



MARINE ENVIRONMENT PROTECTION  
COMMITTEE  
61st session  
Agenda item 7

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**INTERPRETATIONS OF, AND AMENDMENTS TO, MARPOL AND RELATED  
INSTRUMENTS**

**Comments and additional proposals to the Report of the Correspondence Group for  
the Review of MARPOL Annex V**

**Submitted by the Clean Shipping Coalition (CSC)**

**SUMMARY**

*Executive summary:* In this submission the Clean Shipping Coalition refers to the report of the Annex V Correspondence Group and makes proposals for the further strengthening of MARPOL Annex V. In particular the submission calls for: the worldwide harmonization of port reception facility schemes and onboard ship waste management; the incorporation of environmental considerations into the IMSBC Code; a tightening of the general prohibition, allowing discharge only if the ship or crew safety is at risk and there are no other alternatives; all commercial seagoing vessels to have a Garbage Management Plan and a Garbage Record Book; and the inclusion of an approach for locating and retrieving lost fishing gear.

*Strategic direction:* 2

*High-level action:* 2.0.1

*Planned output:* 2.0.1.2

*Action to be taken:* Paragraph 13

*Related document:* MEPC 61/7/2

**Introduction**

1 This document is submitted in accordance with the provisions of paragraph 4.10.5 of the Committee's Guidelines (MSC-MEPC.1/Circ.2) and comments on document MEPC 61/7/2.

2 The Clean Shipping Coalition wants to thank all those involved in the correspondence group, and especially the previous correspondence group coordinator, Canada, and the delegation of New Zealand for their excellent work.

3 In document MEPC 60/6/8, FOEI reported on the increasing problem of garbage in the marine environment and, in the context of the review of MARPOL Annex V, requested that the Committee work to improve Annex V by establishing: clear rules with robust compliance requirements; improving communication with on-board personnel and passengers; a closed and therefore measurable and transparent waste management system on board ships (in addition to a general prohibition on dumping of waste at sea this would require a total ban on the discharge of incinerator ashes and the phasing out of onboard incineration of waste); an obligation to deliver waste to port reception facilities, harmonized worldwide; and improved waste management as a business practice. The Clean Shipping Coalition supports this approach.

4 The Clean Shipping Coalition followed the discussions in the correspondence group with great interest, and welcomes the clarification of definitions, the general prohibition of discharge of garbage, waste minimization on board ships, and measures to further reduce the accidental loss of fishing gear. This is in line with our vision of Clean Shipping and the elimination of harmful discharges and emissions to the environment. We see, however, a need for further measures to make Annex V more robust and give the marine environment full protection from ship-source garbage. Below we will provide some ideas and suggestions in this respect.

#### **Inadequacy of port reception facilities**

5 The Clean Shipping Coalition wants to emphasize that, although inadequate reception facilities do exist in some instances, this cannot be a reason for ignoring or abandoning a general prohibition on the discharge of garbage. Indeed, regulation 7 makes clear that if inadequate facilities are apparent at a certain port, then it is the responsibility of the Government in question to ensure that facilities are improved accordingly. Ensuring the facilities are adequate in all ports is an ongoing task and one that would not be helped by allowing inadequate facilities to stifle the further progressive regulation of waste dumping from ships.

#### **Management of cargo residues**

6 The correspondence group suggests to use the IMSBC Code as a vehicle for safe stowage and shipment, and add information concerning the procedures and dangers of different cargo (handling) for the environment. The Clean Shipping Coalition supports the incorporation of environmental considerations into the Code.

#### **Discharge at sea**

7 The Clean Shipping Coalition does not agree with the conditions of the permission to discharge outside special areas as mentioned in regulation 3, where discharge at sea is considered acceptable if there is a lack of anticipated environmental impacts. Discharge should only be allowed if the ship or crew safety is at risk and there are no other alternative means of handling the waste. In all other cases the general prohibition (regulation 2) should apply.

#### **Fishing gear**

8 Fishing gear is one of the major items found in beach litter clean-up programmes. In the Netherlands, 36% of all litter items found on the beaches in the period 2002-2010 were from fisheries. Most of the fisheries items found were synthetic rope and nets (North Sea Foundation, 2010).

9 In accordance with the terms of reference set at MEPC 59, the correspondence group was requested to undertake an in-depth review of Annex V, taking into account measures to further reduce the accidental loss of fishing gear (derelict fishing gear). This provision was an important and much needed step in the right direction in order to prevent the build-up of fishing gear in the marine environment. The provision to do so was also in line with the UN GA Resolution 59/25 of 2004 on sustainable fisheries that called upon the IMO to "take action to address the issue of lost or abandoned fishing gear and related marine debris". However, it is the view of the Clean Shipping Coalition that the amended draft Annex V does not adequately address the issue of lost or abandoned fishing gear.

### **Requirements for vessels to have a Garbage Management Plan**

10 Although proposed amendments would require every ship of 100 gross tons and above to have a Garbage Management Plan, according to the European Commission's Fishing Fleet Register this would result in only 4% of EU registered fishing vessels being covered by the regulation. The tonnage threshold in regulation 9(3) for the carrying of a Garbage Record Book (there are no proposed amendments for this part of Annex V) is even higher (400 gross tons and above) and would equate to just 0.4% of all EU-registered fishing vessels. To properly cover waste from fishing vessels, Annex V should be amended to include a mandatory requirement for all commercial seagoing vessels to have a Garbage Management Plan and a Garbage Record Book.

11 While the proposed regulation 9(6) is welcomed, the text does nothing to help prevent fishing gear being discarded at sea, nor does it encourage the removal of lost or abandoned fishing gear. See below for proposal in this regard.

### **Polar areas**

12 A revised MARPOL Annex V should include a prohibition of ALL discharges in the Polar areas. See also Mandatory Polar Code proposed by FOEI: document MEPC 59/20/5.

### **Action requested of the Committee**

13 The Committee is invited to take note of the above during its further consideration of this issue and specifically to consider the following proposed enhancements to a revised Annex V of MARPOL:

- .1 the worldwide harmonization of port reception facility schemes and waste management on board ship;
- .2 the incorporation of environmental considerations into the IMSBC Code;
- .3 reduce exceptions to the proposed general prohibition and allow discharge only if the ship or crew safety is at risk and there are no other alternatives;
- .4 require all commercial seagoing vessels to have a Garbage Management Plan and a Garbage Record Book; and
- .5 in the case of lost fishing gear (regulation 9(6)) require the coastal State where the loss has occurred to take all reasonable actions to locate and retrieve the lost gear. Where the loss has occurred outside State waters, loss of fishing gear should be reported to the IMO.