secretary-General noted that the Committee would develop an IMO Strategy to control greenhouse gas emissions from ships. Although their contribution was relatively small, ships nevertheless did emit greenhouse gases and, because they operate worldwide, IMO was specifically requested to deal with emissions from ships under the Kyoto Protocol of the United Nations Framework Convention on Climate Change. It was important for IMO and the shipping industry to send a positive message to the world that IMO was concerned about climate change and willing to take its share of responsibility in order to protect the climate for the future of the earth.

1.9 The Secretary-General also noted that the Committee would give further consideration to the role of IMO in reducing the safety and environmental risks associated with ship recycling. IMO was mainly concerned with the preparation of ships before recycling commences, which might include consideration from the design stage of ships. The Secretary-General anticipated that the Committee would be able to deal with this issue effectively and efficiently, including consideration of the proposal to develop IMO guidelines on ship recycling.

1.10 The Secretary-General also advised that the Third Research and Development Forum on High Density Oil Spill Response organized by IMO would be held in Brest, France. Oil tanker accidents such as the **Erika** confirmed the urgent need to hold such a Forum to discuss techniques on how to effectively respond to high-density oil spills. He thanked Member States and organizations involved for their co-operation and support for the Forum.

1.11 The Secretary-General noted that the Committee would consider the restructuring of sub-committees. He stated that considerations should not be restricted to the sub-committees' structure but should also focus on how to carry out the work of the Organization in the most effective way.

1.12 The Committee noted the report of the Secretary-General that credentials of the delegations were in due and proper order.

1.13 The agenda for the session, as adopted by the Committee, together with the list of documents considered under each item, is shown at annex 1.

2 HARMFUL AQUATIC ORGANISMS IN BALLAST WATER

2.1 The Committee recalled discussions on the issue of harmful aquatic organisms in ballast water since 1990 and, in particular, that MEPC 46 recommended to the Council that there was sufficient confidence for a successful Conference on Ballast Water Management to be held in 2003 subject to sufficient progress being achieved in 2002. The Committee also noted that to achieve this aim, only two MEPC sessions (including the current session) were available to finalize the text of the legal instrument before it is circulated for the Diplomatic Conference.

2.2 The Committee also noted that it would be necessary for this session to finalize the text of the draft instrument and to make substantial progress on the issue of ballast water management standards. At MEPC 48, these standards would need to be finalized and the Committee would have to conduct an article-by-article review of the draft instrument in plenary. Only if the Committee succeeded in completing these tasks, could it recommend to the 89th session of

Council in November 2002 that sufficient progress had been achieved to hold the planned Diplomatic Conference.

2.3 The Committee further noted that, at MEPC 46, many ballast water issues were considered. On the basis of detailed instructions by the Committee, the Ballast Water Working Group made good progress during that session. The Working Group developed several regulations for the draft “International Convention for the Control and Management of Ships’ Ballast Water and Sediments”, as presented in annex 2 to its report (MEPC 47/2) on the basis of a two-tiered approach, which the Committee had accepted in principle (MEPC 45/20, paragraph 2.5), as follows:

- .1 tier one would require all ships to meet certain baseline requirements for ballast water management at all times throughout the world; and
- .2 tier two would enable ballast water control areas to be designated by contracting parties where additional measures could be required.

2.4 The Committee further noted that the Working Group had also discussed several issues in detail as described in its report and in particular had developed:

- .1 an initial proposal for both a ballast water exchange standard and two options for a ballast water treatment standard; and
- .2 a joint MSC/MEPC circular on “Design suggestions for ballast water and sediment management options in new ships.”

Report of the Ballast Water Working Group at MEPC 46

2.5 The Committee considered the report of the Ballast Water Working Group at MEPC 46 (MEPC 47/2), in conjunction with document MEPC 47/2/15 by the Chairman of the Working Group reviewing key issues considered in previous meetings and identifying those still to be resolved. The Chairman of the Working Group invited the Committee to instruct the Working Group to continue the development of the draft legal instrument on the basis of annex 1 of its report including the principles already established therein and proposed a course of action for the Working Group as outlined in section 2 of his document.

2.6 The delegation of Brazil expressed its concern as to the direction in which the draft legal instrument and ballast water standards were currently being developed (MEPC 47/2/9). The delegation also suggested to agree first on certain fundamental concepts, e.g., what constitutes “acceptable ballast water” and which criteria should be applied for assessing the acceptability of ballast water. Once these and other uncertainties had been addressed, ballast water treatment methods could be assessed and compared as to their effectiveness, and standards could be agreed. To incorporate this logic in the draft legal instrument, the delegation also proposed a rearrangement of the articles of the instrument as set out in annex 2 of its paper.

2.7 The delegation also questioned the conclusion of the Committee that Ballast Water Exchange should be regarded as an interim solution and that the focus should thus be to produce safe and more effective ballast water treatment options (MEPC 46/23, paragraph 3.3). Ballast Water Exchange was currently the only management option available to the shipping sector and no scientific justification existed to classify it as interim. It was suggested to give ballast water exchange equal attention as ballast water treatment in the draft instrument and to review the situation as the need would arise.

2.8 A number of delegations expressed their support for Brazil's approach and advocated the preparation of a good, logical agreement rather than a quick agreement.

2.9 However many other delegations expressed their support for the draft legal instrument and the way in which standards were currently being developed as set out in document MEPC 47/2 and feared that a conceptual discussion would delay development of an instrument. Some uncertainties in ballast water management would only be solved in due course and such solutions might be accelerated by adoption of a legal instrument. The instrument should contain ballast water exchange and ballast water treatment standards. These delegations agreed that any instrument to be adopted should address the right questions and be logical to ensure its acceptance in the end.

2.10 The United States pointed out that, in its view, a global and environmentally protective standard is the cornerstone of the instrument. It strongly urged that the Working Group focus on the development of such a standard.

2.11 A number of delegations supported the views expressed by the observer from ICS who mentioned that when standards are further developed, appropriate attention should also be given to the tools to go with standards, i.e. who would operate such tools and when?

2.12 In summing up, the Chairman noted that:

- .1 it was essential that the legal instrument on ballast water management should address all the relevant issues so that it would be accepted by Member States, enter into force, and contribute to the control of harmful aquatic organisms in ballast water;
- .2 the important matter for this session is the need to agree on standards for ballast water treatment standards and also to progress the text of the draft convention, ready for an article by article review at MEPC 48;
- .3 ballast water exchange was one of the tools to control harmful aquatic organisms in ballast water and "should not be written off yet"; and
- .4 the points raised by Brazil in document MEPC 47/2/9 should be considered by the Working Group in conjunction with document MEPC 47/2/8 by Norway.

2.13 The Committee approved, in general, the report of the Ballast Water Working Group at MEPC 46, as a basis for further discussion and, while noting the conclusions in paragraph 2.11, agreed with the course of action proposed by the Chairman of the Working Group.

Report of the Ballast Water Standards Correspondence Group

2.14 It was noted that, on the recommendation of the Working Group, MEPC 46 had established the Ballast Water Standards Correspondence Group under the lead of the United States to further develop the issue of standards in the intersessional period. That Group had submitted its report as document MEPC 47/2/3 with supporting materials contained in document MEPC 47/INF.5.

2.15 In introducing the report of the Correspondence Group, Mr. F. Kenney (United States) stated that the Group had since MEPC 46 continued to work on ballast water standards drawing *inter alia* on the work of the Ballast Water Working Group during MEPC 46, the outcome of the

1st International Ballast Water Treatment Standards Workshop held at IMO in March 2001, and on the substantial input from the members of the Correspondence Group. He presented the Group's proposals and recommendations for further work, which had been formulated as amendments to the consolidated text of the draft legal instrument considered at the last session (MEPC 46/3/2) and related these proposals with the latest texts before the Committee as contained in annex 1 to MEPC 47/2.

2.16 The Committee thanked the delegation of the United States and all the members of the Correspondence Group for the time and effort they have given to further develop ballast water standards since MEPC 46.

2.17 The Committee considered document MEPC 47/2/14, by the Chairman of the Ballast Water Working Group, in which he reviewed the recommendations of the Ballast Water Standards Correspondence Group. He invited the Committee to give directions on three issues in particular where the findings of the Correspondence Group appeared to deviate from the agreement by the Working Group during MEPC 46, as follows:

- .1 the recommendation by the Correspondence Group in MEPC 47/2/3, paragraph 3.1, that any standard for ballast water exchange should be separate from the performance standards for ballast water treatment had already been accepted by the Working Group, and the current text (MEPC 47/2, annex 1, regulations E-1 and E-2) reflected this agreement. The Committee was invited to agree that the Working Group should proceed on the basis of the text already contained in MEPC 47/2, annex 1, regulations E-1 and E-2;
- .2 the Working Group agreed that the Organization should undertake to review the effectiveness of ballast water treatment standards at a maximum of [5] yearly intervals and, accordingly, drafted text as part of regulation E-2 (MEPC 46/23, paragraph 3.13.3). The Committee was invited to decide whether the Working Group should be directed to re-open discussion on this matter in light of the recommendation by the Correspondence Group on this point (MEPC 47/2/3, paragraph 3.4), noting the possible implications for the agreed timetable; and
- .3 the Working Group considered the role of Port State Control Officers (PSCOs) as proposed in the draft Article 15 (MEPC 47/2, Annex 1). The Correspondence Group did not reach agreement on the functions of PSCOs in the testing of ballast water treatment systems and recommended a review of this issue (MEPC 47/2/3, paragraph 3.6). As the balance of opinion within the Correspondence Group appeared to concur with the arrangements described in the draft Article 15, the Committee was invited to decide whether the Working Group should be directed to re-open discussion on the matter.

2.18 The Committee concurred with these recommendations and agreed not to reopen the discussions mentioned in the above paragraphs.

2.19 At the proposal by the delegation of Japan, the Committee agreed that the Working Group should review the provisions on surveys and certifications in a similar manner as the regulations under the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001, had been developed. This would allow amendment in future using the IMO - "tacit amendment" procedure.

2.20 The Committee noted all other documents submitted under this agenda item and referred these and the abovementioned documents for detailed consideration by the Ballast Water Working Group.

Instructions to the Ballast Water Working Group

2.21 The Ballast Water Working Group was instructed, in the context of the conclusions contained in paragraph 2.11, to:

- .1 continue the development of the draft legal instrument as contained in annex 1 of the Report of the Working Group (MEPC 47/2);
- .2 continue the development of ballast water management standards;
- .3 consider issues related to ballast water management areas to be included in Regulations under Section C - "Special Requirements in Certain Areas"; and
- .4 continue the development of guidelines referred to in the draft Regulations (Chapter 6 of MEPC 47/2).

2.22 The Chairman referred to the importance of the GEF/UNDP/IMO GloBallast Programme indicating this was probably the first time that technical co-operation had been provided prior to an IMO Convention coming into force. Preparing Member States in advance so that they would be in a position to fully implement the provisions of the Convention when it enters into force.

2.23 The Secretary of MEPC, Mr. Sekimizu, informed the Committee of the following activities under the GEF/UNDP/IMO GloBallast Programme carried out since MEPC 46:

- .1 Port Baseline Surveys had been completed successfully in all the six demonstration sites;
- .2 the legislative review under the Programme had been completed and the final report, including the outcome of the 1st International Workshop on Legal Aspects of Ballast Water Management and Control, held in November 2001, and hosted by the World Maritime University (Malmö, Sweden), would be available shortly;
- .3 substantial progress was made in fostering regional cooperation at each demonstration site. The most significant achievement in regional cooperation had been the establishment of the Regional Project Task Force in the Black Sea region. During the Black Sea Conference on Ballast Water Management and Control the six coastal states adopted a Resolution to approve the Regional Action Plan and to urge IMO, UNDP and GEF to secure continuation of the GloBallast Programme within the timeframe needed to ensure a seamless implementation of the forthcoming IMO Convention (MEPC 47/2/4); and
- .4 in January 2002, at the Global Project Task Force Meeting in Goa (India), all the six pilot countries expressed strong support for the extension of the GloBallast Programme by one year.

2.24 Mr. Sekimizu announced that the five documents reporting on activities under the GloBallast Programme would be considered in detail in the Ballast Water Working Group and

mentioned that among the priorities of the GloBallast Programme during the coming months were:

- .1 initiation of the risk assessment activities in all the pilot countries; and
- .2 continuation of the regional co-operation focusing on the replication of the experience achieved through the Khark Island demonstration site for the ROPME Sea Area in the other countries of the region.

Oral report of the Ballast Water Working Group

2.25 The Committee received an oral report from the Chairman of the Ballast Water Working Group, Mr. M. Hunter (United Kingdom), reflecting the status of work carried out by the Group during this session as reflected in the following paragraphs.

2.26 The Working Group addressed the development of standards as a first priority, and after extensive consideration concluded on a number of points of principle as set out below.

2.27 The Group agreed that the ballast water exchange standard should be one of the tools within the draft legal instrument, alongside one or more treatment standards. A provision was included for the review of both ballast water exchange and treatment standards based upon submissions to IMO in view of developing technology.

2.28 The Group considered it essential to signal the treatment standard that would be the ultimate target, though opinion was divided as to whether this should form part of the legal instrument or of a supporting resolution. Two considerations gave rise to this difference of views. Firstly, many members of the Group felt that the standard set in the legal instrument should be achievable within the likely timescale of an early entry-into-force. Others questioned whether there was sufficient confidence that such standards would achieve a worthwhile environmental benefit. The Group acknowledged that only a 100% removal or inactivation standard could be guaranteed to be effective in eliminating the transfer of harmful aquatic organisms and pathogens, but that standards based on a lesser percentage would have a non-quantifiable benefit. A large proportion of the Group was of the opinion that a 95% reduction would achieve a worthwhile reduction of risk and would be a practicable and achievable solution in the medium term. Others were concerned that this was not a scientifically supportable conclusion.

2.29 The Group was also divided over the need for a Tier 2 standard; some expressed the view that a robust Tier 1 standard would avoid the need for additional measures in defined areas. Depending on the choice of standards, there may be a need for a single global standard, or, alternatively, for a range of standards, perhaps defined for Tier 1, Tier 2 and an ultimate target standard.

2.30 Consequently, the Working Group identified a range of standards for further evaluation and recommended the Committee to re-establish the Correspondence Group on Ballast Water Standards to:

- .1 carry out a detailed comparative assessment of each of the proposed standards, taking into account the various technologies that might be used to achieve these standards and all other relevant factors and considerations with particular attention to practicality, biological effectiveness (including pathogens), cost-benefit and the timeframes within which the standards could practically be implemented; and

- .2 prepare a report with recommendations that will enable the Committee to decide on the standards that should be included in the text of the Convention.

2.31 In this context, the Working Group recommended that the Committee request GESAMP to advise the Correspondence Group in qualitative terms on each of these standards and for the requirements for testing and monitoring of these.

2.32 With reference to discussions under agenda item 10 and regarding the recommendation to request GESAMP to advise the Correspondence Group, the Netherlands, supported by other delegations, expressed concern on the feasibility of this request in particular regarding finances and workload of GESAMP.

2.33 In case the Committee would agree to re-establish the Correspondence Group, Mr. Fred Kenney of the United States' delegation offered to continue in his role of co-ordinator.

2.34 A sub-group of scientific experts developed an additional standard and some of the supporting criteria, which was subsequently reviewed by the Working Group.

2.35 The Group continued with developing the draft legal instrument as contained in document MEPC 47/2, annex 1, and reviewed the specific comments on that text as submitted to this session, resulting in new text and amendments, as necessary. A major new element was the section C on Special Requirements in Certain Areas, or "Tier 2" regulations. The Group developed criteria for establishing a ballast water discharge control area, and requirements for ships discharging ballast water within such areas. This text was necessarily provisional until decisions had been taken regarding the choice of one or more ballast water treatment standards.

2.36 The delegation of Japan was of the opinion that the text developed for Tier 2 was unrealistic and therefore could not be implemented, and reserved its position.

2.37 In accordance with the instructions to the Group and the recommendations of the IMO Legal Office, the Tier 2 text was based on the principle that areas should be designated either within the draft legal instrument or approved by the Organization. A number of delegations expressed concern about the use of this principle and the United States, in particular, reserved its position on this issue, and the Tier 2 text as prepared by the Working Group.

2.38 The Working Group dealt with some very complex and interrelated issues and, in the time available, was not able to continue development of the guidelines referred to in its terms of reference (see paragraph 2.21.4 above).

2.39 It was also considered that the text of the legal instrument should be further refined before conducting an article-by-article consideration by MEPC 48 in accordance with the time schedule towards a diplomatic conference in 2003. The Working Group agreed to recommend the establishment of an intersessional Ballast Water Working Group with the following terms of reference:

- .1 further refine and integrate the text of the legal instrument;
- .2 develop guidelines in support of the legal instrument; and
- .3 submit a written report to MEPC 48.

2.40 As instructed the Working Group considered several other submissions, including proposals by Brazil regarding the concept of “acceptable ballast water” (MEPC 47/2/9). The Group considered further elaboration of this concept by Brazil and agreed that many of the issues raised in these proposals were already addressed within the legal instrument and, in particular, that the concept was linked to the development of standards and the use of risk assessment techniques particularly in relation to exemption provisions contained in the legal instrument, annex 1, section A.

2.41 In this regard, Brazil undertook to submit a document to MEPC 48 on the use of Scientific Multi-criteria Decision Aid Methodologies in establishing the ranking of ballast water treatment techniques. Brazil also expressed the view that the concept of acceptable ballast water had not been properly dealt with by the Working Group and reserved its position.

2.42 In commenting to the oral report, the delegation of Brazil stated that it could not accept this report and the manner in which the Working Group had conducted its work:

- .1 the concept of acceptable ballast water, proposed by Brazil as a basis for defining the problem to be solved, had not been properly dealt with by the Working Group; and
- .2 the various submissions on ballast water issues by Brazil to this session had not been given appropriate attention from the outset and in the terms of reference for the Working Group, in spite of the conclusions earlier in the week and the support expressed by other delegations.

2.43 The delegation of Brazil reserved its position for the above reasons, but would nonetheless actively contribute to the further work of the Committee on this issue because the legal instrument was important for Brazil, as a recipient of huge quantities of ballast water in its coastal waters.

2.44 The delegation of Argentina expressed its support for the position of Brazil.

2.45 Several delegations expressed their appreciation for the work done by the Working Group, acknowledged that many issues still needed to be resolved, particularly the issue of standards, and that the Committee should make all efforts to prepare a legal instrument for consideration in 2003.

2.46 The delegation of Australia, supported by France, expressed disappointment that the issue of concepts had again been raised during this session, despite ballast water having been on the work programme of MEPC for over ten years.

2.47 The delegation of the Netherlands expressed its doubts about the application in practice and the enforceability of Brazil’s concept of “acceptable ballast water”. The observer from FOEI expressed the view that this concept did not take account of the principle of precautionary approach to environmental protection, which had been accepted by MEPC (resolution MEPC.67(37)) and requested Brazil to incorporate the principle in its future submissions.

2.48 Many delegations expressed support for the re-establishment of the Ballast Water Standards Correspondence Group and the establishment of an intersessional Ballast Water Working Group and for the terms of reference developed for these groups. Other delegations opposed establishment of these groups.

2.49 Many delegations also supported the suggestion to convene the intersessional Ballast Water Working Group in the week prior to MEPC 48, as this would enable that Group to benefit from the findings of the Correspondence Group. The delegation of Cyprus, supported by France, expressed the view that, in order for Governments to monitor and influence the work undertaken by the Working Group so far, and because no written report had been submitted to this session of the Committee, the intersessional meeting of the Working Group should only be scheduled after MEPC 48.

2.50 The delegation of Israel stated that based on its earlier submissions to the Committee, Ballast Water Exchange was not effective to prevent or mitigate the transfer of harmful aquatic organisms, and that ballast water treatment techniques should be developed as soon as possible to replace it.

2.51 The delegation of Japan stated that it was very important to identify in the draft legal instrument locations where Ballast Water Exchange can safely be conducted and accepted. Without this kind of rule, the legal instrument would not work well, pending the application of ballast water treatment systems, which meet the standards being developed under Regulation E-2.

Action taken by the Committee

2.52 The Committee agreed to re-establish the Correspondence Group on Ballast Water Standards and accepted the kind offer by the United States to lead this Group (for details of the co-ordinator, please see paragraph 18.25). The terms of reference for the Correspondence Group are set out in annex 9 to this report.

2.53 The Committee also agreed to request permission from the Council to establish an intersessional Ballast Water Working Group, at no cost to the Organization, which would meet at IMO Headquarters in the week prior to MEPC 48. The terms of reference for the Working Group are set out in annex 9 to this report.

2.54 The Committee, at this stage, rejected the recommendation of the Working Group requesting GESAMP to contribute to the work of the Correspondence Group on Ballast Water Standards (see paragraph 2.31 above). The Committee felt that IMO should give priority to the GESAMP/EHS work as reflected in section 10 of this report.

MSC/MEPC Circular on design suggestions for ballast water and sediment management options in new ships

2.55 The Committee considered the MSC/MEPC Circular on “design suggestions for ballast water and sediment management options in new ships” (MEPC 47/2, annex 2) and noted that this circular is directed to informing and stimulating the shipbuilding community about the future directions on the ballast water issue. At the request of MEPC 46, MSC 74 and DSC 6 had reviewed this circular and provided comments as reflected in the document.

2.56 The Committee noted the information by the United Kingdom on the use of tank washing systems to help in the control of sludge and sediment for improving the effectiveness of ballast water management (MEPC 47/2/1). The delegation invited the Committee to include appropriate guidance and recommendations on application of these systems in the text of the circular. The Committee also noted document MEPC 47/2/18 by the observer from INTERTANKO, in which it expressed its concern that recommendations as suggested by the United Kingdom were premature.

2.57 The Committee instructed the Ballast Water Working Group to review the circular in light of these submissions and other suggestions made in plenary.

2.58 After review and amendments by the Working Group, the Committee approved the MSC/MEPC Circular concerning "Design suggestions for ballast water and sediment management options in new ships" as contained in document MEPC 47/WP.14, and instructed the Secretariat to distribute the circular as MSC/Circ.1021-MEPC/Circ.389 as soon as possible.

3 RECYCLING OF SHIPS

3.1 The Committee recalled that the negative environmental and safety consequences associated with current ship recycling practices were first brought to its attention at MEPC 42. The Committee further recalled that at MEPC 44 there was general agreement that IMO had a role to play in reducing the safety and environmental risks associated with the recycling of ships. Having had a thorough debate on the subject, MEPC 44 agreed to consider this matter further at MEPC 46 and, in order to facilitate the discussion, decided to establish a Correspondence Group with Bangladesh as lead country.

3.2 The Committee recalled that at MEPC 46, following a discussion on the policy issues related to IMO's future role and the need for an environmental standard for ships delivered for recycling, a number of general points were noted (MEPC 46/23, paragraph 7.12).

3.3 The Committee also recalled that MEPC 46 agreed to re-establish the Correspondence Group on Recycling of Ships, with Bangladesh as lead country, in order to prepare a document on the role of IMO and where to focus the Committee's attention.

Inter-agency co-operation

3.4 The Committee considered documents MEPC 47/3 and MEPC 47/WP.4 regarding ongoing co-operation on ship recycling with the International Labour Organization (ILO) and the UNEP Basel Convention Secretariats, and noted that:

- .1 the Technical Working Group of the Basel Convention, at its eighteenth session, noted that gaps still existed in its draft technical guidelines, and proposed that IMO should take the lead in developing guidelines or mandatory requirements to ensure hazardous materials were removed from ships before being sent to recycling yards;
- .2 the ILO Secretariat had approached the IMO and Basel Convention Secretariats with a view to exploring the idea of developing an inter-agency technical assistance project related to ship recycling. The IMO Secretariat had expressed interest to ILO in exploring this proposal, and informed the ILO that IMO's future work plan regarding ship recycling would be discussed by the MEPC and that the IMO Secretariat would have to await the outcome of that discussion prior to making any commitment;
- .3 during the nineteenth session of the Technical Working Group of the Basel Convention in January 2002, the Technical Working Group re-emphasized that the work of the ILO and IMO is critical in addressing the issue of ship recycling worldwide in a comprehensive way, and requested the Basel Convention Secretariat to officially communicate this statement to both the IMO and the ILO; and

- .4 as provided in MEPC 47/WP.4, the Basel Convention Secretariat requested general views from IMO on several issues regarding recycling of ships, including the question as to when a ship becomes waste; role of flag and port States; potential or identified overlaps, gaps or conflicts between international treaties; the status of abandoned or scuttled ships either on land or at sea; and which rules apply to waste on board a ship destined for recycling (cargo waste and operational waste). The Basel Convention sought this information in a letter addressed to IMO in February 2002.

Report of the Correspondence Group

3.5 The Committee noted that the report of the Correspondence Group on Ship Recycling (MEPC 47/3/3) and, in particular, that the Correspondence Group suggested the following as being within the remit of IMO:

- .1 taking overall responsibility for co-ordinating issues associated with ship recycling and responsibility for monitoring issues arising during ship design, building and operation which might impact on recycling, including onboard preparations for recycling;
- .2 encouraging and facilitating all "stakeholders" to identify and address their responsibilities in the ship recycling operation relating to maritime safety and the prevention of pollution from ships; and
- .3 identifying areas where IMO might consider introducing or amending recommendations or regulations relating to the recycling of ships engaged in international trade, including the application of other international instruments to such ships.

3.6 The Committee also noted that the Correspondence Group recommended the following course of action for consideration by the Committee:

- .1 the Working Group at MEPC 47 be tasked with developing a draft Assembly resolution on the need for an international approach on ship recycling, the need to provide guidance for government and industries, stressing the need for co-operation with the Basel Convention and ILO and suggesting areas of activity for various stakeholders;
- .2 the draft Assembly resolution should take into account the work achieved by the industry in its "Industry Code of Practice on Ship Recycling" as submitted to the Committee and encourage the development of similar statements by other stakeholders; and
- .3 the Working Group be tasked with proposing comments on the Industry Code of Practice as provided in document MEPC 47/3/2.

3.7 Regarding future co-operation with the ILO and the Basel Convention, the Committee noted the following recommendations from the Correspondence Group:

- .1 the ILO should be encouraged to develop a ship recycling technology programme including training;

- .2 the ILO should be encouraged to develop criteria for recycling facilities to be used by national authorities;
- .3 the Basel Convention should be encouraged to continue to identify substances that might exist on ships which are potentially harmful to human health or the environment; and
- .4 the IMO, the ILO and the Basel Convention should continue to monitor environmental social and economic aspects of ship recycling.

3.8 The Committee considered documents MEPC 47/3/1, MEPC 47/3/4 and MEPC 47/INF.3 submitted by India. Document MEPC 47/3/1 contained proposals for consideration by the Committee on the development of internationally applicable guidelines on recycling of ships and recalled the roles and responsibilities of stakeholders during the life cycle of a ship in order to arrive at a meaningful assessment of what should be IMO's role on ship recycling and how this can be implemented. Document MEPC 47/3/4 contained further proposals to develop a new MARPOL Annex regarding ship recycling, and document MEPC 47/INF.3 provided information on the Environmental Guidelines for the ship recycling industry in India.

3.9 The Committee noted that document MEPC 47/3/2, submitted by the International Chamber of Shipping (ICS), contained at annex the Industry Code of Practice on Ship Recycling. In paragraph 7 of the document and paragraph 3.1(v) of the Code, the organizations involved are called upon to "encourage the International Maritime Organization to endorse this industry code and contribute to its further development."

3.10 The Committee also noted the response of Greenpeace International (MEPC 47/3/5) to the report of the Correspondence Group. The Committee further noted the information provided in MEPC 47/INF.4, submitted by BIMCO. In the light of growing concern over insufficient capacity to handle the large number of tankers that will be recycled as part of the pre-MARPOL tanker phase-out, BIMCO has initiated and completed a study on the global recycling capacity. The study was presented to the Committee.

General discussion

3.11 The Committee noted with appreciation the report of the Correspondence Group under the leadership of Captain Moin Ahmed (Bangladesh), and supported the Group's proposal regarding IMO's role in ship recycling.

3.12 After discussion, it was generally agreed that IMO has an important role to play in ship recycling, including preparation of a ship before recycling commences, and a co-ordinating role towards the ILO and the Basel Convention in recycling matters. The Committee agreed that IMO, for the time being, should develop recommendatory guidelines to be adopted by an Assembly resolution. However, the Committee noted that there were different views concerning the question of development of a binding legal instrument, and that some delegations were of the opinion that IMO should aim for mandatory requirements, including preparation of a new Annex to MARPOL 73/78.

3.13 The Committee noted with appreciation the Industry Code of Practice as contained in document MEPC 47/3/2 and decided to use this as the base document for the IMO guidelines.

3.14 The Committee agreed that there was a need to further co-operate with the ILO and the Basel Convention with regard to ship recycling. In that context, it was noted that there might be a difference in the way the IMO and the Basel Convention defines ships towards the end of their active life. IMO would tend to define the ship delivered for recycling as a resource containing some contaminants, whilst the Basel Convention would tend to define the ship as waste in its entirety.

Instructions to the Working Group

3.15 The Committee established a Working Group with the following terms of reference:

- .1 to give further consideration to IMO's role in ship recycling, including the extent of such a role;
- .2 to develop a work plan for the Committee to address the matter, including target dates and use of working/correspondence groups;
- .3 to discuss the development of technical guidelines and codes of practice for shipowners, including the responsibilities of flag States based on the Industry Code of Practice on Ship Recycling submitted by ICS (MEPC 47/3/2);
- .4 to develop a draft Assembly resolution on ship recycling to the extent possible; and
- .5 to consider matters relating to co-operation with the Basel Convention and ILO, including the issues raised by the legal working group of the Basel Convention and the proposal to develop an inter-agency technical assistance project related to ship recycling.

3.16 On the issues raised by the Basel Convention (MEPC 47/WP.4), the delegation of Cyprus reserved its position on the Committee's instruction to the Working Group, since these issues were raised during the meeting and there was no time to consider the document in advance. Nevertheless, the Committee requested the Working Group to make any general comments on these issues, so that the Secretariat could take them into account in preparing its reply to the Basel Convention Secretariat in time for the Basel Convention's meeting planned to be held in May 2002.

Outcome of the Working Group

3.17 The Working Group on Ship Recycling met from 4 to 6 March 2002 under the chairmanship of Captain Moin U. Ahmed (Bangladesh). The Working Group's report (MEPC 47/WP.13) made the following points:

3.18 With regard to IMO's role, the Working Group suggested that IMO should:

- .1 take overall responsibility for co-ordinating issues associated with ship recycling and responsibility for monitoring issues arising during ship design, building and operation which might impact on recycling, including on board preparations for recycling;

- .2 encourage and facilitate all "stakeholders" to identify and address their responsibilities in ship recycling relating to environmental and safety risks and health and welfare concerns; and
- .3 identify areas where IMO might consider introducing or amending recommendations or regulations relating to the recycling of ships engaged in international trade, including the application of other international instruments to such ships.

3.19 The Working Group discussed a work plan for the development of guidelines on ship recycling and agreed to a tentative work plan culminating in a draft Assembly resolution to be finalized at MEPC 49. The suggested work plan is set out in the table below:

Work plan for development of an Assembly resolution and guidelines on ship recycling

MEPC 47	MEPC 48 (October 2002)	MEPC 49	Assembly 23rd session (November 2003)
Draft Assembly resolution	X	X	Adoption
Guidelines	X	X	Adoption
Basel Convention/ ILO/IMO co-operation	X	X	X
Correspondence Group	X	If required	
Working Group	X	X	

3.20 The Working Group discussed in depth a draft outline of IMO guidelines on ship recycling based on the Correspondence Group's report (MEPC 47/3/3) and the Industry Code of Practice on Ship Recycling (MEPC 47/3/2). Due to time constraints, the Working Group was unable to finalize the guidelines at this session. The Working Group, therefore, agreed to suggest that the Correspondence Group on Ship Recycling be re-established to develop a first draft of the IMO guidelines on ship recycling for further discussion at the next session.

3.21 The Working Group discussed the content of a draft Assembly resolution, taking into account that the draft might be revised at a future stage and that its content depends on the development of IMO guidelines, etc.

3.22 The Working Group discussed the co-operation with the Basel Convention and ILO and recommended that this co-operation should continue in the future. The Working Group agreed that the present division of responsibilities, as outlined in the Correspondence Group's report (MEPC 47/3/3) seemed logical and that this should be upheld. The Group also discussed the idea of promoting a common technical co-operation project between the agencies involved and was, in principle, supportive of such an approach.

3.23 In response to the questions posed by the Basel Convention in document MEPC 47/WP.4, the Working Group offered the following comments:

When does a ship become a waste? When does a ship cease to be a ship?

What criteria or indicators should be used for determining the point at which a ship becomes a waste and especially the intention to dispose of the ship?

- .1 A ship is defined under MARPOL 73/78 as "a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed or floating platforms".
- .2 MARPOL does not have any criteria to determine how to define whether or if a ship could be classified as a waste under the Convention, nor are there any criteria to determine when a ship ceases to be a ship other than when a ship no longer meets the provisions of the definition above. The Basel Convention should take this definition into consideration in its discussions on whether, or at what point, a ship, or components of a ship, could be considered a waste under the Basel Convention and continue to co-ordinate with IMO on this issue.

Which State(s) has responsibility/obligation (e.g., flag State, owner State, port State) to ensure compliance with appropriate conventions/provisions?

- .3 Regarding the options relating to which State has responsibility for the ship to ensure compliance with IMO conventions, it should be recognized that the flag State has responsibility to ensure the ship complies with IMO conventions until the definition in paragraph .1 above no longer applies.

Potential or identified overlaps, gaps, or conflicts between the international treaties, including the London Convention, UNCLOS, the Basel Convention, and IMO treaties:

- .4 The complexity of the issues relating to the recycling of ships goes beyond the individual scope of multilateral agreements such as the London Convention, UNCLOS, IMO instruments, ILO and the Basel Convention. Each multilateral agreement needs to clarify its requirements. It is imperative that the co-operative efforts of the secretariats and the Parties to these instruments, and other stakeholders, continue in such a manner as to reduce environmental and safety risks and health and welfare concerns for the environment.
- .5 Each convention needs to assess its requirements and develop, in co-operation with others, mechanisms for addressing its responsibilities. The IMO is in the process of developing guidelines for the Parties to its conventions on procedures to follow in order to seek to minimize the use of hazardous materials in design, construction and maintenance of ships, and in the preparation of ships for recycling in such a manner as to reduce environmental and safety risks and health and welfare concerns for the environment.

What rules, if any, apply to waste, both cargo and operationally generated, on a ship destined for ship breaking?

- .6 Ships of Parties to IMO conventions are required to comply with the provisions of the conventions. These rules apply to ships' operational and cargo waste during all aspects of the life of a ship, including the ship's final voyage. Ships are expected to manage their operational wastes and discharge residual wastes to appropriate reception facilities. On its final voyage the ship should manage operational waste as required by MARPOL 73/78.

3.24 During discussion of the report of the Working Group, the delegation of Iran proposed to add a chapter to the IMO guidelines regarding the establishment of ship recycling yards in Special Areas and Particularly Sensitive Sea Areas.

3.25 The Committee welcomed the initiative taken by the shipping industry in producing its Code of Practice on Ship Recycling to the extent that, at least initially, IMO's proposed Guidelines on the issue would be based upon it. ICS, supported by Panama and Norway, asked all Member Governments to recognize that shipowners who followed the Industry Code were doing what they could do in order to act in a responsible manner for ships scheduled for recycling.

3.26 The Committee expressed appreciation to the Working Group for the report and, after consideration, approved the report in general and, in particular:

- .1 noted the Working Group's view on the role of IMO in ship recycling;
- .2 noted the work plan (paragraph 3.19 above), including the use of correspondence and working groups;
- .3 noted the draft outline of the IMO guidelines on ship recycling attached at annex 1 of MEPC 47/WP.13;
- .4 noted the preliminary draft Assembly resolution attached at annex 2 of MEPC 47/WP.13;
- .5 agreed to the re-establishment of a Correspondence Group to further develop the guidelines (for details of the Co-ordinator, see paragraph 18.25);
- .6 agreed to the continued co-operation with ILO and the Basel Convention and requested the Secretariat to contact the two organizations regarding the proposal for a joint project;
- .7 noted the views expressed regarding the questions raised by the Basel Convention in paragraph 3.23 above; and
- .8 agreed, in principle, to re-establish the Working Group at the next two sessions of the Committee.

3.27 Following a request by some delegations, the Committee also agreed to:

- .1 request the BLG, DE and FSI Sub-Committees to provide input to the relevant chapters of the draft IMO guidelines (see MEPC 47/WP.13/Add.1); and
- .2 express appreciation to BIMCO, INTERCARGO, INTERTANKO, ICS, ITOFF, ITF, OCIMF, ECSA and IACS for taking the initiative to develop the Industry Code of Practice on Ship Recycling.

4 PREVENTION OF AIR POLLUTION FROM SHIPS

Progress report by the Secretariat

4.1 The Committee considered the progress report prepared by the Secretariat on the follow-up activities as set out in document MEPC 47/4 and noted that the Protocol of 1997 to MARPOL 73/78 had been ratified by four States representing 14.5 per cent of the world tonnage.

4.2 The Committee noted that the co-operation between the IMO and UNFCCC Secretariats had continued and that the Subsidiary Body for Scientific and Technical Advice (SBSTA) at its fifteenth session invited IMO, in consultation with the UNFCCC Secretariat, to explore opportunities for examining and improving the quality of data reporting and comparability.

4.3 The Committee noted that the Assembly at its twenty-second session had adopted two resolutions related to air pollution from ships as follows:

- .1 Resolution A.926(22) - Availability and Use of Low Sulphur Bunker Fuel Oils in SO_x Emission Control Areas Designated in Accordance with Regulation 14(3) of Annex VI of MARPOL 73/78; and
- .2 Resolution A.929(22) - Entry into Force of Annex VI of MARPOL 73/78, which urges Member Governments to ratify MARPOL Annex VI as soon as possible.

Guidelines for the sampling of fuel oil for combustion purposes delivered for use on board ships

4.4 The Committee recalled that, at its forty-fifth session, it instructed the DE Sub-Committee to review draft Guidelines for the sampling of fuel oil for combustion purposes delivered for use on board ships, taking into consideration submissions by Members to MEPC 45 and comments by the Committee at that session.

4.5 The Committee noted that DE 44 had reviewed the draft Guidelines as instructed by the Committee and also taken into consideration comments made during DE 44, in particular, the wish to clarify the objectives of the Guidelines and the view of several delegates that the sampling point should be at the receiving ship's bunker manifold.

4.6 The Committee noted that DE 44 had prepared the draft Guidelines as set out in annex 6 of document DE 44/19.

4.7 The Committee noted the proposal by Japan to change the present wording of paragraph 6 of the draft Guidelines, to allow the samples to be drawn at appropriate intervals in cases of bunkering large volumes of oil.

4.8 The Committee approved the draft Guidelines in principle and instructed the Working Group on Air Pollution to consider the proposal by Japan and to undertake a final review of the draft Guidelines prior to adoption and to develop a draft MEPC resolution on the adoption of the Guidelines.

4.9 The Committee agreed to delete the sub-item on the development of Guidelines for sampling of fuel oil from the DE Sub-Committee's Work Programme.

Guidelines for on-board NO_x monitoring and record devices

4.10 The Committee noted the progress by the DE Sub-Committee related to the development of Guidelines for on-board NO_x monitoring and recording devices as set out in paragraphs 10.1 to 10.15 of document DE 44/19.

4.11 The Committee noted the outcome of the DE Sub-Committee's review of resolution MEPC.76(40) on Standard specifications for shipboard incinerators as set out in paragraphs 15.1 to 15.6 of document DE 44/19, and endorsed the view of the Sub-Committee that, for the time being, there was no need to amend the resolution and that this item should continue to be on the agenda of the Sub-Committee.

Greenhouse gas emissions from ships

4.12 The Committee recalled that, at its last session, it gave initial consideration to submissions by Members on the merit of developing emissions standards on greenhouse gas emissions from ships as a means to facilitate implementation of the requirements of the Kyoto Protocol to the United Nations Framework Convention on Climate Change (UNFCCC) to limit or reduce greenhouse gas emissions from ships. The Committee, after discussion, agreed to establish a working group at this session and urged Members to submit comments to facilitate the work of the working group.

4.13 The Committee considered the submission by Norway (MEPC 47/4/1) that provided further input to their submissions to MEPC 46 (MEPC 46/10/1 and MEPC 46/INF.9) on the merits of developing greenhouse gas emission standards for ships as the basis for a future IMO strategy or policy on limitation or reduction of greenhouse gas emissions.

4.14 Norway considered the most realistic approach to future emission reduction was to obtain a reduced intensity related to ship operation expressed as the ratio between energy consumption and transport work, which was also recommended as the most cost-beneficial approach by the IMO Study on Greenhouse Gas Emissions from Ships (MEPC 45/8).

4.15 Norway outlined the following two elements to be considered as important for the development of emission standards:

- .1 the overall structure of the standards; and
- .2 the choice of parameters, calculation procedures and application of theoretical models and statistical data to define the factor(s).

4.16 The Committee considered the submission by United Kingdom (MEPC 47/4/2) in which it supported the proposal by Norway and provided additional comments on the development of an IMO Strategy or Policy on Greenhouse Gas Emissions from Ships and suggested the following issues to be included in strategy for policy implementation by IMO:

- .1 entering into voluntary agreements; and
- .2 development and design of emission standards; and implementation of credit trading.

4.17 The delegation of the United Kingdom, in referring to the Secretary-General's opening comments, emphasized that IMO should provide a positive message to the world and suggested

that an IMO Strategy on the short-term should explore the prospects for concluding various voluntary measures relating to operational, construction and design aspects of ships. In the view of the United Kingdom an IMO Strategy, to be adopted by an Assembly resolution, should acknowledge that shipping provided the movement of almost 95 per cent of all commodities transported in the world and was a more environmentally friendly mode of transport compared to other modes. If shipping was burdened with such costs, it might make shipping uncompetitive in a market shared by modes of transport not equally burdened. However, if no action was taken, which was not considered as an option, greenhouse gas emissions from ships are likely to increase by 1 to 2 per cent per year and shipping needed to play its role in contributing to efforts to tackle climate change.

4.18 The Committee noted that Japan, in its submissions to the three previous sessions of the Committee, had provided information on ongoing studies undertaken by the Japan Ship and Ocean Foundation on the emission of greenhouse gases from ocean-going ships. In its submission MEPC 47/4/5, Japan provided a summary of the final finding of this study.

4.19 In its submission MEPC 47/4/3, Friends of the Earth International provided basic information on global warming and shipping's contribution of greenhouse gases. It calls for urgent action to reduce emissions introduced as operational and technical measures. FOEI supported the proposal for development of emission standards as the basis for determining measures to be pursued and considered environmental indexing and emission trading as feasible mechanisms for monitoring progress towards emission reductions and encouraged the Committee to agree to both short-term and long-term measures.

4.20 The Committee noted the views of several delegations that there was a need to consider all environmental issues from a holistic point of view, i.e. the wish to reduce harmful effects from ballast water by mid-ocean changing of ballast water may have a negative effect on the Organization's wish to reduce greenhouse gas emissions, due to the higher consumption of bunker fuel oils needed to carry out the change of ballast water.

4.21 Several Members supported the view by Norway and the United Kingdom that an IMO Strategy on greenhouse gas emission reduction should focus on CO₂ and should be adopted through an Assembly resolution as a means to demonstrate the willingness by the shipping industry to carry its share of reduction. The reduction level should be established on agreed baselines for international shipping and developed as emission standards, which should apply preferably to both new and existing ships.

4.22 Other delegations were of the view that it was premature to consider an IMO strategy in detail until the four options (Emission Standards, Environmental Indexing, Emission Trading and voluntary operational measures) had been considered in detail by the Air Pollution Working Group.

4.23 The Committee agreed to instruct the Working Group to take the submissions and comments by delegations into consideration in its work related to greenhouse gas emissions reduction.

Other matters

Proposal for amendments to regulation 14(1) of Annex VI of MARPOL 73/78

4.24 In its submission MEPC 47/4/4, Friends of the Earth International provided information on the current state of sulphur content in residual fuel oils used on board ships based on the

sulphur monitoring which was undertaken by the Netherlands and reported in document MEPC 47/INF.2. Based on studies undertaken by Member States, FOEI recommended that regulation 14(1) of Annex VI of MARPOL 73/78 should be amended and the maximum allowable sulphur content in fuel oils from the present 4.5 per cent to 1.5 per cent m/m, as such a reduction now is feasible both from a technical and economical point of view. As there was no support for the proposal by FOEI, the Committee agreed that there was no need to consider the proposal further.

4.25 The United States stated that the sulphur content would be an issue for consideration by the MEPC at its forty-ninth session when it took up implementation of Conference Resolution 1 of the International Conference on Air Pollution.

Sulphur monitoring in 2000

4.26 The Committee recalled that, at its forty-third session, it adopted resolution MEPC.82(43) on Guidelines for monitoring the worldwide average sulphur content of residual fuel oils supplied for use on board ships and agreed to initiate a monitoring programme, under the leadership of the Netherlands, to establish a three-year basis for the average content of sulphur in fuel oils used on board ships.

4.27 The Committee noted the information provided by the Netherlands in document MEPC 47/INF.2, on the result of application of the Guidelines for the year 2000, and that a three-year basis for the average content of sulphur in fuel oils used on board ships could be established at MEPC 48, when the monitoring results for the year 2001 had been processed.

Physical Behaviour of Crude Oil influencing its carriage by Sea (CRUCOGSA) and subsequent projects

4.28 The Committee recalled that, at its last session, INTERTANKO undertook to provide information on a number of oil and shipping industry studies on the physical behaviour of crude oil influencing its carriage by sea and noted the information provided by INTERTANKO in its submission MEPC 47/INF.6.

Establishing the Working Group on Air Pollution

4.29 The Committee agreed to establish a working group with the following Terms of Reference:

- .1 to evaluate proposals for greenhouse gas emissions reduction contained in the IMO Study on Greenhouse Gas Emissions from Ships;
- .2 to collate and evaluate information and proposals submitted by Members;
- .3 to identify appropriate sub-committees for involvement;
- .4 to draw up a work plan;
- .5 to prepare a framework for an IMO strategy for greenhouse gas reduction;
- .6 to consider the need for an intersessional correspondence group for the development of an IMO strategy on greenhouse gas emissions, and if agreed, develop the Terms of Reference for the correspondence group;

- .7 to develop a draft MEPC resolution on the adoption of the Guidelines for the sampling of fuel oil for Determination of Compliance with Annex VI of MARPOL 73/78; and
- .8 to resolve the issue raised by Japan on paragraph 6 of the draft Guidelines for the sampling of fuel oil for combustion purposes delivered for use on board ships.

Report of the Working Group on Air Pollution

4.30 Having received the report of the Working Group (MEPC 47/WP.7) the Committee took the following actions.

4.31 The Committee noted the information by the Secretariat of UNFCCC on the need for clarification of allocation of emissions resulting from international bunkers and the need to improve the accuracy, consistency and comparability of the reported data on emissions from such bunkers.

4.32 The Committee noted the Working Group's consideration in relation to GHG emission standards and environmental indexing and endorsed the view that the development of emission standards may be considered as a potential tool to implement an emission policy and to evaluate compliance with agreed outlines for emissions.

4.33 The Committee noted the view of the Working Group on issues to be considered in connection with the development of an Environmental GHG Indexing approach, and agreed that the issues identified in annex 1 of document MEPC 47/WP.7 should be used as a basis for the future work in this regard.

4.34 The Committee noted the outcome of the Working Group's considerations related to Emission Trading and Economical Incentives and endorsed the view that Emission Trading and Economical Incentives had to be based on agreed standards and that it would be difficult to establish buyers and sellers, and how to control such schemes. For the purpose of future consideration in this regard, the Committee would welcome any submissions as to how such schemes could function.

4.35 The Committee noted the outcome of the Working Group's considerations related to Operational Measures or Factors such as speed reduction and weather routing etc. and endorsed the view that such measures are already widely utilized by the shipping industry. For the purpose of further exploring this field, the Committee invited Members to provide information on any operational measures or factors to be considered.

4.36 The Committee noted the view of the Working Group on Long Term Measures to be considered in the future and endorsed the view that future technological developments such as innovative propulsion systems, alternative energy or fuel systems, CO₂ sequestration etc. may offer opportunities for relative larger GHG reductions. In exploring such possibilities the role of the Organization should be considered.

4.37 The Committee noted the view of the Working Group that in investigating such emerging technologies all environmental and economical impacts, including life cycle analysis or cost/benefit analysis of the balance of CO₂ emission in up-and-down stream should be taken into consideration.

4.38 The Committee agreed to establish an intersessional correspondence group under the leadership of Norway (for details of the co-ordinator, see paragraph 18.25), and approved Terms of Reference as set out in annex 9.

4.39 The Committee adopted "Guidelines for the Sampling of Fuel Oil for Determination of Compliance with Annex VI of MARPOL 73/78" with resolution MEPC.96(47), as set out at annex 2.

4.40 The Committee approved an interpretation of "to be drawn continuously throughout the bunker delivery period" in paragraph 6 of the Guidelines, and agreed to insert it as a footnote to paragraph 6 of the Guidelines.

4.41 The Committee noted that Assembly resolution A.929(22) *inter alia* urged Governments to consider accepting the 1997 Protocol at the earliest possible opportunity, and welcomed the information by Marshall Islands that, on 7 March 2002, it acceded the Protocol of 1997 to MARPOL 73/78.

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

5.1 The Committee considered the report of the OPRC Working Group at MEPC 46 (MEPC 47/5) and recalled that MEPC 46:

- .1 approved the draft document, "Guidance on Managing Seafood Safety During and After Oil Spills" and requested the Secretariat to proceed with its printing as a joint IMO and FAO publication;
- .2 recommended that the Secretariat explore the possibility of using the Technical Co-operation Fund to enable participants from developing countries at the 3rd R&D Forum; and
- .3 considered the work carried out by the OPRC Working Group on a proposed set of issues from which criteria would need to be developed as guidance to Member States when considering places of refuge from the marine environment protection perspectives and agreed to forward it to MSC for consideration.

5.2 The Committee noted with satisfaction that the R&D Forum to be held in Brest, France on 11-13 March 2002 had been well prepared due to the support of IMO Member States, organizations and industry, enabling IMO to secure resources from both the TC fund and donors to ensure the participation of around 35 delegates from developing countries.

5.3 The Committee noted the ongoing work on the development of a new "Level A" model training course and on the review of the Level 1, 2 and 3 OPRC Model Course materials.

5.4 The Committee noted the comments made by the OPRC Working Group on the "final draft international standard on terminology relating to oil spill response" submitted by ISO.

Work programme of the OPRC Working Group

5.5 On the proposed work programme contained in annex 4 of MEPC 47/5, the Committee recalled that the Diplomatic Conference requested MEPC to prepare necessary guidelines and work programme for the early implementation of the OPRC-HNS Protocol. An outline of a programme for the OPRC-HNS Protocol was prepared by the OPRC Working Group at MEPC 45.

5.6 In order to discuss matters related to the OPRC-HNS Protocol at MEPC 48, the Committee requested the Secretariat to prepare a basic text of a work programme for the early implementation of the OPRC-HNS Protocol for consideration by MEPC 48.

5.7 The Committee also requested the Secretariat to prepare a revised annex 4 of document MEPC 47/5 for its consideration under item 18 in this session.

5.8 On the question of future meetings of the OPRC Working Group, the Chairman suggested that, amongst possible options for further consideration under item 18, the OPRC Working Group may meet intersessionally or the Committee may establish a group of experts as a subsidiary body of MEPC to deal with OPRC matters acting under the instruction of the Committee and reporting to it and would meet intersessionally before or after MEPC. The Chairman asked delegations to give some thought to his proposal for discussion later in the week.

5.9 Subject to further consideration on the work programme under agenda item 18, the Committee approved the report of the OPRC Working Group at MEPC 46.

Marine Pollution Manual Section IV – Combating Oil Spills

5.10 The Committee recalled that the OPRC Working Group at MEPC 46 reported on the progress of work of the Correspondence Group for the revision of Section IV of the Manual on Oil Pollution, in particular, the addition of three new chapters on bioremediation, heavy fuel oils/emulsified oils and in-situ burning (MEPC 47/5/1 and MEPC 47/INF.7).

5.11 The Committee also recalled that, at MEPC 46, it agreed that a drafting group should meet during MEPC 47 in order to review the final draft of the Manual on Oil Pollution: Section IV – Combating Oil Spills before its consideration by the Committee at MEPC 48 for its approval and publication.

5.12 The Committee instructed the OPRC Drafting Group to finalize the text of Section IV of the Manual on Oil Pollution with a view to the submission of a final revised version of Section IV of the Manual on Oil Pollution for its approval at MEPC 48 for publication.

Guidance document for decision making and implementation of bioremediation in marine oil spills

5.13 In the report of the OPRC Working Group at MEPC 46, the Committee recalled that the OPRC Working Group noted the intention of France to submit a draft guidance document on bioremediation as a separate document in addition to the chapter on bioremediation in the final draft Section IV of the Manual on Oil Pollution.

5.14 The Committee took note of the draft guidance document on bioremediation (MEPC 47/5/2 and MEPC 47/INF.9) submitted by France and instructed the OPRC Drafting Group to consider from a drafting perspective, the draft guidance document on bioremediation.

Provision of places of refuge from the marine environment protection perspective

5.15 The Chairman, recalling the work carried out at MEPC 46 by the OPRC Working Group on the issue of places of refuge, informed the Committee that this issue had been further considered at MSC 74, LEG 83 and NAV 47 (MEPC 47/5/3) and that:

- .1 MSC, at its seventy-fourth session, decided that the IMO terminology should be “places of refuge” and also, decided that the NAV Sub-Committee should be the co-ordinating Sub-Committee, and that NAV 47 should be requested to give preliminary consideration to the issue including identification of other IMO bodies, that should be involved in the exercise, e.g., MEPC’s OPRC Working Group (on pollution matters), COMSAR, DE, the SPI Working Group, etc.;
- .2 Legal Committee will include the issue in its work programme for the next biennium and requested the Secretariat to prepare a study on the relevant legal issues including public law questions as well as private law questions such as salvage, liability and insurance and CMI offered to collaborate with the Secretariat in this project; and
- .3 NAV 47 prepared and considered draft terms of reference for the future work on Places of Refuge for the consideration of MSC 75 and MEPC 47 (MEPC 47/5/3, Annex 1) and also reviewed and approved in principle, the draft general framework associated with future work in Places of Refuge and invited Member Governments, intergovernmental and non-governmental organization to submit comments and proposals for consideration at its next session (MEPC 47/5/3, annex 2).

5.16 The Committee noted that:

- .1 the IAPH resolution as detailed in document MEPC 47/5/4, forms the basis from which IAPH intends to develop further its policy on places of refuge;
- .2 following adoption of the resolution at the IAPH biennial meeting in Montreal in May 2002, the IAPH Committee on Legal Protection has been tasked with investigating and elaborating on the legal background to this issue, in order to assist the IMO's Legal Committee in its discussions; and
- .3 in this context, a paper is being developed which will be submitted to the meeting of the IMO Legal Committee.

Regional Co-operation on OPRC Matters

5.17 The Committee took note of the progress report of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) during the period from July 2000 to December 2001 as reported in the document MEPC 47/5/5. Some Mediterranean States appreciated assistance provided by the Organization in the finalization of the new Protocol to the Barcelona Convention concerning co-operation in preventing pollution from ships and, in cases of emergency, combating pollution of the Mediterranean Sea.

5.18 The Committee also noted the organization of a joint IMO/UNEP Forum, tentatively scheduled for the first week of October 2002, prior to MEPC 48 on regional arrangements for co-operation in combating marine pollution incidents with the objective of bringing together representatives of the Regional Centres and the Secretariat of Regional Conventions and Action Plans in order to exchange experiences and to discuss issues of common concern as indicated in MEPC 47/5/6.

5.19 The role of IMO in the development of regional systems for pollution preparedness and response was recognized and in this respect, the need for its close involvement in the work of the

regional bodies established within or outside the UNEP regional seas programme, was pointed out. Such co-operative activities would contribute to a harmonization of the work of such regional bodies and also help achieve compliance with the relevant internationally agreed standards.

5.20 The Committee also noted the appreciation and support by several delegations on the work of the Secretariat to enhance regional co-operation and the organization of the IMO/UNEP Forum. The Committee requested the Secretariat to continue its co-ordinating role in developing and encouraging regional systems for pollution preparedness and response.

5.21 The Committee was informed that the Secretariat would prepare additional information on the IMO/UNEP Forum and circulate it to interested delegates to participate.

Instructions to the Drafting Group

5.22 The Committee instructed the OPRC Drafting Group to carry out the following tasks:

- .1 review of Section IV of the Manual on Oil Pollution – Combating Oil Spills;
- .2 review the draft guidance document on bioremediation.

Report of the OPRC Drafting Group

5.23 Having received the report of the OPRC Drafting Group (MEPC 47/WP.9), the Committee:

- .1 noted the work completed by the Group in finalizing the revised Section IV of the Manual on Oil Pollution-Combating Oil Spills; requested the Secretariat to prepare the final revised document for submission to MEPC 48 for consideration by the Committee for its approval and publication;
- .2 noted the work of the Group to review the draft guidance document on bioremediation; and
- .3 requested the Intersessional Meeting of the OPRC Working Group to undertake a technical review of the guidance document on bioremediation. The Terms of Reference for this intersessional meeting is set out at annex 9.

6 INTERPRETATION AND AMENDMENTS OF MARPOL 73/78 AND RELATED CODES

Entry into force of the revised regulation 13G

6.1 The Committee noted that no objections had been received by 1 March 2002 from Member Governments to the amendments to MARPOL Annex I concerning the revised regulation 13G. In accordance with article 16(2)(9)(ii) of MARPOL 73/78, the said amendments will enter into force on 1 September 2002.

6.2 The delegation of the United States informed the Committee that the United States had written to the Secretariat on 8 February 2002 stating that the United States would require the express approval by the Government of the United States to be bound by regulation 13G of

MARPOL 73/78 Annex I. In the meantime any oil tanker calling at the United States would have to comply with the rules set out in the Oil Pollution Act 1990.

6.3 The Committee further noted that, in order to comply with section 14 of annex to resolution MEPC. 94(46) concerning circulation to all Parties to MARPOL 73/78 of information supplied by the Administrations relating to particulars of Statements of Compliance issued, details of suspension or withdrawal thereof, and particulars of ships to which a Statement of Compliance had been declined, the Secretariat was taking the necessary steps to establish an electronic database accessible to Parties that would be operative on the 1 September 2002.

Condition Assessment Scheme – Model Survey Plan

6.4 The Committee recalled that MEPC 46 adopted by resolution MEPC.94(46) the Condition Assessment Scheme as a mandatory instrument under revised resolution 13(G) of MARPOL Annex I, with the understanding that the Model Survey Plan would be developed at MEPC 47 as appendix 3 to the CAS (MEPC 46/23, paragraph 2.56).

6.5 The Committee noted that document MEPC 47/6/2 contained the draft Model Survey Plan jointly developed by IACS and INTERTANKO, while documents MEPC 47/6/7 and MEPC 47/6/10 further elaborated on some points in the draft Model Survey Plan.

6.6 The Committee further noted that, after consultations, an agreement (MEPC 47/WP.5) had been reached by the two organizations on their former differences regarding the draft Model Survey Plan, therefore there being no need for it to consider documents MEPC 47/6/7 and MEPC 47/6/10.

6.7 In introducing documents MEPC 47/6/2 and MEPC 47/WP.5 jointly submitted with INTERTANKO, IACS referred to the terms of the agreement reached with the latter and pointed out at a possible inconsistency in the text under paragraph 4.1.b) of the Model Survey Plan in that, in a footnote, it provides for 30% of webs (minimum 3) to be surveyed while in the CAS this requirement is set out as 30% only. IACS further elaborated on the agreement on other points such as the agreed replacement text in paragraph 2.2 on safety issues relating to rafting and close-up survey, the amended text under several sub-paragraphs in MEPC 47/WP.5 dealing with the parties who should provide, or specify, several data on the ship's history on corrosion, previous damage, etc., and the minimum thickness tables in which the option between the two possibilities is maintained though that under 6.3.2 is to be preferred.

6.8 Several delegations were of the view that the draft Model Survey Plan as submitted would need to be redrafted to include all the points mentioned in the CAS under section 6.2 "Survey Plan documentation".

6.9 Regarding the footnote to paragraph 4.1.b) on the minimum number of webs to be surveyed, some delegations expressed their concern as to the apparent inconsistency with the parallel provision in the CAS which only provides for a given percentage without mentioning a given number of webs to be surveyed. In the view of these delegations, this inconsistency should be properly addressed.

6.10 In the discussion that followed, several issues were raised on the procedural aspects related to the amendment of the CAS before its entry into force in September 2002.

6.11 The Committee agreed that, the Model Survey Plan as appendix 3 to the Condition Assessment Scheme should be issued as soon as possible for Member Governments to start

implementing it given the fact that certain tankers would have to undergo their first CAS survey in September 2002. The formal amendments to CAS to include the Model Survey Plan should be made after the entry into force of the revised regulation 13G in accordance with article 16 of MARPOL 73/78.

6.12 The Committee decided to issue the Model Survey Plan as an MEPC circular.

6.13 The Committee agreed to convene a drafting group with the following Terms of Reference:

- .1 taking into account the discussion and comments made at plenary, to develop an MEPC circular for promulgation of the Model Survey Plan for CAS and any other associated information; and
- .2 to develop the first draft of appropriate amendments to the CAS to incorporate, so as to make the Model Survey Plan for CAS as an appendix to the CAS in the future.

6.14 Having received the report of the Drafting Group (MEPC 47/WP.11), the Committee approved the report in general including the Model Survey Plan and Guidance Note for the Safe Conduct of CAS, and instructed the Secretariat to issue them as MEPC/Circ.390 as soon as possible, inviting those concerned to make use of them in the interim pending their formal adoption as a mandatory requirement when the revised regulation 13G has entered into force.

6.15 The Committee further agreed to initiate the procedure to amend CAS in order to include the Model Survey Plan and Mandatory Requirements for the Safe Conduct of CAS. To this end, the Committee requested the Secretariat to circulate, in accordance with article 16(2)(a) of MARPOL 73/78, the proposed amendments to CAS to all IMO Members and all Parties with a view to their adoption at MEPC 48.

6.16 The Committee also noted that, when the CAS is formally amended, the Model Survey Plan and Mandatory Requirements for the Safe Conduct of CAS would become appendixes 3 and 4 respectively to CAS.

6.17 The proposed amendments to CAS and the proposed appendixes 3 and 4 to CAS are set out at annex 3.

Consistent application of the revised regulation 13G of MARPOL Annex I

6.18 The Committee noted the IACS had submitted two documents on this matter (MEPC 47/6 and MEPC 47/6/6) related to the application of the revised regulation 13G to MARPOL Annex I.

6.19 In introducing both documents, IACS stated that it was not their intention to start a debate on the merits of the revised regulation 13G prior to its entry into force. However, a number of possible ambiguities and anomalies had been identified, which needed clarification.

6.20 The Committee agreed to convene an informal group under the chairmanship of Mr. A.P. Burgel (The Netherlands) to consider the issues raised by IACS.

6.21 Having received the report of the informal group, the Committee noted that the group had reached the following conclusions (paragraphs 3.1 to 3.4 of MEPC 47/WP.5):

“3.1 IACS comments (MEPC 47/6, paragraph 4) :

Regulation 13G(3)(b) as currently drafted, may be interpreted to allow new product tankers, as defined in regulation 1(26), of 20,000 tons deadweight and above but less than 30,000 tons deadweight carrying fuel oil, heavy diesel oil or lubricating oil as cargo, to fall under Category 2 without being provided with SBT/PL arrangements.

Group’s view :

The above interpretation was neither envisaged nor intended at the time of drafting of the 2001 amendments to regulation 13G. The new regulation should be seen in the light of resolution MEPC.78(43) on the 1999 amendments to regulation 13G (now to be superseded by resolution MEPC.95(46)) which in its third preambular paragraph states “... to make existing oil tankers between 20,000 and 30,000 tons deadweight carrying fuel oil, heavy diesel oil or lubricating oil as cargo subject to the same construction requirements for crude oil tankers” , as the latter resolution incorporates the provisions of the former. Therefore, these tankers do not fall into Category 2 but into Category 1. The group confirmed that any Category 2 tanker must be provided with SBT/PL.

3.2 IACS comments (MEPC 47/6/6, paragraph 3) :

Conversion of a Category 1 tanker cargo tanks to meet the SBT requirements of regulation 1(26) need not be considered to be a “major conversion” and may be treated as a Category 2 tanker.

Group’s view :

A Category 1 tanker may be converted into a Category 2 tanker only if it fully complies with the requirements of the regulations referred to in regulation 1(26), i.e. regulations 13, 13B (for crude oil tankers), 13E and 18(4).

3.3 IACS comments (MEPC 47/6/6, paragraph 4) :

The phase-out scheme in regulation 13G(4) with the same phase-out year for tankers with multiple delivery dates (e.g. phase-out year of 2006 for tankers delivered in 1978, 1979 and 1980) indicates anomalies in that certain tankers delivered later have to be phased-out earlier than tankers delivered earlier.

Group’s view :

The Committee, when drafting the 2001 amendments to regulation 13G, recognized the above anomalies, but accepted them as logical and unavoidable consequences of reaching a compromise phase-out scheme as laid down in new regulation 13G(4).

3.4 IACS comments (MEPC 47/6/6, paragraph 5) :

According to the phase-out schedule in regulation 13G(4), tankers delivered earlier than 1973 (e.g. 1971) may continue to operate beyond the age of 30 years.

This would be contrary to the objective of the 2001 amendments which were intended to accelerate phase-out of single hull tankers.

Group's view :

The Committee, when drafting the 2001 amendments to regulation 13G, did not recognize this anomaly. However, bearing in mind that the intent and purpose of the amendments are to accelerate the phase-out of single hull tankers, a tanker which has already reached its phase-out date under the current regulation 13G, should not be allowed to operate beyond that date.”

6.22 The Committee further noted the view of the group that the above clarification would help Administrations, recognized organizations and their surveyors to implement the 2001 amendments to regulation 13G of MARPOL Annex I in a uniform manner.

6.23 The Committee, following a general discussion on the findings of the informal group, decided to accept those under paragraphs 3.2, 3.3 and 3.4; however the Committee agreed that the understanding set out under paragraph 3.1 needed further clarification and invited delegations to provide further comments to MEPC 48 for consideration.

6.24 The delegation of Cyprus reserved its position on the findings of the informal group.

6.25 The Committee noted the view of some delegations that the application of the provisions of the revised regulation 13G and any necessary interpretation in the process of their implementation are the responsibility of the Administrations.

Proposal for amendment of MEPC/Circ.97, annex 2 – Oil sludge formation reduction during the fuel treatment aboard ships

6.26 The Committee noted the document on this matter submitted by Germany (MEPC 47/6/1) and the comments by INTERTANKO (MEPC 47/6/8). Germany decided to withdraw its document for review and, therefore, there was no need to discuss these two documents.

Proposal for changes to resolution A.446(XI) as amended, with regard to reducing emissions of gases generated during crude oil washing

6.27 The Committee noted that there were conflicting views on this issue in the papers submitted by OCIMF (MEPC 47/6/5) and INTERTANKO (MEPC 47/6/9). In introducing its paper, OCIMF made the following main points:

- .1 in double hulled tankers the framing and structures within the cargo tanks are significantly reduced. The relatively smooth walled designs normally reduce clingage and sediment to near negligible quantities, except on the tank bottom;
- .2 crude Oil Washing, admirable for reducing quantity of oil in tanks, or as a sludge control measure, can generate an increase in Volatile Organic Compound (VOC) emissions. Noxious emissions from boiler and generator exhausts are also a concern. A reduced COW cycle would then contribute to reducing atmospheric pollution; and

- .3 it then follows that, for sludge control purposes, ships complying with regulation 13F of MARPOL Annex I, should have the option of performing a reduced COW cycle and resolution A.497(XII), as amended, should then be further amended to this effect.

6.28 INTERTANKO, in introducing its document MEPC 47/6/9, made the following comments *inter alia* on OCIMF's proposal:

- .1 to perform a reduced COW cycle, ships must be fitted with programmable machines which many double hulled tankers are not fitted with;
- .2 further investigations are needed as to the VOC emissions during COW. INTERTANKO is undertaking its own studies on this issue that are not finalized yet;
- .3 bulkheads of double hulled tankers contain deep stringers with great flat surface areas that must be kept clean of any sludge;
- .4 COW in elevated areas in a cargo tank, also helps preserve uncoated steelwork from corrosion; and
- .5 consequently any final decision on this matter should only be taken based on factual observation and tests results.

6.29 Following a general discussion, the Committee, while thanking OCIMF for their proposal, invited INTERTANKO and interested parties to continue the relevant studies and to submit revised proposals to a future session of the Committee for consideration and action as appropriate.

Water in cargo tanks – Improvement of Unified Interpretation 4.1.1

6.30 The Committee noted the joint submission of INTERTANKO and OCIMF (MEPC 47/6/3) proposing to add two more cases to the list of exceptions to the prohibition to introduce water into the cargo tanks as set out in Unified Interpretation 4.1.1 of regulation 13(3) of MARPOL Annex I:

- .1 close-up inspection or/and steel thickness measurements using rafts; and
- .2 tank hydrostatic pressure tests.

6.31 In the discussion that followed, while a number of delegations expressed their agreement to the proposal, others raised their concerns including a possible need to amend the Convention if any practice could be considered as inappropriate in accordance with relevant provisions. However the United Kingdom pointed out that as long as the ship recorded the activity in its Oil Record Book in accordance with regulations 9 and 15 of MARPOL Annex I, the practice would meet international requirements and should not need further interpretation.

6.32 The Committee agreed to review this matter at a future meeting and invited interested delegations to submit relevant documents and studies to the Committee for consideration and action as appropriate.

Unified Interpretation of the provisions of Annex II to MARPOL 73/78

6.33 The Committee noted document MEPC 47/6/4 submitted by the United States containing a proposal of amendment of Unified Interpretations 2A1.4 and 2A.1.6 relating to the tripartite agreements on categorisation of Noxious Liquid Substances.

6.34 In introducing its document, the United States stated that at times there is no information available in annex 8 of the annual MEPC.2 circulars for contacting another Government that is Party to MARPOL 73/78 seeking its agreement on the categorization of a Noxious Liquid Substance to expedite its shipment. To deal with such cases, a small addition to the current wording of the Unified Interpretation would provide for the assumption of agreement to that effect.

6.35 Several delegations expressed their support for the proposal while others expressed concern in that the proposed regime might be subject to abuse by unscrupulous operators who could seek impunity and opacity in prohibited waste material transport, for instance. All the delegations, however, agreed that those Governments that have not supplied information on their contact points as requested in MEPC/Circ.265 should be encouraged to do so.

6.36 The Committee decided to refer this matter to the BLG Sub-Committee and invited interested delegations and Parties to submit documents and relevant studies to BLG 7 for consideration. Noting that the deadline for submitting bulky documents (6 pages or more) to BLG 7 is 22 March 2002, the Committee agreed to relax the deadline to 31 May 2002.

7 HARMFUL EFFECTS OF THE USE OF ANTI-FOULING PAINTS FOR SHIPS

7.1 The Committee noted that the International Conference on the Control of Harmful Anti-fouling Systems for Ships, held in IMO from 1 to 5 October 2001, had successfully concluded its work by adopting the International Convention on the Control of Harmful Anti-fouling Systems on Ships (the AFS Convention) together with 4 Conference resolutions, as reported in document MEPC 47/7.

7.2 The Committee also noted that the Convention was opened for signature from 1 February 2002. The Chairman encouraged delegations to continue their efforts back home to ensure that their Governments sign the Convention at the earliest possible occasion.

7.3 The Committee further noted that the twenty-second session of the IMO Assembly adopted resolution A.928(22) on Early and effective application of the International Convention on the Control of Harmful Anti-fouling Systems on Ships which:

- .1 urges Governments to provide any information available regarding any anti-fouling systems they have approved, restricted or prohibited under domestic law as soon as possible, in accordance with the provisions of paragraph (1)(b) of article 9 of the Convention; and
- .2 requests the Secretary-General to make available, by appropriate means, any information communicated to the Organization, when it is received, as provided for in paragraph (2) of article 9 of the Convention.

7.4 The Committee noted the functions requested of the Committee, the Organization and the Secretary-General by the Convention and the Conference resolutions as summarized in annex 2 of document MEPC 47/7 and, in particular, the actions requested of the Organization under

article 11(1)(b) and (2), regulation 1 (4)(a), namely for the Organization to develop the following guidelines:

- .1 Guidelines for brief sampling of ships anti-fouling systems;
- .2 Guidelines for inspection of ships anti-fouling systems; and
- .3 Guidelines for survey,

which in accordance with resolution 2 should be developed as a matter of urgency for them to be adopted before the entry into force of the Convention.

7.5 The Committee recalled that its forty-fifth session had requested the FSI Sub-Committee to prepare draft text for Guidelines on Surveys of Anti-fouling Systems, and that this had been placed on the agenda of the tenth session of the FSI Sub-Committee to be held from 8 to 12 April 2002.

7.6 The Committee, in noting the information provided by Iran and Japan in documents MEPC 47/7/1 and MEPC 47/INF.16 respectively, requested the FSI Sub-Committee to develop, in addition to the Guidelines on Surveys of Anti-fouling Systems it had already been tasked to develop, the Guidelines for Brief Sampling of Ships Anti-fouling Systems and Guidelines for Inspection of Ships Anti-fouling Systems using the information provided in the documents by Iran and Japan. The Committee requested the FSI Sub-Committee to finalise these guidelines as a matter of urgency, giving priority to the development of the Guidelines on Surveys of Anti-fouling Systems so that the latter should be finalized by the end of 2002.

7.7 The Committee noted the information provided by the delegate of the European Commission that a ban on the marketing of organotin-based anti-fouling systems would come into force in all 15 EU Member States starting on 1 January 2003.

8 IDENTIFICATION AND PROTECTION OF SPECIAL AREAS AND PARTICULARLY SENSITIVE SEA AREAS

Background

8.1 The Committee recalled that at its forty-sixth session:

- .1 it agreed, in principle, with the proposal by the United States to designate the Florida Keys as a PSSA;
- .2 it agreed, in principle, with the proposal by Columbia to designate the Malpelo Island as a PSSA; and
- .3 the NAV Sub-Committee was instructed to review any navigational issues that may need to be taken into account prior to giving final approval to these proposals.

8.2 The Committee also recalled that, at its forty-sixth session, the text of the revised draft Assembly resolution on the Guidelines for the Designation of Special Areas under MARPOL 73/78 and Guidelines for the Identification and Designation of Particularly Sensitive Sea Areas had been approved, in principle, and the NAV Sub-Committee was instructed to

review this text and submit its comments directly to the twenty-second session of the Assembly so that the resolution could be adopted.

8.3 The Committee noted that, as the NAV Sub-Committee had indicated that there were no navigation problems associated with the draft resolution, the twenty-second session of the Assembly adopted resolution A.927(22) on 29 November which:

- .1 included the new Guidelines for the Designation of Special Areas under MARPOL 73/78;
- .2 included the new Guidelines for the Identification and Designation of Particularly Sensitive Sea Areas; and
- .3 revoked resolutions A.720(17) and A.885(21).

8.4 The Committee also noted that IHO had developed the symbology to be used on navigational charts to show Particularly Sensitive Sea Areas (PSSAs) in accordance with paragraph 9.1 of resolution A.927(22), proposing that the States concerned should mark PSSAs on the navigational charts with such symbols. The Committee agreed that this information should be included in resolution A.927(22) and instructed the Secretariat to add an asterisk at the end of paragraph 9.1 with the associated footnote *refer to IHO Chart Specification B-437.6* when the resolution is next amended.

8.5 The Committee agreed with the view of the United States that IHO's "B-437.6 Particularly Sensitive Sea Area (PSSA)" should be amended as follows (additions are shaded and deletions are struck through):

“a. General

A Particularly Sensitive Sea Area (PSSA) is an IMO-designated measure, established in accordance with IMO Resolution. It is defined in IMO resolution A.927(22) as:

‘an area that needs special protection through action by IMO because of its significance for recognized ecological, socio-economic or scientific reasons and because it may be vulnerable to damage by international shipping activities.’

PSSAs vary in extent and include Great Barrier Reef of Australia, Archipelago of Sabana-Camagüey of Cuba, Malpelo Island of Colombia and Florida Keys of the United States.

Identification of areas as PSSAs is approved by the IMO's Marine Environment Protection Committee (MEPC), but no final determination is made until after the pertinent IMO Sub-Committee or Committee has approved the associated protective measures. ~~In the case of the Great Barrier Reef, the charting of PSSAs, in itself, is considered to be a protective measure.~~

.....”

8.6 The Committee instructed the Secretariat to inform IHO of the above suggestion for amendment and to request IHO to take action as appropriate.

Designation of the Malpelo Island and the Florida Keys as PSSAs

8.7 The Committee recalled that it had instructed the NAV Sub-Committee to report back on any navigational issues, which may need to be taken prior to giving final approval to the designation of the Florida Keys and Malpelo Island as Particularly Sensitive Sea Areas (PSSAs).

8.8 The Committee noted that, as reported in MEPC 47/8, the NAV Sub-Committee had agreed with the associated measures proposed as integral parts of the proposal to identify the marine area around the Florida Keys and Malpelo Island as PSSAs and, as a result, the Secretariat had prepared two draft MEPC resolutions for adopting these two areas as PSSAs.

8.9 In addition, the Committee noted that the NAV Sub-Committee had requested that, in order to facilitate consideration of ships' routing and reporting in future, countries should also submit separate proposals for ships' routing and reporting associated with their PSSA applications directly to the Sub-Committee.

8.10 As a result, the Committee adopted resolutions MEPC.97(47) and MEPC.98(47) as shown in annexes 4 and 5 and instructed the Secretariat to attach the associated summary information, including associated protective measures, for each of the two PSSAs, as shown in MEPC 44/7, MEPC 46/6/3 (Malpelo Island) and MEPC 46/6/2 (Florida Keys) when adding the two new PSSAs to the Appendix of resolution A.927(22) in the future.

8.11 Regarding NAV's proposal that countries should submit separate proposals for future PSSAs directly to the Sub-Committee, it was agreed that this issue would be considered under agenda item 10.

8.12 Following a proposal by the United States, the Committee agreed that the effective date for the introduction of protective measures associated with Malpelo Island and the Florida Keys would be six months after MSC had approved the associated routing measures.

Prior notification of the intent to request PSSAs

8.13 The Committee noted that Denmark, Germany and the Netherlands would be submitting a joint application, in accordance with resolution A.927(22), if possible, to MEPC 48 to designate the Wadden Sea and some adjacent parts of the North Sea as a PSSA in order to, *inter alia*, increase the awareness of seafarers of the vulnerability of the area. The Committee was also informed that this application would not include proposals for additional protective measures for this area as such measures were already in place.

8.14 The delegation of Peru informed the Committee that they have submitted a request for PSSAs to be established for the Peruvian coasts, which should be considered at MEPC 48.

Request for assistance in providing reception facilities for the wider Caribbean area

8.15 The Committee noted the statement made by Cuba requesting sustained and viable assistance in providing reception facilities needed in the wider Caribbean area. As requested, the statement is attached as annex 10.

Draft Guidance document for submission of PSSA proposals

8.16 The Committee recalled that, during its forty-sixth session, it was decided that it was not possible to establish a fourth correspondence group to explore the possibilities of developing a

suitable document to assist Member Governments in deciding on the most appropriate means of protecting a marine sensitive area. However, Members were invited to make proposals for such a document for discussion at future sessions.

8.17 In introducing its document, MEPC 47/8/1, the United States made the following points:

- .1 a simple, straightforward document would be the most beneficial means of providing guidance to Member States on this issue;
- .2 the document included:
 - .2.1 background information;
 - .2.2 initial considerations that should be made prior to submitting a proposal to IMO; and
 - .2.3 interpretations on the various requirements that need to be completed as part of a submission.

8.18 The Committee expressed its appreciation to the United States for this document (MEPC 47/8/1), which it supported in principle. However, it was agreed that, following proposals by Australia and Cyprus, changes should be made to the draft guidance document as follows:

- .1 paragraph 1.1 of the annex should be replaced with the following text:

In November 2001, the International Maritime Organization (IMO) Assembly adopted Resolution A.927(22) which sets forth the detailed requirements to be included in an application for designation of a Particularly Sensitive Sea Area (PSSA). This resolution supersedes two previous Assembly Resolutions, A.720(17) and A.885(21) and its requirements should be followed in preparing a PSSA proposal. To assist Member Governments in meeting the requirements of resolution A.927(22), this document provides guidance in the development, drafting, and submission proposals to IMO for the designation of a PSSA. This document sets forth the issues that should be included in such a proposal to facilitate its assessment and approval by IMO's Marine Environment Protection Committee (MEPC).

- .2 the first two sentences of paragraph 1.3 and the first word (*Additionally*) of the third sentence should be deleted; and
- .3 in response to a query raised regarding the reference to a *small team* in paragraph 2.2, the Committee noted that this was intended to mean a group of experts in the country considering making a proposal for an area to be designated as a PSSA and so should be clearly stated in the document.

8.19 With these amendments, the Committee instructed the Secretariat to prepare a draft MEPC circular based on the United States document for approval by the Committee at its forty-eighth session.

9 INADEQUACY OF RECEPTION FACILITIES

9.1 At MEPC 46, the Committee was informed that, in accordance with document FSI 9/8 regarding mandatory reports under MARPOL 73/78 for 1999, only one flag State reported on inadequate reception facilities. The Committee was therefore reminded that the flag States have an obligation to report alleged inadequacies of reception facilities, and that the port States have an obligation to provide information on reception facilities in their ports, including changes or improvements in their reception facilities.

9.2 The Committee noted that the Secretariat received ten reports from three Member States (Iran, Sweden and the United Kingdom) on alleged inadequacy of reception facilities reported in accordance with MEPC/Circ.349 for 2000 and 2001. One of the reports submitted by the United Kingdom was made on behalf of the Cayman Island.

9.3 The Committee also noted that one report contained information about an alleged inadequacy regarding waste under Annex II; three reports on alleged lack of adequate reception facilities for Annex I waste; and six reports on alleged lack of adequate facilities for Annex V waste as well as the report by Ireland that the problems observed in the port of Galway on alleged inadequate facilities had now been resolved.

9.4 The Committee further noted the information provided by BIMCO in the document MEPC 47/9/1 and thanked BIMCO for its offer to support any efforts to ensure that parties to MARPOL 73/78 honoured their conventional obligations in the installation of adequate and affordable facilities where they were lacking or too costly to use.

9.5 In the ensuing discussion, the view was expressed that the current reporting mechanism puts all the burden on the flag States. The Committee noted that, in accordance with paragraph 5 of MEPC/Circ.349, the reporting requirements are clear in that the report of alleged inadequacy of port reception facilities should be forwarded to the flag State and the port State and the flag State is required to notify IMO. The question that remains is how to implement the requirements. The Committee agreed that the FSI Sub-Committee is the appropriate body where such matters should be dealt with, but in order to provide clear instruction to the FSI Sub-Committee, the Committee agreed to further consider implementation of the reporting mechanism of inadequate reception facility at MEPC 48.

9.6 One delegation raised the question as to when an alleged inadequacy becomes confirmed as an inadequacy. It was suggested that in line with the established reporting mechanism this happens when, following a report from the flag State, confirmation is made by the port State of the inadequacy after investigation.

9.7 The question of the format of the tables in document MEPC 47/9 summarizing the reports received on alleged inadequacy of reception facilities was also raised. It was suggested to include a column indicating whether the port State was informed of such inadequacies and the port State's response.

9.8 The Committee noted that the responses to MEPC/Circ.349 indicated some inconsistency in port States assessment as to whether or not mobile reception facilities adequately met the MARPOL 73/78 obligations. The Committee requested the Secretariat to take this into account when collating port State responses.

9.9 The delegation of India informed the Committee that its Government would ratify Annexes III, IV and V of MARPOL 73/78 shortly and were preparing a plan to provide reception facilities in its ports.

9.10 The representative of BIMCO, when introducing document MEPC 47/9/1, indicated that his organization, like IMO, had received a number of reports on alleged inadequacy of port reception facilities from its members. He further recalled that the ability for ships to comply with MARPOL 73/78 depends primarily on the availability of adequate reception facilities.

9.11 The observer of FOEI strongly encouraged shipowner organizations such as BIMCO to further report on the details of alleged inadequacy of port reception facilities.

9.12 The Committee strongly encouraged the Member States, particularly those Parties to the MARPOL 73/78 as port States to fulfil their treaty obligations on providing adequate reception facilities.

10 REPORTS OF SUB-COMMITTEES

Outcome of DSC 6

10.1 The Committee noted that the sixth session of the DSC Sub-Committee was held from 16 to 20 July 2001 and the report of that session had been circulated under DSC 6/15.

10.2 The Committee considered action items requested of the Sub-Committee as follows:

- .1 the Sub-Committee's recommendation on the draft MSC/MEPC circular on *Design Suggestions for Ballast Water and Sediment Management Options in New Ships*;**
 - .1.1 The Committee considered this issue under agenda item 2 and decisions of the Committee are reflected in paragraphs 2.55 to 2.58.
- .2 making the IMDG Code mandatory under SOLAS;**
 - .2.1 The Committee noted that MSC, at its seventy-third session, had decided, in principle, to make the IMDG Code mandatory under SOLAS and that the entry into force date of the SOLAS amendments should be 1 January 2004. In this context, the Committee noted that the draft amendments to chapters VI and VII of SOLAS, on making the Code mandatory, were expected to be adopted at MSC 75 in May 2002.
 - .2.2 In addition, the Committee noted that DSC 6 had agreed that there were no special operational problems in implementing Annex III of MARPOL 73/78 through the IMDG Code when it becomes mandatory under SOLAS.
 - .2.3 The Committee endorsed the view of DSC 6 that there was no need to introduce any consequential changes to Annex III of MARPOL as a result of the revision of chapter VII of SOLAS, except updating the reference to the IMDG Code in the footnote to regulation 1.

Comments on the current situation regarding Marine Pollutants

10.3 The Committee agreed that, as two of the issues put to this Committee by DSC 6 related to Marine Pollutants, it was appropriate to consider document MEPC 47/10/3 (United Kingdom) which addresses this subject.

10.4 In presenting its document (MEPC 47/10/3), the United Kingdom indicated that it contained a broad issue and a specific one. The Committee was informed that the broad issue could be divided into the following two issues:

- .1 on completion of the re-evaluation of products subject to the IBC Code and Annex II of MARPOL 73/78, the related work of BLG and GESAMP/EHS will need to be reviewed, particularly regarding the liaison with the GHS; and
- .2 the relationship between DSC, Annex III of MARPOL 73/78 and the GHS.

10.5 With regard to the specific issue, the United Kingdom indicated that it would be necessary to give consideration to the interaction between Annex III of MARPOL 73/78, its implementation via the IMDG Code and the role of GHS which defines criteria for *Environmentally Hazardous Products* which are different from those for the definition of *Marine Pollutants* in the IMDG Code.

10.6 In response to the points raised by the United Kingdom, the following points were made:

- .1 the Committee should give consideration to requesting the GESAMP/EHS Working Group to indicate how it can liaise most effectively with the UN Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) in order to ensure that GHS takes IMO's interests into account and IMO can respond to GHS developments appropriately;
- .2 concern was expressed that IMO had been unable to attend the GHS meeting in December 2001 as recommended by the Committee at its forty-sixth session, and it was emphasized that it was essential for IMO to attend such meetings in future;
- .3 it would be expedient to review the criteria for defining Marine Pollutants under Annex III of MARPOL 73/78 to bring them in line with those being developed by the United Nations Sub-Committee on the Transport of Dangerous Goods which were anticipated to be adopted by other modes of transport. Such a link would not be appropriate for the classification of products subject to Annex II of MARPOL 73/78;
- .4 although the Committee had previously stressed the importance of the work being undertaken by GESAMP/EHS, concern was expressed by a number of delegations that IMO was unable to provide the necessary financial resources to allow the work of GESAMP/EHS and the Secretariat to be completed;
- .5 GESAMP has been the subject of a review by the sponsoring organizations, the results, of which, indicated that it fulfilled an important function but that its methods of work needed to be updated;

- .6 recognizing the importance of the EHS Group to IMO, it was noted that the future reporting relationship of this Group, through GESAMP to IMO, may have to be reviewed.

10.7 The Chairman expressed his concern that it appeared that insufficient attention had been given to this matter by IMO in the past. The safe carriage of HNS by sea was extremely important and more effort was required in this area in the future. Having had an initial exchange of views on this subject, the Committee agreed that it should include this matter on its agenda at the next session and invited members to make proposals on the way forward. The Secretariat was requested to provide relevant information including the developments under GESAMP Evaluation to MEPC 48.

Outcome of NAV 47

10.8 The Committee noted that the forty-seventh session of the NAV Sub-Committee had been held from 2 to 6 July 2001 and was reported as document NAV 47/13 whilst those issues of interest to MEPC were identified in MEPC 47/10/1.

10.9 The Committee also noted that whilst the Sub-Committee had not included a specific list of issues to be considered by this Committee, the following issues were considered:

.1 Review of revised draft Assembly resolutions A.720(17) and A.885(21)

- .1.1 The Committee noted that this issue had been considered under agenda item 8 and so was not discussed further.

.2 Information to improve submission of routeing measures

- .2.1 The Committee noted that the NAV Sub-Committee had identified a number of shortcomings and inaccuracies in the submissions of proposed new or amended routeing measures and so had developed a note giving information to assist in the drafting of proposals for routeing measures (annex 8 to NAV 47/13) which included the following two paragraphs of relevance to MEPC:

- .1 *The proposal should contain information on environmental factors, such as the prevailing weather conditions, tidal streams, and currents, and the possibility of ice concentrations. Routeing systems should not be established in areas where the instability of the seabed is such that frequent changes in the alignment and positions of the main channels, and thus of the routeing system itself, are likely.*

- .2 *For proposals intended to protect the marine environment, the proposal should state whether the proposed routeing system can reasonably be expected to significantly prevent or reduce the risk of pollution or other damage to the marine environment of the area concerned and whether, given the overall size of the area to be protected and the aggregate number of environmentally sensitive areas established within the area concerned, the routeing system could have the effect of unreasonably limiting the sea area available for navigation.*

- .2.2 The Committee noted this information and agreed that it should be taken into account, by Member Governments, when making future proposals on ship routing systems.

Outcome of DE 44

10.10 The Committee noted that the forty-fourth session of the DE Sub-Committee had been held from 5 to 9 March 2001 and its report was circulated as DE 44/19 whilst those issues identified as being pertinent to MEPC were reported in MEPC 47/10/2.

10.11 The Committee recalled that, at the suggestion of Cyprus, it had been agreed, at MEPC 46, to delay discussions on DE 44 until MEPC 47.

10.12 The Committee considered the action items requested by DE 44 as shown below:

.1 proposed measures aimed at eliminating sub-standard oil tankers;

- .1.1 The Committee recalled that MSC 73 had proposed measures aimed at eliminating substandard ships, some of which, were referred to DE 44.
- .1.2 The Committee noted that DE had considered document DE 44/2/2 (Secretariat) on this subject and made proposals on the 8 measures put to it for consideration, as reflected in paragraph 2.7 of DE 44/19.

.2 the draft MEPC circular on Guidelines for the sampling of fuel oil for determination of compliance with Annex VI of MARPOL 73/78;

- .2.1 The Committee recalled that this issue had been discussed under agenda item 4 and so was not considered further.

.3 an expansion of the scope of the revision of resolution MEPC.60(33) to include a whole bilge water treatment system ;

- .3.1 The Committee noted that DE 44 had considered a proposal by Japan (DE 33/11, paragraphs 1.5 and 6.3 of the annex) to expand the scope of revision of resolution MEPC.60(33) to include a whole bilge water treatment system. However, the Sub-Committee considered that this was outside its terms of reference and so invited MEPC to provide guidance on the matter.
- .3.2 The Committee noted that Japan had submitted comments and proposal on the outcome of DE 44 regarding the revision of resolution MEPC.60(33) under cover of document MEPC 47/10/4 which addressed, *inter alia*, this particular issue.
- .3.3 In introducing this part of its submission, Japan made the following points:
- .1 there are operational and maintenance problems with existing oil filtering equipment which lead to illegal discharges of oil into the sea;
- .2 even the new generation of bilge separators and monitors may not be able to treat all of the bilge water accumulating in machinery spaces;

- .3 as a result, Japan considers that the prevention of oil pollution from machinery spaces should be expanded beyond the use of just bilge separators and that such mechanisms developed should be included in the revised resolution MEPC.60(33).
- .3.4 Having considered these points, the Committee agreed that the DE Sub-Committee should be instructed to consider the points made by Japan with a view to making recommendations on the appropriate expansion of resolution MEPC.60(33) whilst recognizing that any amendments should only apply to new ships.
- .4 recommendations that the installation, in new ships, and use of a recording device to record the oil concentration in bilge water should be made mandatory under Annex I of MARPOL 73/78 and that the recording device should be made tamper proof and take action as appropriate;**
- .4.1 The Committee noted that this issue was also addressed in paragraph 10 of document MEPC 47/10/4 and agreed that the use of a recording device to record the oil concentration in bilge water should be made tamper-proof and mandatory for new ships. As a result, the DE Sub-Committee was instructed to take this into account.
- .5 uniform standardized method for the determination of oil content;**
- .5.1 The Committee noted that DE 44 had indicated that most States have a test method for the determination of the oil content in water incorporated into an appropriate national Act. As these differ from each other and from the test method indicated in resolution MEPC 60(33), it would be beneficial to have a single ISO test that would provide a means of comparing the results.
- .5.2 In introducing its document, MEPC 47/10/5, the International Organization for Standardization (ISO) made the following points:
- .1 the IR method, currently specified in resolution MEPC 60(33), for the determination of the oil content depends on the use of Carbon tetrachloride which is no longer acceptable, being listed in Annex B of Group II as a *Controlled Substance* under the *Montreal Protocol on Substances that Deplete the Ozone Layer*.
- .2 as an alternative, ISO 9377-2 uses a Gas Chromatography (GC) method, which has been adopted by some states for use in offshore applications and so may be suitable for application to shipboard bilge water monitoring.
- .5.3 Having noted these points, the Committee instructed the DE Sub-Committee to:
- .1 determine whether ISO 9377-2 is sufficiently extensive to cover all situations;
- .2 consider the removal of references to any obsolete systems;
- .3 compare the data obtained from the two methods of analysis; and

- .4 report its findings to the Committee.
- .6 the draft MSC/MEPC circular on Guidelines for ships operating in Arctic ice-covered waters;**
- .6.1 The Committee noted that the instruction to develop these Guidelines had been given to DE by MSC. In developing these Guidelines, DE included some aspects of interest to this Committee, which was considered at MEPC 43.
- .6.2 The Committee noted the progress being made on this issue.
- .7 the question of minimum capacities for throughput through oily water separators;**
- .7.1 The Committee recalled that, at its forty-fifth session, India had pointed out that, since there were no Guidelines for the selection of capacities of oil filtering equipment required to be fitted on individual ships, this aspect was left to the shipbuilder. As a result, India had been requested to prepare a draft interpretation of regulation 16 of Annex I to MARPOL 73/78 for consideration by DE 44.
- .7.2 The Committee noted that, having considered this issue and taking into account that new technologies regarding oil removal from water were emerging, DE had agreed that the question of minimum capacities for the throughput of oily-water separators was best left to the national administrations.
- .7.3 Recognizing the difficulties encountered by some countries in determining the most appropriate equipment for a given ship, the Committee invited members to submit information papers on the selection of capacity for oil filtering equipment to DE in order to provide assistance to other Administrations.
- .8 resolution MEPC.76(40) on Standard specification for shipboard incinerators;**
- .8.1 The Committee recalled that this issue had already been discussed under agenda item 4.

11 WORK OF OTHER BODIES

Outcome of the eighty-sixth session of Council

11.1 The Committee noted that the eighty-sixth session of Council was held from 18 to 22 June 2001 and the summary of its decisions was issued as C86/D whilst those issues of interest to MEPC were summarized in document MEPC 47/11.

11.2 Based on the issues identified in MEPC 47/11, the Committee noted that Council had:

- .1 noted the Committee's recommendation to the Council, subject to confirmation by MEPC in 2002, to give, in principle, agreement to holding a five-day conference on ballast water management in 2003, to be considered further under item 10 of the Council's agenda; and

- .2 approved, subject to MSC's concurrent recommendation, the holding of an intersessional meeting of the ESPH Working Group in 2002.

Outcome of MSC 74

11.3 The Committee noted that the seventy-fourth session of the Maritime Safety Committee was held from 30 May to 8 June 2001 and its report was issued under documents MSC 74/24 and MSC 74/24/Add.1 whilst those issues of interest to MEPC, other than matters relating to Ballast Water, Formal Safety Assessment and the Role of the Human element, were reported under document MEPC 47/11/1.

11.4 The Committee noted the actions taken by MSC 74 as identified in MEPC 47/11/1 as well as the following information provided by the Secretariat in relation to the ISM Code:

- .1 the final implementation date for the ISM Code was 1 July 2002;
- .2 of the 13,000 ships identified as requiring certification, only about 6,000 had been certified as of October 2001;
- .3 as a result, MSC/Circ.1020-MEPC/Circ.387 was issued on 3 January 2002 to remind parties of their obligation to have shipping companies and ships certified by 1 July 2002.

The Committee requested delegations to do all they could to ensure full ISM certification was achieved by the deadline.

Outcome of LEG 83

11.5 The Committee noted that the eighty-third session of the Legal Committee was held from 8 to 12 October 2001 and its report was issued as document LEG 83/14. The Committee further noted that those issues of interest to MEPC were identified in document MEPC 47/11/2, including the development of a draft convention on wreck removal and the inclusion of the question of places of refuge in the work programme of the Legal Committee.

Outcome of A 22

11.6 The Committee noted that the twenty-second session of Assembly took place from 19 to 30 November 2001 and that a summary of this meeting was reported in document A 22/11 whilst those matters of interest to MEPC were reported in document MEPC 47/11/3.

11.7 The Committee noted that, as shown in paragraph 3 of MEPC 47/11/3, the Assembly had noted that the Committee had adopted the following amendments to MARPOL 73/78:

- .1 regulation 13G of Annex I;
- .2 Appendix to Annex III; and
- .3 Annex V.

Outcome of TCC 49 and TCC 50

11.8 The Committee noted that the Technical Co-operation Committee held its forty-ninth session from 15 to 16 November 2000 and its fiftieth session on 21 June 2001, and that the reports of these meetings were circulated under documents TC 49/11 and TC 50/11 respectively. The Committee also noted those issues of interest to MEPC which had been identified in document MEPC 47/11/4.

12 PROMOTION OF IMPLEMENTATION AND ENFORCEMENT OF MARPOL 73/78 AND RELATED CODES

Outcome of MEPC/Circ.380

12.1 The Committee recalled that the Committee at its last session approved the MEPC circular on "Information from Contracting States to MARPOL Annex IV to the Organization of regulations on discharge of sewage in waters under their jurisdiction and available reception facilities for sewage in their ports" (MEPC/Circ.380), and requested the Secretariat to issue the circular as soon as possible, and to report on the information collected through the circular to future sessions with the objective of facilitating the implementation of the revised MARPOL Annex IV whenever it enters into force.

12.2 The Committee noted the responses of the following seven Contracting Parties to Annex IV of MARPOL, namely Argentina, Bulgaria, Ecuador, Estonia, Germany, Lithuania and Sweden, as well as the responses of three non-Contracting Parties, namely Australia, Singapore and Vanuatu and one Associate Member, namely Hong Kong, China to MEPC/Circ.380 as reported in documents MEPC 47/12 and the addendum to this document.

12.3 The Committee also noted the response of the Russian Federation to MEPC/Circ.380 reporting that the Russian Federation had regulations on discharge of sewage from ships in waters under their jurisdiction and outlining what these were, as well as reporting that it had facilities in its ports for receiving sewage from ships.

12.4 The Chairman thanked all States who had responded to MEPC/Circ.380 and invited more States to respond to MEPC/Circ 380 for consideration at MEPC 48.

12.5 Following an intervention by the delegation of Australia pointing out that further clarity was required on point 3 of the annex to MEPC/Circ.380, the Committee agreed that such clarity was called for in order to ensure that countries which have in place an arrangement with private contractors for the reception of sewage from ships, but which do not have fixed reception facilities in ports for receiving such waste, respond positively to point 3 of the annex to MEPC/Circ.380.

12.6 The Committee recalled that, almost 29 years after the adoption of the optional Annex IV on the prevention of pollution by sewage from ships, Annex IV was still not in force because the 50% tonnage criteria had not been met, despite the fact that 85 States representing 46% of the world's tonnage had ratified it. The Committee noted that since the approval by MEPC 44 of a revised text of Annex IV, with the objective of making the Annex less restrictive and to enhance its chance of entering into force as soon as possible, only five more countries had ratified Annex IV. The Committee also noted the concern expressed by the Chairman that, having removed the barriers of ratification identified by some countries, those countries had not yet ratified the Annex. In this respect, the Chairman strongly urged all Member States which have not yet ratified Annex IV, to do so as soon as possible.

12.7 In this context, the Committee noted the information provided by the delegate of Norway regarding the intent of Norway to ratify MARPOL Annex IV, which they aimed to ratify before the next session of the Committee. The Committee also noted that Singapore was at an advanced stage with regard to the ratification of Annex IV.

12.8 In order to encourage more countries to ratify MARPOL Annex IV, the Committee requested the Secretariat to write to countries informing them of the advantages of the revised MARPOL Annex IV.

Activities of ROPME/MEMAC on Protection of the Marine Environment in the ROPME Sea Area

12.9 The Committee noted the information provided by ROPME/MEMAC in document MEPC 47/INF.15 regarding their activities related to the Protection of the Marine Environment in the ROPME Sea Area, namely activities relating to the ratification and implementation of MARPOL, including the provision of reception facilities; OPRC Courses; and activities on Port State Control. The Committee noted that the Action Plan for the ROPME Area sets the target date for ratification of MARPOL by the ROPME countries for July 2002 and that it was anticipated that some of the countries would meet the target date. The Committee thanked ROPME/MEMAC for the information provided and invited other delegations to provide information on activities in their country or region relating to the implementation and enforcement of MARPOL and related Codes.

MARPOL Annex V and Marine Debris

12.10 The Committee noted that, following the request of the Committee at its last session, the Secretariat had brought to the attention of FAO the information provided by the United States (MEPC 46/INF.8) on the conference on derelict fishing gear and the ocean environment which took place in Hawaii in August 2000.

12.11 The Committee, in recalling that at its last session it invited Member States to review their obligations as indicated throughout the Guidelines for the implementation of Annex V of MARPOL and particularly in paragraphs 2.2 and 2.2.4 and to make further submissions to future sessions of the Committee in order to make an on-going assessment of the effectiveness of Annex V, noted that no submissions had been made on this matter dealing with marine debris including derelict fishing gear. The Committee agreed to keep this matter under review and keep it on the agenda for future meetings of MEPC.

13 PREPARATION OF RIO + 10

13.1 The Committee recalled that, at MEPC 46, it discussed and approved, in principle, the draft IMO's third report to the UN Commission on Sustainable Development (CSD) while recognizing that some amendments may be necessary once MSC and TCC had considered the report.

13.2 The Committee noted that the final report to the CSD, after taking into account the inputs from MSC 74, TCC 50 and LEG 86, was submitted to the CSD and that it had been issued by CSD as a background document for the World Summit on Sustainable Development (WSSD).

13.3 The Committee was informed that the IMO Secretariat participated in the second preparatory meeting for the WSSD (PrepCom II) and presented IMO's report.

13.4 The Committee further noted the following:

- .1 WSSD was scheduled from 26 August to 4 September 2002;
- .2 in accordance with the draft report of the UN Secretary-General for WSSD and the discussion at PrepCom II, WSSD would not re-negotiate Agenda 21, but would consider major constraints hindering the implementation of Agenda 21 and decide on specific measures to address a number of priority issues, including poverty eradication, health, energy, freshwater, finance, technology transfer and strengthening the system of international governance for sustainable development; and
- .3 a large number of States and several UN agencies, including IMO and UNESCO-IOC, voiced their views to include ocean-related issues as a focal item for WSSD. The IMO Secretariat intends to attend subsequent sessions of the preparatory committee and would report back to the Committee.

14 FUTURE ROLE OF FORMAL SAFETY ASSESSMENT AND HUMAN ELEMENT ISSUES

14.1 The Committee recalled that at its last session it noted that the Joint MSC/MEPC Working Group on the Human Element and Formal Safety Assessment would meet during MSC 74 in May 2001 and agreed that the role of the Human Element should continue to have priority on its agenda as directed by Assembly resolution A.900(21).

14.2 The Committee noted that the Joint Working Group met during MSC 74, and that MSC took action with regard to Human Element and Formal Safety Assessment as reported in paragraphs 4 to 16 of document MEPC 47/14 and in paragraphs 4 to 14 of document MEPC 47/14/1, respectively.

14.3 The Committee considered the report of the Joint Working Group (MSC 74/WP.10) with regard to the Role of the Human Element, and:

- .1 noted that MSC 74 approved the draft MSC circular on Guidance on Fatigue Mitigation and Management (paragraph 5 and annex 1 of MSC 74/WP.10), disseminated as MSC/Circ. 1014;
- .2 concurred with MSC 74 to consider including in the future work programme of the Joint Working Group, the identification of necessary mandatory training related to fatigue to be considered by the STW Sub-Committee;
- .3 noted that MSC 74 approved the draft MSC circular on reporting near misses (paragraph 10 and annex 2 of MSC 74/WP.10), disseminated as MSC/Circ.1015;
- .4 concurred with the views of MSC 74 to invite ILO members on a tripartite basis, in future sessions of the Joint Working Group (paragraph 12 of MSC 74/WP.10);
- .5 noted the view on the application of HEAP put forward by STW 32 (STW 32/16, paragraph 13.5) in the context of developing an example on the use of HEAP by a Sub-Committee;

- .6 approved MSC/Circ.1022-MEPC/Circ.391 on Guidance on the use of human element analysing process (HEAP) and formal safety assessment (FSA) in the IMO rule-making process; and
- .7 approved the report in general.

14.4 The Committee considered the report of the Joint Working Group (MSC 74/WP.19) with regard to Formal Safety Assessment and:

- .1 approved MSC/Circ.1023-MEPC/Circ.392 on Guidelines for FSA for use in the IMO rule-making process (paragraph 4 and annex to MSC 47/WP.19);
- .2 endorsed the view of the group that guidance on the use of FSA, HEAP, grandfather clause, etc. for the IMO rule-making process should be developed and action taken as appropriate (paragraph 7 of MSC 47/WP.19);
- .3 noted the view of the group on the development of a training package for FSA (paragraphs 9 and 10 of MSC 47/WP.19);
- .4 concurred with the view of the group on future activities regarding FSA (paragraph 13 and 14 of MSC 47/WP.19); and
- .5 approved the report in general.

14.5 The Committee noted that the Joint MSC/MEPC Working Group would meet during MSC 75 (15 to 24 May 2002), and urged Member Governments to include experts on protection of the marine environment in their delegations to MSC 75.

14.6 The Committee further noted that the Joint MSC/MEPC Working Group, at MSC 75, would only consider matters relating to the human element, because the FSA Guidelines had been finalized and approved by both Committees. Member Governments and non-governmental organizations are invited to apply FSA when it is deemed necessary.

15 MATTERS RELATED TO THE 1973 INTERVENTION PROTOCOL

15.1 The Committee recalled that, at MEPC 46, the Secretariat submitted a "Draft Revised List of Substances Annexed to the 1973 Intervention Protocol", based on lists being compiled and maintained by other IMO instruments and codes, such as MARPOL 73/78, the IBC, IGC and IMDG Codes, as well as the GESAMP Hazard Profiles. MEPC 46, noting the problem associated with maintaining such a list, agreed to defer the discussion to MEPC 47 and requested the Secretariat to prepare a draft amendment to the 1973 Intervention Protocol to use a simple reference to the criteria and the instruments to ensure the most expeditious means of maintaining information on chemicals covered by the Intervention Protocol.

15.2 The Committee was invited to consider a proposed replacement text for the Annex to the 1973 Intervention Protocol (MEPC 47/15, annex 1) and a draft MEPC resolution on the adoption of such a replacement text (MEPC 47/15, annex 2).

15.3 The delegation of the Netherlands supported the proposed amendments to the Annex to the 1973 Intervention Protocol as set out in annex 1 of document MEPC 47/15 and suggested that paragraph 1.4 of annex 1 should be replaced by the following text:

“**Radioactive materials**, which are transported in type B or type C packages, or as fissile materials, or under special arrangements, as covered by the provisions of schedules 10 to 14 of class 7 of the IMDG Code;”

15.4 The Committee agreed to the amendments suggested by the Netherlands.

15.5 Having made the above decision and reviewed the List of Substances subject to the 1973 Intervention Protocol in accordance with paragraph 2(a) of article I of the Protocol, and the draft MEPC resolution on the “Revision of the list of substances to be annexed to the Protocol relating to the Intervention on the High Seas in Cases of Pollution by Substances Other than Oil”, the Committee:

- .1 agreed with the restructuring of the Annex as the preferable means of identifying products subject to the 1973 Intervention Protocol;
- .2 requested the Secretariat to prepare a final draft version of the text of the amendments to the existing Annex to the 1973 Intervention Protocol incorporating the proposed amendments for circulation to all Members of the Organization and all Parties to the Protocol in accordance with paragraph 2 of article III of the Protocol prior to its consideration and adoption at MEPC 48; and
- .3 also requested the Secretariat to prepare a final draft MEPC resolution incorporating the proposed amendments, to be used at MEPC 48 on the adoption of the proposed amendments to the existing Annex to the 1973 Intervention Protocol.

15.6 The draft text of the proposed amendments to the existing Annex to the 1973 Intervention Protocol is set out in annex 6.

16 TECHNICAL CO-OPERATION PROGRAMME

16.1 Under this agenda item, the Committee had before it documents MEPC 47/16 and MEPC 46/16/1. The Committee’s attention was also drawn to three other documents of relevance to this item and which were issued under items 5 and 11 of the meeting agenda (MEPC 47/5/5, MEPC 47/5/6 and MEPC 47/11/4).

16.2 In introducing the item, the Chairman recalled that the documents, which related mainly to the Integrated Technical Co-operation Programme (ITCP) for 2000-2001, reported on the implementation of the programme since MEPC 45. He stated that, as an official and permanent record, they provided a tool for measuring performance and a guide for long-term planning for the ITCP. He further encouraged the Committee to provide recommendations and guidance towards improvement of the ITCP.

16.3 The Committee was informed that the future IMO ITCP for 2004-2005, with the inclusion of MEPC’s contribution to the programme, would be considered by the fifty-second session of the Technical Co-operation Committee (TCC 52) in November 2002. The Committee’s attention was drawn to the need for the thematic priorities, upon which the Committee’s contribution to the ITCP for 2004-2005 should be based, to be updated in view of a number of developments that had recently occurred. These included, among others, the adoption of the International Convention on the Control of Harmful Anti-fouling Systems on Ships and the guidelines on the identification and protection of special areas and particularly sensitive sea areas (PSSAs). The need for the Committee to have TC on its programme at its forty-eighth session was also pointed

out. This would give it the possibility to approve the draft revised thematic priorities and the Committee's contribution to the ITCP for 2004-2005 to be prepared by the Secretariat.

16.4 The Committee noted that TCC 47 examined and approved the Secretariat proposals on the organization, methodology and financing to be used for the regular impact assessment exercises (IAE) of the Integrated Technical Co-operation Programme (ITCP). The objectives of such exercises to be carried out every four years were to determine the impact of the ITCP on the recipient countries to enable IMO and TCC to readjust the future ITCP to make it more efficient and effective. It was also recommended that a proposal be made by the Committee for the next IAE to be conducted in 2004 to focus on marine environment protection; the recommendation being supported by (1) the relevance of that thematic area to IMO's technical objectives and priority needs of the developing countries; (2) its applicability to virtually all developing regions; and (3) the importance in size and number of related projects in the overall IMO ITCP. The Committee further noted the importance of recipient countries' feedback on the results of any technical assistance they receive from IMO; this being a significant contributory element to the effectiveness of technical co-operation. In this respect, the Chairman referred the Committee to Resolution A.873 (20), which was adopted, urging Member States to provide such feedback.

16.5 The Committee noted documents MEPC 47/16 and MEPC 47/16/1 and recalled that the last report on the implementation of the ITCP activities was made during MEPC 45. The Committee further noted that the principal achievements since that session included the training of officials in seminars/workshops/training courses on marine environment protection, including OPRC and MARPOL, promotion of and enhancement of regional co-operation through developing regional actions such as the strategic action plan for the implementation of MARPOL and OPRC, regional contingency plan for combating oil pollution and environmental management guidelines for port operation.

16.6 The Committee also recalled that one of the main objectives of the seminars, workshops and training courses was to achieve global acceptances and effective implementation of the relevant IMO instruments.

16.7 The Senior Deputy-Director, TCD, provided information on the role of ITCP as a driving force behind the global implementation of IMO instruments. Having recalled the purpose of the impact assessment exercise (IAE), assurances were given that the Committee's suggestion to see the next IAE focus on the Marine Environment Protection priority thematic area would be submitted to TCC for its consideration, bearing in mind that major programmes such as PEMSEA, the Global Ballast Water and Projects funded by GEF in partnership with UNDP, UNEP and the World Bank have their own evaluation mechanisms. As such, TCD would not like to duplicate those efforts. He further mentioned the move of the Secretariat from a project-based approach to a programme approach in the implementation of the ITCP as a premise for improving the effectiveness of the delivery process. He also referred to the 11 September 2001 terrorist attacks in the United States and informed the Committee on the development of a programme focussing on "capacity building for maritime security"; this being in pursuance of IMO resolution A.924(22) which calls for a review of measures and procedures to prevent acts of terrorism that threaten the security of passengers, crews and the safety of ships. The objective of the future programme is to assist governments and industry to prevent and suppress terrorist acts directed against ports and port personnel, as well as ships at sea and in port areas, passengers and crew.

16.8 Recalling the importance of technical co-operation in the work of IMO, the Chairman urged member States to come forward, at MEPC 48, with recommendations and guidance for the improvement of the development and delivery of the ITCP.

16.9 Many delegations intervened on this agenda item and expressed their appreciation for the document and for the assistance provided by IMO through the ITCP.

16.10 The Committee further noted the following comments and views expressed:

- .1 Referring to the IMO/Singapore MOU on Third Country Training Programme the delegation of Singapore indicated their willingness to continue supporting the IMO ITCP and to offer assistance within the limit of their possibilities.
- .2 The delegation of Panama praised the assistance received from IMO through REMPEITC-Carib for the implementation of MARPOL 73/78 Convention. The need for the ITCP to also address the technical assistance needs of developing countries linked to new developments, including the adoption of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships and the guidelines on PSSAs was recognized.
- .3 The delegation of the Philippines expressed appreciation for the important IMO technical assistance provided and specifically with regard to the implementation of IMO conventions, including the drafting of relevant legislation. In this respect, the development and implementation of a focussed training programme for legal officers at different levels in the national government was suggested. The delegation expressed their need for a training programme or workshop on matters pertaining to PSSAs.
- .4 With reference to document MEPC 47/16/1 on the project on Removal of Barriers to the Effective Implementation of Ballast Water Control and Management Measures in developing countries, the project countries are encouraged to share their experience with other countries in their region. The need for technical assistance in the implementation of the future convention on ballast water once adopted and into force, was stressed.

16.11 The Chairman in summarizing recalled the tripartite nature of the ITCP (recipient/donor/IMO) and urged the resource providers and recipients to join the Organization's commitment to its own ITCP by providing cost-sharing contributions so that the full programme could be delivered successfully. He also stressed the importance of technical co-operation, which is an integral part of the work of the Organization. He further insisted on the fact that the effective and timely delivery of the ITCP activities required the full support of Member States, both beneficiaries and donors.

16.12 The Committee took the following action:

- .1 noted the information provided and relating to the technical co-operation activities implemented since MEPC 45;
- .2 instructed the Secretariat to update the thematic priorities taking into account the new developments and to prepare the Committee's contribution to the overall IMO ITCP for 2004-2005. It also agreed that MEPC 48 will have TC on its agenda to approve the revised thematic priorities and the Committee's contribution to the new ITCP for 2004-2005; and

- .3 recommended that the next IAE to be conducted in 2004 focus on the Marine Environment Protection priority thematic area.

17 APPLICATION OF THE COMMITTEES' GUIDELINES

17.1 The Committee recalled that, at MEPC 46, it agreed with the decisions of MSC 73 in connection with the amendments to paragraphs 28 and 29 of the Committee's Guidelines for which MSC also decided that these modifications and amendments, together with additional amendments set out in annex 33 to the MSC report (MSC 73/22), should, for the time being, be attached to the report of the Committee for reference and application as appropriate. They should be incorporated in the Guidelines at a later stage when a sufficient number of further amendments had been approved to justify a new set of the revised Guidelines.

17.2 The Chairman informed the Committee that many documents for this session of the Committee were submitted just on the deadlines. While this was acceptable in accordance with the Committees' Guidelines, it would be highly appreciated that, for future sessions of the Committee, delegations make their submissions as early as possible in order to allow more time for other delegations to study the submissions and to facilitate discussions during the meeting.

18 WORK PROGRAMME OF THE COMMITTEE AND SUBSIDIARY BODIES

Restructuring of the sub-committees

18.1 The Committee recalled that at its forty-fourth session, while noting that the organizational review of the IMO Secretariat had yet to be completed, the Committee suggested that, for the longer term, the Chairmen of the MSC and MEPC might in the future consider the matter of reviewing the sub-committees' structure with the objective of improving the efficiency and effectiveness of the sub-committees. This proposal was brought to the attention of the seventy-third session of the Maritime Safety Committee, which agreed that:

- .1 in the short term, the MSC and MEPC Chairmen should prepare terms of reference for the consideration of a restructuring of the sub-committees for consideration by MEPC 46 and MSC 74; and
- .2 in the long term, the two Chairmen should prepare, based on the outcome of the discussion at MEPC 46 and MSC 74, a draft work plan to undertake a revision of the sub-committees' structure and identify the preferred way forward, for consideration by the twenty-second session of the Assembly.

18.2 The Committee also recalled that at its last session, the majority of those who spoke supported the draft terms of reference proposed by the Chairmen of MSC and MEPC.

18.3 The Committee noted the outcome of the discussions of MSC 74, as reported in MEPC 47/18, on the structure of Committees and Sub-Committees, in particular the request of MSC 74 for the Chairmen of MSC and MEPC to undertake the following:

- .1 to prepare a paper containing a draft work plan to undertake a revision of the Committees' and Sub-Committees' structure and identify the preferred way forward, for consideration by the twenty-second session of the Assembly (held in November 2001);

- .2 subject to approval and any comments by the twenty-second session of the Assembly, to arrange for a meeting of the Chairmen of the MSC and MEPC, together with the Chairman of the FAL Committee, and the Chairmen of the Sub-Committees, in conjunction with MSC 75 (to be held in May 2002); and
- .3 to prepare a paper on implementation of the aforementioned work plan for consideration by MSC 76 and MEPC 48.

18.4 The Committee also noted the outcome of the twenty-second session of the Assembly concerning the review of the sub-committee structure, as reported in document MEPC 47/18/2, and in particular that the Assembly:

- .1 endorsed the course of action agreed by the MSC and MEPC and approved by the Council;
- .2 revised and endorsed the terms of reference for reviewing the sub-committee structure to include new paragraphs 3 and 4, which address possible resource implications of the review. The revised terms of reference were set out in annex 1 of MEPC 47/18/2;
- .3 approved the work plan for a revision of the sub-committee structure, which was set out in annex 2 of MEPC 47/18/2; and
- .4 approved the summary of proposals or suggestions for consideration, which was set out in annex 3 of MEPC 47/18/2.

18.5 The Committee further noted the information provided in the joint document by the Chairmen of MSC and MEPC (MEPC 47/18/4) proposing some ideas, which were not necessarily the views of the authors of this document, regarding the possible re-organization and the workings of the technical Sub-Committees. In particular, the Committee noted the following information provided in the document:

- .1 that the document was developed with the guiding principle of improving the efficient and effective working of the Organization, that at the same time promotes the widest possible participation in the decision-making process and also takes account of the privileges and rights of the Member States;
- .2 the exercise of re-organization and working of technical Sub-Committees should not be restricted to considering the revision of the Sub-Committees structure but should also allow for consideration of how to carry out the work of the Organization with the highest achievable efficiency and effectiveness. If these were adopted by the Organization, it would necessitate changes to the Guidelines on the organisation and method of work (MSC/Circ.931 and MEPC/Circ.366);
- .3 the document identified some initial objectives, discussed the working methods currently instituted, and concluded by discussing some ideas for the possible re-designation of Sub-Committees; and

- .4 the comments in the document were put before the Committees, in addition to the paper A 22/9/1 – A 22/11/1 submitted to the Council and Assembly in November 2001, to stimulate discussion. The Committee at that stage was not being asked to necessarily endorse and/or implement any of the comments mentioned in the document.

18.6 In his introduction of the joint document (MEPC 47/18/4), Mr. T. Allan, Chairman of the MSC, emphasized that suggestions and views on the joint document merely indicate a basis of discussion and do not necessarily represent proposals from the Chairmen. He also stressed that the improvement aiming at greater efficiency must be the objectives of the exercise and the restructuring itself should not be the ultimate objective set from the outset.

18.7 The Committee, in reviewing document MEPC 47/18/4, thanked the Chairmen of MSC and MEPC for the very useful submission and provided the following general comments:

- .1 IMO works efficiently, however, there is room for improvement. The efficiency should be improved through proper management of the committees and sub-committees and by improving their work methods;
- .2 improved efficiency should promote wider participation by all Members in the decision making process and does not necessarily imply producing regulations faster;
- .3 modern communication technologies should be properly used to improve efficiency and participation by all member States;
- .4 a distinction should be made between urgent matters and less urgent ones and a balanced approach should be applied;
- .5 problems should be firstly identified before considering the measures for resolving such problems; and
- .6 the working method can be improved even under the existing sub-committee structure. The process of improving the working method should be accelerated immediately, even on a trial basis, and ahead of the original schedule.

18.8 Many delegations commented on specific points in the Chairmen's document (MEPC 47/18/4). The main points raised during the discussion were as follows:

- .1 a number of delegations supported the initial objectives listed in paragraph 4 and, in particular, the need for independent committees responsible for safety and the environment;
- .2 a large number of delegations held the view that drafting groups should not be chaired by the Secretariat, because drafting groups may need to resolve some controversial drafting work - a matter for Member States. One delegation pointed out that, in case of parallel technical matters, the possibility of the Secretariat's chairmanship could be considered;

- .3 as regards paragraph 12, several delegations supported the examination of the use of the e-mail communication and video conferencing for intersessional correspondence groups, but caution was expressed as regards the proposal of using “chat rooms”. The majority of delegations who spoke, whilst expressing their preference for the current limitations set for the number of working and drafting groups, stated that more flexibility could be given for the number of correspondence groups established, although an upper threshold regarding the number was needed;
- .4 regarding the re-designation of the sub-committees (paragraph 18), a small number of delegations expressed the need for further consideration. Although some delegations stated that the current sub-committee structure is fine, other delegations suggested that the number of sub-committees should be reduced and some should be merged;
- .5 some delegations indicated that the Committee should make more use of the sub-committees rather than looking for re-designating the sub-committees; and
- .6 regarding the proposal to hold the intersessional working group meetings back-to-back with the sub-committee meetings, a number of delegations supported this approach so as to provide the working group with a full week for its technical discussions.

18.9 On the procedure for furthering the discussion on the issue of the sub-committee’s structure, a large number of delegations suggested that an intersessional working group, open to all delegations, should be held after MSC 75 and the planned chairmen’s meeting.

18.10 Having exchanged views on this matter, the Chairman concluded as follows:

- .1 delegations who spoke would be encouraged to provide their written comments to the MSC and MEPC Chairmen; and
- .2 although a number of comments were made and the proposal for an Intersessional Working Group was largely supported, the Committee should wait for further discussion at MSC 75 before deciding on the procedure for further development.

Proposal for a new item on amendments to MARPOL Annex I to address foreseen salvage difficulties with damaged tankers

18.11 The Committee noted the proposal by the United Kingdom (MEPC 47/18/1) to add a new item to the work programme of the BLG Sub-Committee to consider the following two amendments to MARPOL Annex I, with a view to reducing the risks of pollution during salvage operations associated with damaged tankers:

- .1 Access to shore based computer programs could be provided as part of the Shipboard Oil Pollution Emergency Plan. Regulation 26 of Chapter IV of Annex I of MARPOL 73/78 could be amended by including the following text at the end of paragraph (1):

“All oil tankers of 5000 tonnes deadweight or more shall have prompt access to computerised, shore-based damage stability and residual structural strength calculation programmes.”

- .2 In order to provide an additional safeguard to the pump room to enable lightening operations to be undertaken in the event of bottom damage, the pump room should be provided with a double bottom. Regulation 13F of Chapter II of Annex I of MARPOL 73/78 could be amended by including the following after paragraph (2)(b):

“(c) be provided with a double bottom in the pump room complying with the requirements of paragraph (3)(b) unless subject to the provisions of paragraphs (4) and (5).”

18.12 The Committee also noted the information provided in the document by the United Kingdom (MEPC 47/18/1) regarding the costs to the marine industry and the associated legislative and administrative burdens of taking on the two additional safeguards mentioned above.

18.13 The Committee noted the comments by INTERTANKO (MEPC 47/18/3) on the proposal by the United Kingdom, in particular that:

- .1 INTERTANKO believed that damage stability/residual strength computer modelling was a very useful tool when a vessel was aground or damaged and considered it reasonable that such a service be a requirement for all tankers and probably for all vessel types. The paper provided cost estimates for setting up such a model as well as maintaining it; and
- .2 INTERTANKO believed that fitting of a double-bottom in the pump room in accordance with regulation 13F 3(b) was too onerous a requirement and suggested that a minimum clearance of 0.76 m (sufficient for access) should be adequate for all tankers. The paper pointed out that it would be more useful for the salvage firms and oil pollution clean up firms to be equipped and provide the necessary pumps as part of their standard equipment as a severe grounding damage would often require the use of portable pumps for cargo transfer due to vessel piping damage even if pump room had double bottom.

18.14 The Committee, in considering the proposal by the United Kingdom (MEPC 47/18/1), the comments by INTERTANKO (MEPC 47/18/3) and the preliminary assessment of the new proposal by the Chairman (MEPC 47/WP.1), noted that, in view that MEPC 46 decided to include in the DE Sub-Committee's work programme an item on "Protection of Fuel Tanks", it would be more appropriate for the DE Sub-Committee to take the lead on this work, which is mainly related to the protection of pump rooms.

18.15 Following the discussion, the Committee agreed to request DE 45 (meeting from 18 to 22 March 2002) to include this new item of protection of pump rooms and access to shore-based computer programmes on its agenda with a target date of finalizing their work in two sessions. The Committee also instructed the BLG Sub-Committee to contribute in this work.

Work programme of the OPRC Working Group

18.16 As discussed under agenda item 5 the Committee discussed the work programme of the OPRC Working Group based on the revised table of tasks for the group as set out in MEPC 47/WP.10 which included the proposal that the OPRC Working Group meet

intersessionally for three days prior to MEPC 48 to carry out its tasks as contained in the annex to MEPC 47/WP.10, subject to the Council's approval with no cost to the Organization.

18.17 In the discussion on the revised table of tasks for the OPRC Working Group different views were expressed by delegations as follows:

- .1 several delegations supported the proposal that the OPRC Working Group should meet intersessionally prior to MEPC 48 and later on prior to or after MEPC. In their view, this proposal is deemed consistent with paragraph 11 of document MEPC 47/18/4, which reads "Working groups at MSC and MEPC should always be of an *ad hoc* nature and as a result of demand" and the proposal that working groups should be held intersessionally back to back with the Committee;
- .2 some delegations were in favour of maintaining the current status of the OPRC Working Group as a working group of the MEPC; and
- .3 other delegations stated that intersessional meetings should only be held for very urgent matters and the proposed work programme did not indicate an urgent matter therefore the proposed intersessional meeting should not be accepted.

18.18 After the extensive discussion, the Committee recognized that there would be sufficient workload for the working group on the Manual on Chemical Pollution, Guidelines for Bioremediation and training programmes and agreed to hold the intersessional working group to be held from 3 to 4 October 2002 with the following understanding:

- .1 this case is an exceptional one and should not be regarded as a precedent for holding a working group intersessionally;
- .2 follow-up to the R&D forum should not be discussed at the intersessional meeting;
- .3 the Secretariat should prepare a document describing the life and target completion dates for the work elements for the Training programmes.

Work programmes of Sub-Committees which relate to environmental issues

18.19 The Committee, in noting the changes proposed by DSC 6 to its work programme, agreed to:

- .1 delete the following items from its work programme, as work on them had been completed or required no more action:
 - .1 item H.7 - Amendments to SOLAS chapters VI and VII and MARPOL Annex III to make the IMDG Code mandatory; and
 - .2 item L.1 - Guidelines for the development of shipboard emergency plans for marine pollutants.
- .2 extend the target completion date for the work programme item H.2 on "Implementation of Annex III of MARPOL 73/78", to 2003.

18.20 The Committee also agreed to extend the target completion date for the item on Revision of resolutions MEPC.60(33) and A.586(14) in the work programme of the DE Sub-Committee to 2003.

18.21 The Committee noted that MSC 74 included, in the NAV work programme as well as the work programmes of the COMSAR and DE Sub-Committees, a high priority item on "Places of refuge" with a target completion date of 2003 for the NAV Sub-Committee and 2002 for the COMSAR and DE Sub-Committees. The Committee further noted that MSC 74 assigned the NAV Sub-Committee to act as the co-ordinating Sub-Committee on the matter and instructed NAV 47 to give preliminary consideration to the subject under its agenda item on "Any other business", which was placed on the provisional agenda for COMSAR 6 and DE 45 (MEPC 47/WP.2).

Instructions to the sub-committees

18.22 Instructions of the Committee to the relevant sub-committees are summarized in annex 7.

Substantive items to be included in the Committee's agenda for its forthcoming three sessions

18.23 The Committee approved the substantive items to be included in the agenda for MEPC 48, MEPC 49 and MEPC 50, which is set out at annex 8.

Working/Drafting Groups at MEPC 47

18.24 The Committee agreed, in principle, to establish the following working and drafting groups at MEPC 48:

- | | | |
|------------------|----|-------------------------------------|
| Working Groups: | .1 | Harmful organisms in ballast water |
| | .2 | Recycling of ships; and |
| | .3 | Air pollution related issues |
| Drafting Groups: | .1 | amendments to mandatory instruments |

Correspondence Groups

18.25 The Committee agreed to establish the following correspondence groups which would report to MEPC 48:

- | | | |
|-----------------------|----|-----------------------|
| Correspondence Group: | .1 | Recycling of ships* ; |
|-----------------------|----|-----------------------|

Co-ordinator for the Correspondence Group:

* Capt. Moin Ahmed
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Ilford, Essex IG2 6SJ
United Kingdom
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- .2 Ballast water management* ; and
- .3 Greenhouse gas emissions from ships** .

18.26 The Terms of Reference of the above correspondence groups are contained at annex 9.

Intersessional Meetings

18.27 The Committee agreed to hold the following intersessional meetings, subject to the approval by the Council:

- .1 intersessional meeting of the Working Group on Ballast Water Management to be held from 30 September to 4 October 2002; and
- .2 intersessional meeting of the OPRC Working Group to be held on 3 and 4 October 2002.

18.28 The Terms of Reference of the above meeting are contained at annex 9.

Dates for MEPC 48 and MEPC 49

18.29 The Committee noted that MEPC 48 would be held from 7 to 11 October 2002 and that MEPC 49 was tentatively scheduled from 30 June to 4 July 2003.

19 ANY OTHER BUSINESS

Report on the 14th International Symposium on the Transport of Dangerous Goods - By Sea and Inland Waters (ISTDG 14)

19.1 The Committee took note of the information provided by the Vice Chairman of MSC on his report on the 14th International Symposium on the Transport of Dangerous Goods – By Sea and Inland Waters (MEPC 47/19) held in Johannesburg, South Africa from 2 to 5 September,

Co-ordinators for the Correspondence Groups:

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which contained five resolutions related to the transport of dangerous goods, particularly on the African Continent.

Application for Consultative Status and Review of the Guidelines – Outcome of C 86

19.2 The Chairman informed the Committee that the Council, at its eight-sixth session in June 2001, while endorsing the procedure to be followed by its *ad hoc* group when screening new applications for consultative status at its future sessions, noted the suggestion that the Council should ascertain whether or not applicants had or could have representation through one or more organizations already enjoying consultative status.

19.3 The Committee noted that the Council as recommended by the MEPC and MSC, decided to grant consultative status to the:

- .1 Vessel Operators Hazardous Materials Association, Inc, (VOHMA); and
- .2 Royal Institution of Naval Architects (RINA).

19.4 The Committee noted that the Council agreed to amend the Guidelines on the Grant of Consultative Status as recorded in paragraphs 3 to 5 of the document MEPC 47/9/1 and decided to submit a recommendation on the amendments to the Assembly, which was subsequently endorsed by the Assembly at its twenty-second session.

North Atlantic Right Whales

19.5 The Committee took note of the information provided by Sweden in the document MEPC 47/INF.8 regarding the International Whaling Commission resolution on Western North Atlantic Right Whales aimed at reducing the threat of ship strikes in two areas off the eastern United States where both right whales and high ship traffic occur.

19.6 The Committee also took note of the information provided by the United States on the management and protection of whales, in particular the Western North Atlantic Right Whale, against ship strikes in high ship traffic areas.

The Marine Electronic Highway Project

19.7 At MEPC 46, the Committee noted the initiation of the GEF/World Bank/IMO Project on the Development of a Regional Marine Electronic Highway (MEH) in the East Asian Seas.

19.8 The Committee noted the information provided by the Secretariat as contained in the document MEPC 47/INF.17 that the MEH Project would be completed by May 2002 and a second and final Project Steering Committee meeting would be held in Jakarta, Indonesia on 1 to 3 May 2002 to move the project into a demonstration phase, which was essentially a reduced scale system in terms of facility, duration and geographical scope before a full-scale MEH Project could be developed in the Straits of Malacca and Singapore.

19.9 Singapore informed the Committee that its Government fully supported the MEH Project and had been working co-operatively with the two littoral States of the Malacca and Singapore Straits in the implementation of the project's activities.

ANNEX 1

**AGENDA FOR THE FORTY-SEVENTH SESSION
INCLUDING LIST OF DOCUMENTS**

1 Adoption of the agenda

MEPC 47/1	Secretariat	Provisional Agenda
MEPC 47/1/1	Secretariat	Annotations and provisional timetable

2 Harmful aquatic organisms in ballast water (WG)

MEPC 47/2		Report of the Ballast Water Working Group convened during MEPC 46
MEPC 47/2/1	United Kingdom	Ballast water exchange – sediment removal
MEPC 47/2/2	Japan	Safety of Ballast Water Exchange at Sea
MEPC 47/2/3	United States	Report of the Ballast Water Standards Correspondence Group
MEPC 47/2/4	Ukraine	1st Black Sea Conference on Ballast Water Management and Control Odessa, Ukraine, 10-12 October 2001
MEPC 47/2/5	Secretariat	Baltic Regional Workshop on Ballast Water Management Tallinn, Estonia, 22-24 October 2001
MEPC 47/2/6	Israel	Biological effectiveness of a multi-treatment process - a pilot test
MEPC 47/2/7	South Africa	Status report of GloBallast - South Africa
MEPC 47/2/8	Norway	Proposal for elements to be included in the two-tier approach
MEPC 47/2/9	Brazil	Proposal for the establishment of concepts and of a logical sequence to set out acceptance criteria for shipborne ballast water management systems
MEPC 47/2/10	Brazil	Brazil's comments on the proposal to phase-out ballast water exchange at sea

MEPC 47/2/11	Brazil	Investigation carried out in selected ports in Brazil to identify and characterize pathogens in ballast water
MEPC 47/2/12	Japan	Proposal for the Draft Text of an International Convention for the Control and Management of Ships' Ballast Water and Sediments
MEPC 47/2/13	Norway	Proposal for performance criteria of the ballast water treatment standard
MEPC 47/2/14	Chairman of the Ballast Water Working Group	Comments on the Report of the Ballast Water Standards Correspondence Group
MEPC 47/2/15	Chairman of the Ballast Water Working Group	Comments on the Report of the Working Group at MEPC 46
MEPC 47/2/16	Republic of Korea	Effectively expelling-ballast tank sediments and the potentially harmful aquatic organisms contained therein
MEPC 47/2/17	Brazil	Comments and views on the Report of the Ballast Water Working Group and the Draft Convention for the Control and Management of Ships' Ballast Water and Sediments
MEPC 47/2/18	INTERTANKO	Ballast water exchange – sediment removal: Comments on submission MEPC 47/2/1 by the United Kingdom
MEPC 47/2/19	OCIMF	Comments on the submission by the Ballast Water Standards Correspondence Group and suggested action to accelerate use of Ballast Water Management systems
MEPC 47/2/20	Islamic Republic of Iran	Comments and proposals on the draft text of the Convention for the Control and Management of Ships' Ballast Water and Sediments
MEPC 47/2/21	ICS	Comments on the draft Convention
MEPC 47/INF.5	United States	Addendum to the Report of the Ballast Water Standards Correspondence Group Questions Posed and Input Received

MEPC 47/INF.10	Secretariat	The Legislative Review Project and the 1st International Workshop on Legal Aspects of Ballast Water Management and Control, World Maritime University, Malmö, Sweden 15-16 November 2001
MEPC 47/INF.11	Norway	Description of the proposed model groups defined under Tier 1
MEPC 47/INF.12	Brazil	Report of the Informal Contact Group on the Research on Pathogens in Ballast Water
MEPC 47/INF.13	Brazil	Evaluation of the survival of organisms in ballast water treated with chlorine
MEPC 47/INF.14	Brazil	GloBallast Programme Activities in Brazil
MEPC 47/INF.18	Japan	Outcome of a study on Mechanical Treatment System

3 Recycling of ships (WG)

MEPC 47/3	Secretariat	Co-operation with ILO and the Basel Convention
MEPC 47/3/1	India	Proposals for consideration by the Committee on the development of internationally applicable guidelines on recycling of ships
MEPC 47/3/2	ICS on behalf of the Industry Working Party on Ship Recycling	Recycling of Ships
MEPC 47/3/3		Report of the Correspondence Group
MEPC 47/3/4	India	Proposal for consideration of the Committee for developing a new Annex under MARPOL 73/78 for Ship Recycling
MEPC 47/3/5	Greenpeace International	Comments on the Report of the Correspondence Group
MEPC 47/INF.3	India	Information on the Environmental Guidelines for the ship recycling industry in India
MEPC 47/INF.4	BIMCO	Decommissioning and recycling of ships and the capacity of the recycling industry

4 Prevention of air pollution from ships (WG)

MEPC 47/4	Secretariat	Progress report on follow-up activities
MEPC 47/4/1	Norway	Elements to be considered in a possible development of a GHG emission standard for ships
MEPC 47/4/2	United Kingdom	Comments on the development of an IMO strategy on greenhouse gases
MEPC 47/4/3	FOEI	Greenhouse Gas Emissions
MEPC 47/4/4	FOEI	SOx Emissions
MEPC 47/4/5	Japan	Study on estimation and reduction of GHG emissions from ocean-going vessels
MEPC 47/INF.2	Netherlands	Sulphur monitoring 2000
MEPC 47/INF.6	INTERTANKO	The Physical Behaviour of Crude Oil influencing its Carriage by Sea (CRUCOGSA) and subsequent projects
MEPC 47/INF.6/Corr.1	INTERTANKO	The Physical Behaviour of Crude Oil influencing its Carriage by Sea (CRUCOGSA) and subsequent projects

5 Implementation of the OPRC Convention and the OPRC-HNS Protocol and relevant conference resolutions (DG)

MEPC 47/5		Report of the OPRC Working Group at MEPC 46
MEPC 47/5/1	ITOPF	Combating Manuals/Guidelines
		Final Draft for Review of the Revised 1988 Edition of the Manual on Oil Pollution; Section IV – Combating Oil Spills
MEPC 47/5/2	France	Combating Manuals/Guidelines
		Draft Guidance Document for Decision Making and Implementation of Bioremediation in Marine Oil Spills
MEPC 47/5/3	Secretariat	Places of Refuge For Ships In Distress

		Outcome of MSC 74, LEG 83 and NAV 47
MEPC 47/5/4	IAPH	Places of Refuge for Ships in Distress
MEPC 47/5/5	Secretariat	Implementation of the Protocol to the Barcelona Convention concerning co-operation in combating pollution in the Mediterranean Sea by oil and other harmful substances in cases of emergency
MEPC 47/5/6	Secretariat	Joint IMO/UNEP Forum on regional arrangements for co-operation in combating marine pollution incidents
MEPC 47/INF.7	Netherlands and ITOPF	Combating Manuals/Guidelines
		Final Draft for Review of the Revised 1988 Edition of the Manual on Oil Pollution; Section IV – Combating Oil Spills
MEPC 47/INF.9	France	Combating Manuals/Guidelines
		Draft Guidance Document for Decision Making and Implementation of Bioremediation in Marine Oil Spills

6 Interpretation and amendments of MARPOL 73/78 and related Codes (DG)

MEPC 47/6	IACS	MARPOL Annex I, regulation 13G
MEPC 47/6/1	Germany	Proposal for amendment of MEPC/Circ.97, annex 2 Oil sludge formation reduction during the fuel treatment aboard ships
MEPC 47/6/2	IACS and INTERTANKO	Condition Assessment Scheme – survey planning document
MEPC 47/6/3	INTERTANKO and OCIMF	Revision of MARPOL Annex I Water in Cargo Tanks – Improvement of Unified Interpretation 4.1.1

MEPC 47/6/4	United States	Unified interpretation of the provisions of Annex II of MARPOL 73/78
MEPC 47/6/5	OCIMF	Proposal for changes to resolution A.446(XI), as amended, with regard to reducing emissions of gases generated during crude oil washing
MEPC 47/6/6	IACS	MARPOL Annex I, regulation 13G
MEPC 47/6/7	IACS	Condition Assessment Scheme – Survey planning document
MEPC 47/6/8	INTERTANKO	Proposal for amendment of MEPC/Circ.97, annex 2 Oil sludge formation reduction during the fuel treatment aboard ships Comments on document MEPC 47/6/1
MEPC 47/6/9	INTERTANKO	Comments on document MEPC 47/6/5
MEPC 47/6/10	INTERTANKO	Condition Assessment Scheme – survey planning document Comments on document MEPC 47/6/2

7 Harmful effects of the use of anti-fouling paints for ships

MEPC 47/7	Secretariat	Report on the International Conference on the Control of Harmful Anti-fouling Systems for Ships and Follow-up actions to the Conference
MEPC 47/7/1	Islamic Republic of Iran	Draft proposal for development of standard condition of analytical laboratories and scientific validation of analysis results of the anti-fouling system samples
MEPC 47/INF.16	Japan	Introduction of methods for the identification of organotin containing anti-fouling paints

8 Identification and protection of Special Areas and Particularly Sensitive Sea Areas

MEPC 47/8	Secretariat	Final approval of Particularly Sensitive Sea Areas around the Florida Keys and Malpelo Island
MEPC 47/8/1	United States	Draft guidance document for submission of PSSA proposals

9 Inadequacy of reception facilities

MEPC 47/9	Secretariat	Reports on alleged inadequacy of reception facilities
MEPC 47/9/1	BIMCO	Reports on alleged inadequacy of reception facilities

10 Reports of sub-committees

MEPC 47/10	Secretariat	Outcome of DSC 6
MEPC 47/10/1	Secretariat	Outcome of NAV 47
MEPC 47/10/2	Secretariat	Outcome of DE 44
MEPC 47/10/3	United Kingdom	Comments on the current situation regarding Marine Pollutants
MEPC 47/10/4	Japan	Comments and proposals on the outcome of DE 44 regarding the revision of resolution MEPC.60(33) and A.586(14)
MEPC 47/10/5	ISO	Comments on the Outcome of DE 44 on the revision of resolution MEPC.60(33)

11 Work of other bodies

MEPC 47/11	Secretariat	Outcome of C 86
MEPC 47/11/1	Secretariat	Outcome of MSC 74
MEPC 47/11/2	Secretariat	Outcome of LEG 83
MEPC 47/11/3	Secretariat	Outcome of A 22
MEPC 47/11/4	Secretariat	Outcome of TCC 49 and TCC 50

12 Promotion of implementation and enforcement of MARPOL 73/78 and related Codes

MEPC 47/12	Secretariat	Outcome of MEPC/Circ.380: Information from Contracting States to MARPOL Annex IV to the Organization on regulations on discharge of sewage in waters under their jurisdiction and available reception facilities in their ports
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MEPC 47/12/Add.1	Secretariat	Outcome of MEPC/Circ.380: Information from Contracting States to MARPOL Annex IV to the Organization on regulations on discharge of sewage in waters under their jurisdiction and available reception facilities in their ports
MEPC 47/INF.15	ROPME/MEMAC	Activities by ROPME/MEMAC on Protection of the Marine Environment in the ROPME Sea Area

13 Preparation of RIO + 10

No documents submitted

14 Future role of formal safety assessment and human element issues

MEPC 47/14	Secretariat	Joint MSC/MEPC Working Group on the Human Element and Formal Safety Assessment
MEPC 47/14/1	Secretariat	The Role of the Human Element Joint MSC/MEPC Working Group on the Human Element and Formal Safety Assessment
		Formal safety assessment

15 Matters related to the 1973 Intervention Protocol

MEPC 47/15	Secretariat	Proposed replacement text for the Annex to the 1973 Intervention Protocol
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16 Technical Co-operation programme

MEPC 47/16	Secretariat	Technical Co-operation Sub- programme for the Protection of the Marine Environment
		Status Report on the Programme Activities (June 2000 – December 2001)

MEPC 47/16/1	Secretariat	<p>Technical Co-operation Sub-programme for the Protection of the Marine Environment</p> <p>Implementation of the project on Removal of Barriers to the Effective Implementation of Ballast Water Control and Management Measures in developing countries (Globalast)</p>
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17 Application of the Committees' Guidelines

No documents submitted

18 Work programme of the Committee and subsidiary bodies

MEPC 47/18	Secretariat	<p>Restructuring of the Committees and sub-committees</p>
MEPC 47/18/1	United Kingdom	<p>Outcome of MSC 74 Amendments to Annex I of MARPOL 73/78 to address foreseen salvage difficulties with damaged tankers</p>
MEPC 47/18/2	Secretariat	<p>Review of the sub-committee structure</p>
MEPC 47/18/3	INTERTANKO	<p>Outcome of A 22 Amendments to Annex I of MARPOL 73/78 to address foreseen salvage difficulties with damaged tankers</p>
MEPC 47/18/4	MSC and MEPC Chairmen	<p>Comments on document MEPC 47/18/1 Review of the sub-committee structure</p>

19 Any other business

MEPC 47/19	Vice-Chairman of the MSC	Report on the 14th International Symposium on the Transport of Dangerous Goods - By Sea and Inland Waters (ISTDG 14)
		3 - 5 September 2001, Johannesburg, South Africa
MEPC 47/19/1	Secretariat	Applications for consultative status and review of the guidelines
		Outcome of C86
MEPC 47/INF.8	Sweden	North Atlantic Right Whales
MEPC 47/INF.17	Secretariat	The Marine Electronic Highway Project
		Interim Report on the Implementation of the GEF/World Bank/IMO PDF Block B Grant, Development of a Regional Marine Electronic Highway in the East Asian Seas

20 Consideration of the report of the Committee

ANNEX 2

RESOLUTION MEPC.96(47)

Adopted on 8 March 2002

**GUIDELINES FOR THE SAMPLING OF FUEL OIL FOR DETERMINATION OF
COMPLIANCE WITH ANNEX VI OF MARPOL 73/78**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee (the Committee) conferred upon it by international conventions for the prevention and control of marine pollution,

RECALLING ALSO that the Conference of Parties to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), held in September 1997, adopted the Protocol of 1997 to amend MARPOL 73/78 with a new Annex VI on the Prevention of Air Pollution from Ships,

NOTING that regulation 18(6) on fuel oil quality within Annex VI of MARPOL 73/78 requires that the bunker delivery note shall be accompanied by a representative sample of the fuel oil delivered taking into account guidelines to be developed by the Organization,

BEING AWARE that this requirement cannot be enforced before the entry into force of the Protocol of 1997,

BEING AWARE ALSO that relevant Guidelines have to be developed before the entry into force of the Protocol of 1997 in preparation for the implementation of Annex VI of MARPOL 73/78,

HAVING CONSIDERED the draft Guidelines prepared by the Sub-Committee on Ship Design and Equipment at its forty-fourth session,

1 ADOPTS the Guidelines for the sampling of fuel oil for determination of compliance with Annex VI of MARPOL 73/78, as set out in the Annex to this resolution;

2 INVITES Governments to apply the Guidelines from the date of entry into force of the Protocol of 1997.

ANNEX

**GUIDELINES FOR THE SAMPLING OF FUEL OIL FOR DETERMINATION OF
COMPLIANCE WITH ANNEX VI OF MARPOL 73/78**

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1 Preface

The primary objective of these Guidelines is to establish an agreed method to obtain a representative sample of the fuel oil for combustion purposes delivered for use on board ships.

2 Introduction

The basis for these Guidelines is regulation 18(3) of Annex VI to MARPOL 73/78, which provides that for each ship subject to regulations 5 and 6 of that Annex, details of fuel oil for combustion purposes delivered to, and used on board the ship, shall be recorded by means of a bunker delivery note which shall contain at least the information specified in appendix V to that Annex. In accordance with regulation 18(6) of Annex VI, the bunker delivery note shall be accompanied by a representative sample of the fuel oil delivered. This sample is to be used solely for determination of compliance with Annex VI of MARPOL 73/78.

3 Definitions

For the purpose of these Guidelines:

3.1 *Supplier's representative* is the individual from the bunker tanker who is responsible for the delivery and documentation or, in the case of deliveries direct from the shore to the ship, the person who is responsible for the delivery and documentation.

3.2 *Ship's representative* is the ship's master or officer in charge who is responsible for receiving bunkers and documentation.

3.3 *Representative sample* is a product specimen having its physical and chemical characteristics identical to the average characteristics of the total volume being sampled.

3.4 *Primary sample* is the representative sample of the fuel delivered to the ship collected throughout the bunkering period obtained by the sampling equipment positioned at the bunker manifold of the receiving ship.

3.5 *Retained sample* is the representative sample in accordance with regulation 18(6) of Annex VI to MARPOL 73/78, of the fuel delivered to the ship derived from the primary sample.

4 Sampling methods

The primary sample should be obtained by one of the following methods:

- .1 manual valve-setting continuous-drip sampler; or
- .2 time-proportional automatic sampler; or
- .3 flow-proportional automatic sampler.

4.2 Sampling equipment should be used in accordance with manufacturer's instructions, or guidelines, as appropriate.

5 Sampling and sample integrity

5.1 A means should be provided to seal the sampling equipment throughout the period of supply.

5.2 Attention should be given to:

- .1 the form of set up of the sampler;
- .2 the form of the primary sample container;
- .3 the cleanliness and dryness of the sampler and the primary sample container prior to use;
- .4 the setting of the means used to control the flow to the primary sample container; and
- .5 the method to be used to secure the sample from tampering or contamination during the bunker operation.

5.3 The primary sample receiving container should be attached to the sampling equipment and sealed so as to prevent tampering or contamination of the sample throughout the bunker delivery period.

6 Sampling location

For the purpose of these Guidelines a sample of the fuel delivered to the ship should be obtained at the receiving ship's inlet bunker manifold and should be drawn continuously throughout the bunker delivery period.*

7 Retained sample handling

7.1 The retained sample container should be clean and dry.

7.2 Immediately prior to filling the retained sample container, the primary sample quantity should be thoroughly agitated to ensure that it is homogenous.

7.3 The retained sample should be of sufficient quantity to perform the tests required but should not be less than 400 ml. The container should be filled to $90\% \pm 5\%$ capacity and sealed.

8 Sealing of the retained sample

8.1 Immediately following collection of the retained sample, a tamper proof security seal with a unique means of identification should be installed by the supplier's representative in the presence of the ship's representative. A label containing the following information should be secured to the retained sample container:

* The phrase "be drawn continuously throughout the bunker delivery period" in paragraph 6 of the Guidelines should be taken to mean continuous collection of drip sample throughout the delivery of bunker fuel covering each bunker delivery note. In case of receiving an amount of bunker fuel necessitating two or more delivery notes, the sampling work may be temporarily stopped to change sample bags and bottles and then resumed as necessary.

- .1 location at which, and the method by which, the sample was drawn;
- .2 date of commencement of delivery;
- .3 name of bunker tanker/bunker installation;
- .4 name and IMO number of the receiving ship;
- .5 signatures and names of the supplier's representative and the ship's representative;
- .6 details of seal identification; and
- .7 bunker grade.

8.2 To facilitate cross-reference details of the seal, identification may also be recorded on the bunker delivery note.

9 Retained sample storage

9.1 The retained sample should be kept in a safe storage location, outside the ship's accommodation, where personnel would not be exposed to vapours which may be released from the sample. Care should be exercised when entering a sample storage location.

9.2 The retained sample should be stored in a sheltered location where it will not be subject to elevated temperatures, preferably at a cool/ambient temperature, and where it will not be exposed to direct sunlight.

9.3 Pursuant to regulation 18(6) of Annex VI of MARPOL 73/78, the retained sample should be retained under the ship's control until the fuel oil is substantially consumed, but in any case for a period of not less than 12 months from the time of delivery.

9.4 The ship's master should develop and maintain a system to keep track of the retained samples.

ANNEX 3**PROPOSED AMENDMENTS TO THE
CONDITION ASSESSMENT SCHEME**

- 1 The following new paragraph is added after the existing paragraph 6.2.2.13:

“6.2.3 The Survey Plan shall be developed using the Model Survey Plan for CAS set out in Appendix 3.”
- 2 The following text is added after the existing paragraph 6.3.2:

“6.4 Conduct of CAS Surveys

6.4.1 The conditions for CAS Survey, the conditions and method of access to the structures, the equipment for CAS Survey and the communication arrangements implemented during the CAS Survey shall meet the Mandatory Requirements for the Safe Conduct of CAS Surveys set out in Appendix 4.”
- 3 In Table 7.2.2, the note, at the end of the entry “A minimum of 30% of all web frames and rings, in each remaining cargo wing tank” is replaced by “(see note 1 and 3)”.
- 4 In Table 7.2.2 at the end of the entry “A minimum of 30% of deck and bottom transverses, including adjacent structural members, in each cargo centre tank” the following text is added “(see note 3)”.
- 5 In Table 7.2.2, at the bottom of the table, after the existing Note 2 the following new note is added:

“3 The 30 % shall be rounded up to the next whole integer.”
- 6 The following new Appendices are added after the existing Appendix 2:

“APPENDIX 3

Model Survey Plan for CAS

Basic Information and Particulars

Name of Ship:
IMO Number:
Flag State:
Port of Registry:
Gross Tonnage:
Deadweight (metric tonnes):
Length Between Perpendiculars (m):
Breadth (m):
Depth (m):
Summer load line draught (m):
Builder:
Hull Number:
Recognised Organisation (RO): RO Identity:
Class Notation:
Date of delivery:
Category of Ship (1 or 2):
Date for compliance with Regulation 13F:
Company:
Thickness Measurement Firm:

1 Preamble

1.1 Scope

1.1.1 The present CAS Survey Plan covers the minimum extent of overall surveys, close-up surveys, thickness measurements and pressure testing within the cargo area, ballast tanks, including fore and aft peak tanks, required by the CAS adopted by resolution MEPC.94(46) [as amended by resolution MEPC...(.....)] for this ship.

1.1.2 The practical aspects of any part of the CAS survey shall be acceptable to the attending surveyor (s).

1.2 Documentation

Paragraph 6.2.1 of the CAS requires all documents used in the development of the CAS survey plan to be available onboard during the CAS survey.

2 Arrangement of Tanks

This section of the Plan shall provide information (either in the form of plans or text) on the arrangement of tanks that fall within the scope of the CAS survey.

3 List of tanks with information on their use, extent of coatings and corrosion protection system

This section of the Plan shall indicate any changes relating to (and shall update) the information on the use of the tanks of the ship, the extent of coatings and the corrosion protective system provided in the Survey Planning Questionnaire.

4 Conditions for survey (e.g. information regarding tank cleaning, gas freeing, ventilation, lighting etc.)

This section of the Plan shall indicate any changes relating to (and shall update) the information on the conditions for survey provided in the Survey Planning Questionnaire.

5 Provisions and method of access to structures

This section of the Plan shall indicate any changes relating to (and shall update) the information on the provisions and methods of access to structures provided in the Survey Planning Questionnaire.

The Mandatory Requirements for the Safe Conduct of CAS Surveys are contained in Appendix 3 to this Plan.

6 List of equipment for survey (to be provided by the Company and supplemented by the Recognised Organisation, as necessary)

This section of the Plan shall identify and list the equipment that will be made available for carrying out the CAS survey and the required thickness measurements.

7 Survey requirements

7.1 Overall survey

The CAS requirements

Paragraph 7.2.1 (and 5.2) of the CAS require that the hull structures in way of cargo tanks, pump rooms, cofferdams, pipe tunnels, void spaces within the cargo area and all ballast tanks shall undergo an overall survey.

The Plan

This section of the Plan shall identify and list the spaces that shall undergo an overall survey for this ship.

7.2 Close up survey

The CAS requirements

Paragraph 7.2.2 (and Table 7.2.2) of the CAS state the hull structures that shall undergo a close up survey. These are:

Close up survey requirements
All web frame rings, in all ballast tanks (see note 1)
All web frame rings, in a cargo wing tank, (see note 1)
A minimum of 30% of all web frame rings, in each remaining cargo wing tank (see notes 1 and 3)
All transverse bulkheads, in all cargo and ballast tanks (see note 2)
A minimum of 30% of the deck and bottom transverses, including adjacent structural members, in each cargo centre tank (see note 3)
Additional complete transverse web frame rings or deck and bottom transverse including adjacent structural members as considered necessary by the surveyor

Notes:

- 1 Complete transverse web frame ring including adjacent structural member.
- 2 Complete transverse bulkhead, including girder and stiffener systems and adjacent members
- 3 The 30 % shall be rounded up to the next whole integer.

In addition paragraphs 7.2.3 and 7.2.4 of the CAS provide further guidance as far as the extent and scope of the close up survey.

The Plan

This section of the Plan shall identify and list, using paragraph 7.2.2 (and Table 7.2.2) of the CAS, the hull structures that shall undergo a close up survey for this ship. In particular it shall:

- .1 identify the cargo wing tank in which all web frame rings will undergo close up survey and indicate the number of web frame rings involved;
- .2 identify the remaining cargo wing tanks in which a minimum of 30% of the web frame rings will undergo a close up survey and indicate, for each tank, the number of web frame rings involved; and
- .3 identify the cargo centre tanks in which a minimum of 30% of the deck and bottom transverses, including adjacent structural members, in each cargo centre tank will undergo close up survey and indicate, for each tank, the number of the deck and bottom transverses, including adjacent structural members, involved.

8 Identifications of tanks for tank testing

The CAS requirements

Paragraph 6.2.2.9 of the CAS states that the tank testing shall be as per annex 3 of Annex B of resolution A.744(18) as amended.

The Plan

This section of the Plan shall identify and list the tanks that shall undergo tank testing for this ship.

9 Identification of areas and sections for thickness measurements

The CAS requirements

Paragraph 7.3.3 (and Table 7.3.3) of the CAS specify the minimum requirements for thickness measurements for CAS survey. These are as follows:

Thickness measurement requirements
1. Within the cargo area: .1 Each deck plate .2 Three transverse sections .3 Each bottom plate
2. Measurements of structural members subject to close-up survey according to the table above (for close up survey), for general assessment and recording of corrosion pattern.
3. Suspect areas.
4. Selected wind and water strakes outside the cargo area.
5. All wind and water strakes within the cargo area.
6. Internal structure in the fore and aft peak tanks.
7. All exposed main deck plates outside the cargo area and all exposed first tier superstructure deck plates.

Guidance Notes:

- 1 The attending surveyor may increase the extent of thickness measurements as deemed necessary (see paragraph 7.3.5 of the CAS).
- 2 Transverse sections for thickness measurements shall be chosen where the largest material reductions are expected to occur or are revealed from deck plating measurements (see section 7.3.8 of the CAS).
- 3 Where substantial corrosion is found, the extent of thickness measurements shall be increased accordingly (see paragraph 7.3.4 of the CAS).

In addition paragraphs 7.3.4 to 7.3.8 of the CAS provide further guidance on the extent and increase of the thickness measurements to be taken.

The Plan

This section of the Plan shall identify and list, using paragraph 7.3.3 (and Table 7.3.3) of the CAS, the areas and sections where thickness measurements shall be taken.

10 Hull Materials (to be specified by the Recognised Organisation)

This section of the Plan shall identify, using a format similar to that of the table below, the materials used in the hull structures that fall within the scope of the CAS for the purpose of providing a concise reference.

Location	Plating	Longitudinals and Stiffeners	Longitudinal Girders / Stringers	Transverse Girders / Web Frames / Stringers / Floors
Deck				
Bottom				
Inner bottom				
Side shell				
Longitudinal bulkhead				
Transverse bulkheads				
Fore Peak				
Aft Peak				

Guidance Notes:

- 1 Material grade is Mild Steel (MS) where not shown otherwise.
- 2 Material grade HTS indicates High Tensile Steel; SS indicates Stainless Steel; and CS indicates Clad Steel.
- 3 In case of repairs material, grade, type and the extent shall be verified from drawings.

11 Minimum thickness of hull structures (to be specified by the Recognised Organisation)

This section of the Plan shall specify the minimum thickness for hull structures of this ship that are subject to the CAS (indicate either (a) or [preferably] (b), if such information are available):

- (a) Determined from the attached** wastage allowance table and the original thickness according to the hull structure plans of the ship;
- (b) Given in the following table(s)

Area or Location	Original Thickness (mm)	Minimum Thickness (mm)	Substantial Corrosion Thickness (mm)
Deck			
Plating			
Longitudinals			
Longitudinal girders			
Bottom			
Plating			
Longitudinals			
Longitudinal girders			
Ship side			
Plating			
Longitudinals			
Longitudinal girders			

** The wastage allowance tables shall be attached to the CAS Survey Plan.

Longitudinal bulkhead			
Plating			
Longitudinals			
Longitudinal girders			
Inner bottom			
Plating			
Longitudinals			
Longitudinal girders			
Transverse bulkheads			
Plating			
Stiffeners			
Transverse web frames, floors and stringers			
Plating			
Flanges			
Stiffeners			
Cross ties			
Flanges			
Webs			

12 Thickness Measurement (TM) Firm

This section of the Plan shall identify changes, if any, relating to the information on the Thickness Measurement (TM) Firm provided in the Survey Planning Questionnaire.

13 Damage experience related to the ship

This section of the Plan shall, using the tables provided below, provide details of the hull damages for at least the last three years in way of the cargo and ballast tanks areas and void spaces within the cargo area. These damages are subject to CAS survey.

Hull damages sorted by location for this ship

(to be provided by the Company and supplemented by the Recognised Organisation, as necessary)

Tank Number or Area	Possible cause, if known	Description of the damages	Location	Repair	Date of repair

Hull damages for sister or similar ships (if available) in the case of design related damage
 (to be provided by the Company and supplemented by the Recognised Organisation, as necessary)

Tank Number or Area	Possible cause if known	Description of the damages	Location	Repair	Date of repair

14 Areas identified with substantial corrosion from previous surveys (to be provided by the Recognised Organisation)

This section of the Plan shall identify and list the areas of substantial corrosion from previous surveys.

15 Critical structural areas and suspect areas (to be provided by Company and supplemented by the Recognised Organisation, as necessary)

This section of the Plan shall identify and list the critical structural areas the suspected areas, when such information is available.

16 Other relevant comments and information (to be provided by the Company and supplemented by the Recognised Organisation)

This section of the Plan shall provide any other relevant, to the CAS survey, comments and information.

Appendices

Appendix 1 - List of Plans

Paragraph 6.2.2.2 of CAS requires that main structural plans of cargo and ballast tanks (scantling drawings), including information on regarding use of high tensile steel (HTS) to be provided.

This Appendix of the Plan shall identify and list the main structural plans which form part of the Plan and which are attached to the Plan.

Appendix 2 - Survey Planning Questionnaire

The Survey Planning Questionnaire, which has been submitted by the Company, shall be appended to the Plan.

Appendix 3 – Mandatory Requirements for the Safe Conduct of CAS Surveys

The Mandatory Requirement for the Safe Conduct of CAS Surveys, which is contained in Appendix 4 shall be appended to the Plan.

Appendix 4 - CAS Schedule

The CAS Schedule, which is contained in Annex 3 to MEPC/Circular [.....] shall be appended to the Plan.

Appendix 5 - Other documentation

This part of the Plan shall identify and list any other documentation that forms part of the Plan.

Prepared on behalf of the Company by

Date:.....
.....
(name and signature of authorised representative)

Reviewed by the Recognized Organization for compliance with paragraph 6.2.2 of the CAS.

Date:.....
.....
(name and signature of authorised representative)

APPENDIX 4

Mandatory Requirements for the Safe Conduct of CAS Surveys

1 General

1.1 The present mandatory requirements have been developed for the safe conduct of CAS Surveys. Although the mandatory requirements make explicit reference to the CAS survey and to attending surveyor(s) it shall be used also in connection with any thickness measurement work required by the CAS.

2 Conditions for survey

2.1 The Company shall provide the necessary facilities for a safe conduct of the CAS survey.

2.2 In cases where the provisions of safety and required access are judged by the attending surveyor(s) not to be adequate, the CAS survey of the spaces involved shall not proceed.

2.3 In order to enable the attending surveyor(s) to carry out the CAS survey provisions, for proper and safe access, shall be agreed between Company and Recognised Organisation.

2.4 Details of the means of access are provided in the Survey Planning Questionnaire.

2.5 Tanks and spaces shall be safe for access*. Tanks and spaces shall be gas free and shall be ventilated. Prior to entering a tank, void or enclosed space, it shall be verified that the atmosphere in the tank is free from hazardous gas and contains sufficient oxygen.

2.6 Tanks and spaces shall be sufficiently clean and free from water, scale, dirt, oil residues, corrosion scale, sediments etc., to reveal significant corrosion, deformation, fractures, damages or other structural deterioration as well as the condition of the coating. In particular this applies to areas that are subject to thickness measurement.

2.7 Sufficient illumination shall be provided to reveal significant corrosion, deformation, fractures, damages or other structural deterioration as well as the condition of the coating.

2.8 Where soft coatings have been applied, safe access shall be provided for the attending surveyor(s) to verify the effectiveness of the coating and to carry out an assessment of the conditions of internal structures, which may include spot removal of the coating. When safe access cannot be provided, the soft coating shall be removed.

2.9 The attending surveyor(s) shall always be accompanied by at least one responsible person assigned by the Company experienced in tank and enclosed spaces inspection.

In addition a backup team of at least two experienced persons shall be stationed at the hatch opening of the tank or space that is being surveyed. The back-up team shall continuously observe the work in the tank or space and shall keep lifesaving and evacuation equipment ready for use.

* Reference is made to chapter 10 of the International Safety Guide for Oil Tankers and Terminals (ISGOTT) - Entry into and working in enclosed spaces.

3 Access to structures

3.1 For overall survey, means shall be provided to enable the attending surveyor(s) to examine the structure in a safe and practical way.

3.2 For close-up survey, one or more of the following means for access, acceptable to the attending surveyor(s), shall be provided:

- permanent staging and passages through structures
- temporary staging and passages through structures
- lifts and moveable platforms
- rafts or boats
- other equivalent means.

3.3 Surveys of tanks or spaces by means of rafts or boats may only be undertaken with the agreement of the attending surveyor(s), who shall take into account the safety arrangements provided, including weather forecasting and ship response in reasonable sea conditions.

3.4 When rafts or boats will be used for close up survey the following conditions shall be observed:

- .1 only rough duty, inflatable rafts or boats, having satisfactory residual buoyancy and stability even if one chamber is ruptured, shall be used;
- .2 the boat or raft shall be tethered to the access ladder and an additional person shall be stationed down the access ladder with a clear view of the boat or raft;
- .3 appropriate lifejackets shall be available for all participants;
- .4 the surface of water in the tank shall be calm (under all foreseeable conditions the expected rise of water within the tank shall not exceed 0.25 m) and the water level either stationary or falling. On no account shall the level of the water be rising while the boat or raft is in use;
- .5 the tank or space must contain clean ballast water only. Even a thin sheen of oil on the water is not acceptable;
- .6 at no time shall the water level be allowed to be within 1 m of the deepest under deck web face flat so that the survey team is not isolated from a direct escape route to the tank hatch. Filling to levels above the deck transverses shall only be contemplated if a deck access manhole is fitted and open in the bay being examined, so that an escape route for the survey party is available at all times;
- .7 if the tanks (or spaces) are connected by a common venting system, or Inert Gas system, the tank in which the boat or raft is to be used shall be isolated to prevent a transfer of gas from other tanks (or spaces).

3.5 In addition to the above rafts or boats alone may be allowed for inspection of the under deck areas for tanks or spaces, if the depth of the webs are 1.5 m or less.

- 3.6 If the depth of the webs is more than 1.5 m, rafts or boats alone may be allowed only:
- .1 when the coating of the under deck structure is in GOOD condition and there no evidence of wastage; or
 - .2 if a permanent means of access is provided in each bay to allow safe entry and exit. This means of access is to be direct from the deck via a vertical ladder and a small platform shall be fitted approximately 2 m below the deck.

If neither of the above conditions are met then staging shall be provided for the survey of the under deck area.

4 Equipment for survey

4.1 Thickness measurement shall normally be carried out by means of ultrasonic test equipment. The accuracy of the equipment shall be proven to the attending surveyor(s) as required.

4.2 One or more of the following fracture detection procedures may be required if deemed necessary by the attending surveyor(s):

- radiographic equipment
- ultrasonic equipment
- magnetic particle equipment
- dye penetrant
- other equivalent means.

4.3 Explosimeter, oxygen-meter, breathing apparatus, lifelines, riding belts with rope and hook and whistles together with instructions and guidance on their use shall be made available during the CAS survey. A safety check-list shall be provided.

4.4 Adequate and safe lighting shall be provided for the safe and efficient conduct of the CAS survey.

4.5 Adequate protective clothing shall be made available and used (e.g. safety helmet, gloves, safety shoes, etc) during the CAS survey.

5 Meetings and Communication Arrangements

5.1 The establishment of proper preparation and the close co-operation between the attending surveyor(s) and the Company's representatives onboard prior to and during the CAS survey are an essential part in the safe and efficient conduct of the CAS survey. During the CAS survey on board safety meetings shall be held regularly.

5.2 Prior to commencement of the CAS survey a survey meeting shall be held between the attending surveyor(s), the Company's representative(s) in attendance, the TM Firm Operator (as applicable) and the Master of the ship for the purpose to ascertain that all the arrangements envisaged in the Survey Plan are in place, so as to ensure the safe and efficient conduct of the survey work to be carried out.

5.3 The following is an indicative list of items that shall be addressed in the meeting:

- .1 schedule of the vessel (i.e. the voyage, docking and undocking manoeuvres, periods alongside, cargo and ballast operations etc.);
- .2 provisions and arrangements for thickness measurements (i.e. access, cleaning/de-scaling, illumination, ventilation, personal safety);
- .3 extent of the thickness measurements;
- .4 acceptance criteria (refer to the list of minimum thicknesses);
- .5 extent of close up survey and thickness measurement considering the coating condition and suspect areas/areas of substantial corrosion;
- .6 execution of thickness measurements;
- .7 taking representative readings in general and where uneven corrosion/pitting is found;
- .8 mapping of areas of substantial corrosion;
- .9 communication between attending surveyor(s), the TM operator(s) and Company representative(s) concerning findings.

5.4 A communication system shall be arranged between the survey party in the tank or space being examined, the responsible officer on deck and, as the case may be, the navigation bridge. This system shall also include the personnel in charge of handling the ballast pump(s) if rafts or boats are used. The communication arrangements shall be maintained throughout the CAS survey.”

ANNEX 4

**RESOLUTION MEPC.97(47)
adopted on 8 March 2002**

**IDENTIFICATION OF THE SEA AREA AROUND MALPELO ISLAND
AS A PARTICULARLY SENSITIVE SEA AREA**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

BEING AWARE of the ecological value of the sea area around Malpelo Island, as well as the tourist and fishing activities in the area,

NOTING that article 211(6) of the 1982 United Nations Convention on the Law of the Sea is further evidence of the will of States to co-operate in defining vulnerable marine areas requiring a higher level of protection than that which generally applies,

NOTING FURTHER that the Guidelines for Identification and Designation of Particularly Sensitive Sea Areas under resolution A.927(22) set out procedures for designation of particularly sensitive sea areas and for adoption of measures to be applied in such special areas,

RECOGNIZING that the Sub-Committee on Navigation, at its forth-seventh session, agreed to a proposal to establish an area to be avoided around Malpelo Island for approval by the Maritime Safety Committee at its seventy-fifth session,

RECOGNIZING ALSO the intention of Member Governments to co-operate with the coastal State to determine measures to be applied in the proposed sea area as soon as possible,

HAVING CONSIDERED the proposal by Colombia to designate the sea area around Malpelo Island as a particularly sensitive sea area,

HAVING AGREED that criteria for identification of a particularly sensitive sea area provided in resolution A.927(22) are fulfilled for the sea area around Malpelo Island,

IDENTIFIES the sea area around Malpelo Island as defined in the Annex to this resolution as a particularly sensitive sea area.

ANNEX

**GEOGRAPHICAL DESCRIPTION OF THE PARTICULARLY
SENSITIVE SEA AROUND MALPELO ISLAND**

With a view to avoiding the risk of serious damage to important systems, to the environment, and to the economy of the area, the area bounded by a line connecting the following geographical points, is designated as a Particularly Sensitive Sea area. As a result, all fishing vessels and all other ships in excess of 500 gross tonnage should avoid this area:

(Nautical reference charts INT 6105 "Gulf of Cupica to Bay of Buenaventura" and INT 6000 "West Coast of Colombia")

- A** 04°04'48" N 81°43'18" W
- B** 04°04'48" N 81°28'07" W
- C** 03°52'09" N 81°28'07" W
- D** 03°52'09" N 81°43'18" W.

ANNEX 5

**RESOLUTION MEPC.98(47)
adopted on 8 March 2002**

**IDENTIFICATION OF THE SEA AREA AROUND THE FLORIDA KEYS
AS A PARTICULARLY SENSITIVE SEA AREA**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

BEING AWARE of the ecological, social, economic, cultural, scientific and educational value of the sea areas around the Florida Keys, as well as the international shipping traffic and activities in the area,

NOTING that article 211(6) of the 1982 United Nations Convention on the Law of the Sea is further evidence of the will of States to co-operate in defining vulnerable marine areas requiring a higher level of protection than that which generally applies,

NOTING FURTHER that the Guidelines for Identification and Designation of Particularly Sensitive Sea Areas adopted under resolution A.927(22) set out procedures for designation of particularly sensitive sea areas and for adoption of measures to be applied in such areas,

RECOGNIZING that the Sub-Committee on Navigation, at its forty-seventh session, agreed with several associated routing measures for the waters around the Florida Keys for approval by the Maritime Safety Committee at its seventy-fifth session,

RECOGNIZING ALSO the intention of Member Governments to co-operate with the coastal State to determine measures to be applied in the proposed sea area as soon as possible,

HAVING CONSIDERED the proposal from the United States to designate the sea area around the Florida Keys as a particularly sensitive sea area,

HAVING AGREED that criteria for identification of a particularly sensitive sea area provided in resolution A.927(22) are fulfilled for the sea area around the Florida Keys,

IDENTIFIES the sea area around the Florida Keys as defined in the Annex to this resolution as a particularly sensitive sea area.

ANNEX

**GEOGRAPHICAL DESCRIPTION OF THE PARTICULARLY SENSITIVE
SEA AREA AROUND THE FLORIDA KEYS**

In order to avoid the risk of pollution and damage to this unique, fragile, and pristine coral reef ecosystem, mariners should exercise extreme care when navigating in the area bounded by a line connecting the following geographical positions which is designated as a Particularly Sensitive Sea Area:

(Reference chart: United States 11013, 1998 edition. *Note:* This chart is based on North American 1983 Datum.)

(1)	25°36'.85N	080°18'.50W	(16)	24°22'.30N	081°43'.17W
(2)	25°36'.08N	080°13'.08W	(17)	24°23'.00N	081°53'.50W
(3)	25°40'.27N	080°12'.05W	(18)	24°23'.00N	082°03'.50W
(4)	25°40'.30N	080°10'.74W	(19)	24°23'.42N	082°20'.52W
(5)	25°39'.11N	080°08'.98W	(20)	24°22'.00N	082°48'.00W
(6)	25°38'.81N	080°08'.03W	(21)	24°18'.00N	083°05'.00W
(7)	25°38'.77N	080°06'.87W	(22)	24°18'.00N	083°09'.00W
(8)	25°39'.70N	080°06'.85W	(23)	24°33'.00N	083°09'.00W
(9)	25°45'.00N	080°06'.10W	(24)	24°37'.00N	083°06'.00W
(10)	25°38'.70N	080°02'.70W	(25)	24°46'.00N	083°06'.00W
(11)	25°22'.00N	080°03'.00W	(26)	24°46'.00N	082°54'.00W
(12)	25°06'.38N	080°10'.48W	(27)	24°45'.80N	082°48'.00W
(13)	24°56'.37N	080°19'.26W	(28)	24°44'.00N	081°55'.00W
(14)	24°37'.90N	080°47'.30W	(29)	24°51'.00N	081°26'.00W
(15)	24°29'.20N	081°17'.30W	(30)	24°55'.00N	080°56'.00W

- (31) From the point of 24°55'.00N 080°56'.00W, the boundary then follows the boundary of Everglades National Park in a southerly then northeasterly direction through Florida Bay and Buttonwood Sound. (The precise boundary coordinates for this area is going through a process for technical verification; however, international shipping is not likely to navigate in this area due to water depths.)

ANNEX 6

**PROPOSED REPLACEMENT TEXT FOR THE ANNEX TO THE
1973 INTERVENTION PROTOCOL**

**List of Substances Subject to the 1973 Intervention Protocol in accordance with
paragraph 2(a) of article I**

- 1 Any of the following products are subject to the Intervention Protocol if they are either carried on board a ship as cargo or are residues of such products previously carried in bulk:
- .1 **Oils** as defined in Annex I to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, including those listed in Appendix I with the exception of crude oil, fuel oil, diesel oil and lubricating oil which are covered by the 1969 Intervention Convention;
 - .2 **Noxious Liquid Substances carried in bulk** as defined in Annex II to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, and identified as:
 - .1 Pollution Category A or B, including those products identified, as such, in:
 - .1 Chapters 17 of the International Bulk Chemical Code (IBC Code);
or
 - .2 Lists 1 to 4 of MEPC.2/Circulars, issued on an annual basis in December;
 - .2 those products listed in the composite list of GESAMP Hazard Profiles, issued periodically as BLG Circulars, with either:
 - .1 a '2' in column B and 'XX' in column E; or
 - .2 'XXX' in column E;
 - .3 **Harmful substances in packaged form** as defined in Annex III to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, and which have been identified as Severe Marine Pollutants (PP) in the International Maritime Dangerous Goods Code (IMDG Code) or which meet the criteria for such as defined in the IMDG Code;
 - .4 **Radioactive materials**, which are transported in type B or type C packages, or as fissile materials, or under special arrangements, as covered by the provisions of schedules 10 to 14 of class 7 of the IMDG Code;

- .5 **Liquefied gases carried in bulk** which are listed in chapter 19 of the International Code for the Construction and Equipment of ships carrying liquefied Gases in bulk, 1983, as amended, (IGC Code) and the products for which preliminary suitable conditions for the carriage have been prescribed by the Administration and port administrations involved in accordance with paragraph 1.1.6 of the Code.

ANNEX 7**INSTRUCTIONS TO THE SUB-COMMITTEES****DE Sub-Committee**

- 1 Include the new item of protection of pump rooms and access to shore-based computer programmes in its work programme with a target completion date in two sessions (MEPC 47/18/1 and MEPC 47/18/3).
- 2 Consider document MEPC 47/10/4 for appropriate expansion of resolution MEPC.60(33) to include a whole bilge water treatment system with an extended target completion date to 2003.
- 3 Provide input to the relevant chapters of the draft IMO Guidelines on Ship Recycling (MEPC 47/WP.13 and its Add.1) to the Correspondence Group on Ship Recycling in the intervening period and to MEPC 48 for finalization at MEPC 49.

BLG Sub-Committee

- 1 Consider the proposed amendments to Unified Interpretation 2A.1.4 and 2A.1.6 relating to the tripartite agreements on NLS categorization (MEPC 47/6/4) at BLG 7.
- 2 Contribute to the new item for the DE Sub-Committee in dealing with protection of pump rooms and access to shore-based computer programmes.
- 3 Provide input to the relevant chapters of the draft IMO Guidelines on Ship Recycling (MEPC 47/WP.13 and its Add.1) to the Correspondence Group on Ship Recycling in the intervening period and to MEPC 48 for finalization at MEPC 49.

FSI Sub-Committee

- 1 Develop Guidelines for Brief Sampling of Ships Anti-fouling Systems and Guidelines for Inspection of Ships Anti-fouling Systems using the information provided in the documents MEPC 47/7/1 and MEPC 47/INF.16, in addition to the Guidelines on Surveys of Anti-fouling Systems it has already been tasked to develop. The Sub-Committee was requested to finalize these Guidelines as a matter of urgency, giving priority to the development of the Guidelines on Surveys of Anti-fouling Systems in order that the latter should be finalized by the end of 2002.
- 2 Provide input to the relevant chapters of the draft IMO Guidelines on Ship Recycling (MEPC 47/WP.13 and its Add.1) to the Correspondence Group on Ship Recycling in the intervening period and to MEPC 48 for finalization at MEPC 49.

ANNEX 8

**SUBSTANTIVE ITEMS TO BE INCLUDED IN THE AGENDAS
FOR MEPC 48, MEPC 49 AND MEPC 50**

No.	Item	MEPC 48 October 2002	MEPC 49 July 2003	MEPC 50 March 2004
1	Implementation of the OPRC Convention and the OPRC-HNS Protocol and relevant Conference resolutions	X	X	X
2	Harmful aquatic organisms in ballast water (including follow-up work to the Convention and the Conference resolutions)	X	X	X
3	Harmful anti-fouling systems for ships (follow-up to the AFS Convention and the Conference resolutions)	X	X	
4	Consideration and adoption of amendments to mandatory instruments	X	[X]	[X]
5	Recycling of ships	X	X	[X]
6	Identification and protection of special areas and PSSAs	X	X	[X]
7	Inadequacy of reception facilities	X		
8	Reports of sub-committees	X	X	X
9	Work of other bodies	X	X	X
10	Status of Conventions	X	X	X

No.	Item	MEPC 48 October 2002	MEPC 49 July 2003	MEPC 50 March 2004
11	Prevention of air pollution from ships			
.1	IMO Strategy on greenhouse gasses	X	X	
.2	Follow-up to the Conference, including Conference resolution 1	X	X	X
12	Interpretation and amendments of MARPOL 73/78 and related instruments	X	X	X
13	Follow-up to WSSD		X	X
14	Promotion of implementation and enforcement of MARPOL 73/78 and related instruments	X	X	X
15	Future role of formal safety assessment and human element issues	X	[X]	[X]
16	Application of the Committees' Guidelines	X		X
17	Work programme of the Committee and subsidiary bodies	X	X	X
.1	Structural review of sub-committees	X		
.2	Work programme for 2004/2005	X		
.3	Work plan up to 2010		X	
18	Technical Co-operation Programme	X	X	X
19	Any other business	X	X	X

ANNEX 9**TERMS OF REFERENCE OF CORRESPONDENCE GROUPS AND INTERSESSIONAL MEETINGS****A CORRESPONDENCE GROUPS****1 Recycling of Ships**

- to develop draft IMO guidelines on ship recycling and report to MEPC 48.

2 Ballast Water Management

- to carry out a detailed comparative assessment of each of the proposed standards, taking into account the various technologies that might be used to achieve these standards and all other relevant factors and considerations with particular attention to practicality, biological effectiveness (including pathogens), cost-benefit and the timeframes within which the standards could practically be implemented; and
- to prepare a report with recommendations that will enable the Committee to decide on the standards that should be included in the text of the Convention.

3 Greenhouse gas emissions from ships

- to collate any information received and prepare an IMO Strategy/Policy of GHG emissions from ships and a draft Assembly resolution to that effect, taking into account discussions at MEPC 47 and document MEPC 47/WP.7; and
- to submit a report to MEPC 48 with a draft Assembly resolution.

B INTERSESSIONAL MEETINGS**1 Ballast Water Management**

- to further refine and integrate the text of the draft legal instrument developed at MEPC 47, taking into account the work carried out by the Correspondence Group;
- to develop guidelines in support of the draft legal instrument; and
- to submit a written report to MEPC 48.

2 OPRC Working Group

- to develop the Manual on Chemical Pollution – Section 2 – Search and Recovery of Packaged Goods Lost at Sea;
- to develop Guidelines for Bioremediation;
- to finalize new basic course material on OPRC;
- to review model course material on OPRC Level 1.2 and 3 as well as the train the trainer material.

ANNEX 10**IDENTIFICATION AND PROTECTION OF SPECIAL AREAS AND
PARTICULARLY SENSITIVE SEA AREAS****STATEMENT BY THE DELEGATION OF CUBA**

Thank you, Mr. Chairman.

In addition to its significance for ecological, socio-economic and cultural reasons, the Wider Caribbean is notable as the world's first region with Special Area status under MARPOL 73/78 where a Particularly Sensitive Sea Area (PSSA) has been designated, namely the Sabana-Camagüey Archipelago, a distinction which will increase with the forthcoming two new PSSA designations of Malpelo Island and Florida Keys.

That situation is linked to the issue of port reception facilities and developing countries' difficulties in establishing them, a topic on which much progress has been made but without any solution as yet being envisaged. From a very early date, specifically at the Committee's seventeenth session held in the former IMO headquarters, this delegation pointed out on this very matter, and I quote: "Developing countries are faced with particularly difficult economic problems in that port reception facilities may be low in the list of national priorities. Several delegations pointed out that MEPC member countries and IMO's technical assistance programme should continue to do everything possible to assist developing countries."

On that issue, the Caribbean countries had placed their hopes for a solution in the project "Wider Caribbean Initiative for Ship-generated Waste", which was adopted at this forum in October 1995 and on which IMO, as the executing agency, has performed a significant role. However, as a solution to the matter of reception facilities was being considered, the donor financial organizations withdrew from the project.

This delegation has always recognized the laudable work carried out by IMO for the developing countries with the aim of improving their maritime administration infrastructures, which, in view of the foregoing, is a matter that, in this delegation's opinion, requires sustained and effective assistance that will progressively lead to the provision of essential reception facilities in the States of the Wider Caribbean.

With your consent, Mr. Chairman, we should appreciate it if this text could be included in the Committee's report.

In conclusion, I have pleasure in informing the Committee that my country recently deposited its instrument of accession to Annex V to MARPOL 73/78.

Thank you, Mr. Chairman.
