ANNEX 11

RESOLUTION MEPC.88(44) adopted on 13 March 2000

IMPLEMENTATION OF ANNEX IV OF MARPOL 73/78

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING article 38(a) of the Convention on the International Maritime Organization concerning the function of the Committee conferred upon it by international conventions for the prevention and control of marine pollution,

RECOGNIZING that approximately twenty-seven years have elapsed since the adoption of Annex IV of MARPOL 73/78,

RECOGNIZING ALSO that seventy-seven States, the combined merchants fleets of which constitute approximately forty-three per cent of the gross tonnage of the world's merchant shipping, accepted Annex IV of MARPOL 73/78 as at 13 March 2000,

RECOGNIZING FURTHER that, since the Annex IV of MARPOL 73/78 will enter into force twelve months after the date on which not less than fifteen States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping have become Parties to it, acceptance by States which represent approximately seven per cent of the world's tonnage is still needed to bring it into force,

NOTING that a large number of Member Governments, who have not yet accepted Annex IV of MARPOL 73/78, have expressed the view that they will face problems in complying with several provisions in Annex IV of MARPOL 73/78 if they accept Annex IV of MARPOL 73/78 in its present form.

NOTING ALSO that these provisions need to be amended to assist the entry into force of Annex IV of MARPOL 73/78, while maintaining the same level of protection of the marine environment.

NOTING FURTHER that the text of the revised Annex IV of MARPOL 73/78, as set out in annex 10 to MEPC 44/20, was approved by the Committee at its forty-fourth session,

- 1. AGREES to request the Secretary-General to circulate the text of the revised Annex IV of MARPOL 73/78 to all Members of the Organization and to all Parties to MARPOL 73/78 which are not Members of the Organization after conditions for entry into force of the existing Annex IV of MARPOL 73/78 have been met with a view to future adoption upon the entry into force of the existing Annex IV in accordance with article 16 of MARPOL 73/78;
- 2. RESOLVES that the Parties to Annex IV of MARPOL 73/78 should implement the revised Annex IV of MARPOL 73/78 immediately after entry into force of the existing Annex IV of MARPOL 73/78, with a view to avoiding the creation of a dual treaty regime between the existing and the revised Annex IV of MARPOL 73/78;
- 3. URGES States, which have not yet accepted the existing Annex IV of MARPOL 73/78, to do so as soon as possible with the understanding that only the provisions of the revised Annex IV of MARPOL 73/78 will be implemented upon the entry into force of the existing Annex IV of MARPOL 73/78.
