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Tackling the Issue of Marine Plastic Litter from Ships



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Structure of the Presentation

Marine litter presents a huge problem in our oceans, with some scientists warning that, by 2050, the quantity of plastics in the oceans will outweigh fish. The question of its regulation depends on its origin.

- Background of this presentation
 - Ship based pollution and the role of the IMO as the regulator for international shipping
- Thesis / arguments of this presentation
 - New issues require time to be dealt with by the regulator as various types of assessments need to take place
 - The solution to new issues has to be integrated into the existing legal framework and work divisions
- Demonstration through the analysis of the current legal framework and its practical dealings with marine plastic
 - IMO Procedural rules (science based v. Precautionary & Impact assess.)
 - IMO Substantive rules:
 - Partitioning (Issues & response)
- The Way Forward



International Maritime Organization (IMO)

Substantive rules: IMO Conv.

- Partitioning of the work
- Scientific evidence first
- Developing a strategy
- Gathering a consensus
- Integrating the new norm in the existing framework
- Creating a plan of action
- Discussing tangible measures
- Adopting the measure

MARPOL Annex V – Pollution by Garbage

- IMO Assembly 30th session (2017) request for new input re Marine Plastic Litter
- MEPC 72/15 proposal from RMI, Vanuatu and al.
- MEPC 72 agrees to develop an action plan
- MEPC73/8/2 Vanuatu & AI submission propose an action plan
- MEPC 73 Adoption of a resolution (MEPC 3.10 on action plan containing 30 actions
- MEPC 74/8/2 Submission to propose an IMO strategy on Marine Plastic Litter
- MEPC 74 approval of Vanuatu Proposal and constitution of a working group on Marine Plastic Litter. Approval of the terms of reference of an IMO study on Marine Plastic Litter

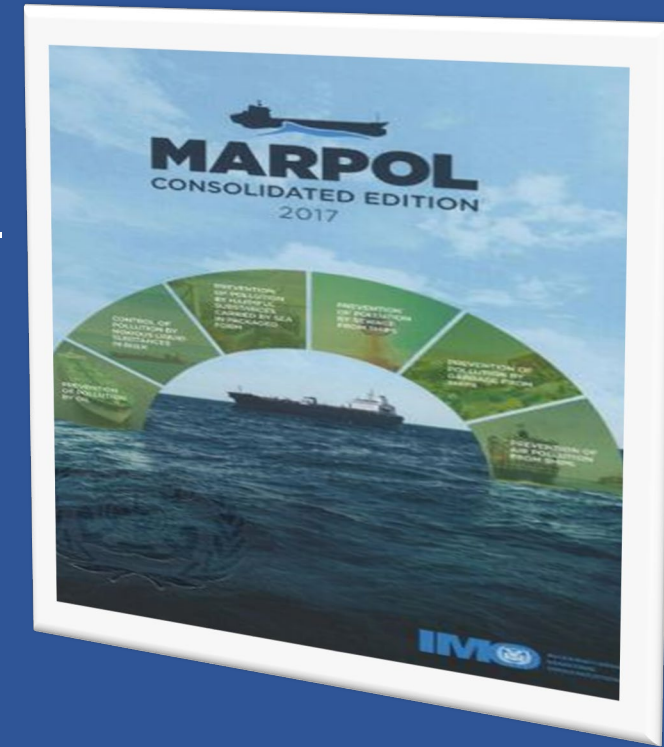
Vanuatu et al proposed Actions

1. First IMO study on marine plastic litter from ships
2. Regulatory Framework Matrix
3. Marking of fishing gear under **MARPOL Annex V**
4. IMO Number mandatory for fishing vessels
5. Reporting of discharge or loss of fishing gear
6. **Port reception** facilities for unwanted fishing gear
7. Detection and removal of ALDFG
8. Garbage Record Book mandatory for ships above 100 gross tonnage
9. **STCW-F** training course
10. Port State control measures
11. **STCW** – Marine environmental awareness
12. Garbage Record Book mandatory for ships above 100 gross tonnage
13. **Loss of containers**
14. Port reception facilities
15. **Wear from boat hulls**
16. Grey water

International Maritime Organization (IMO)

MARPOL Annex V – Pollution by Garbage

- Specific issue of Fishing gears MARPOL Annex V prohibits the discharge of all types of garbage - including fishing gears - into the sea from ships, except in special cases. (Reg V.7.3)
- Reporting obligation to the Flag State limited to fishing gear accidentally lost or discharged posing a threat to the envir. or nav. (Reg V.10.6)
- MEPC 74/8/3 (Vanuatu) submission for **an obligation to report** of lost and discharged fishing gears. See the **FAO code of conduct**.
- **PPR Sub-Committee** tasked to receive proposals on how to amend MARPOL Annex V and the MEPC.295(71) Resol.
- STCW also needs to be amended



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MARPOL Annex V – Pollution by Garbage

- Issue of containers lost at sea. The World Shipping Council estimates an average loss of 1,582 containers per year.
- No international mandatory regime to deal with container loss. No uniform regime for reporting.

SOLAS

- Reg V. 31 requires any master of a ship, which meets a direct danger to navigation, to communicate the information to the competent authorities and ships in the vicinity. This includes the reporting of container losses that constitute hazards to navigation. However, the method to implement this rule is not specified

Nairobi Convention 2007 (Wreck Removal)

- Art 1(4)(c), considers any object that is lost at sea from a ship and that is stranded, sunken or adrift at sea, to be a wreck. Containers lost at sea could fall into that definition.
- Art 5 requires the master and the operator of a ship to report to the Affected State the location of the wreck, type, size, the nature; quantity of the cargo...
- Art 10 also provides that the registered owner of the ship shall be liable for the costs of locating, marking and removing the wreck. But that is possible only if the information is available.

IMO work in progress

- Measures to Facilitate the Detection, Reporting, Positioning, Tracking and Recovery of Containers Lost at Sea. (Action 10 & 11)
- MSC 102/21/13 Vanuatu proposal of measures to facilitate the detection, reporting, positioning, tracking and recovery of containers lost at sea



The Way Forward...

The challenges to tackle Marine Plastic Litter requires cross sectorial and intra / multi agencies cooperation with a high level of engagement of all in a very short amount of time given the magnitude and urgency of the issue.

THANK YOU

**ありがとうございます - Arigatou
gozaimashita**

Merci

Tankyu Tumas

Vinaka Vaka Levu

Malo