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A draft convention on the removal of wrecks has been approved by the IMO’s Legal Committee. See page 21. (pic: UK MCA)

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**Time for shipping to respond to society’s new demands**

Society, as a whole, has, in the past, been less concerned with ship safety than with the safety of other forms of transport. There are a number of reasons that could be put forward for this. For the vast majority of people, ships are largely “out of sight and out of mind”. This is particularly so for a generation that has grown up in an era in which the increasing size of ships and quantity of goods they handle has promoted a geographical shift in the location of shipping activities away from the traditional maritime port cities and, instead, towards new, purpose-built facilities where space is more readily available, but the activity less obviously visible to those not directly involved.

Another reason may be that, for other forms of transport – aircraft, railways, motor cars, for example – human beings account for a far greater proportion of the overall amount of “cargo” carried, and thus the safety, or otherwise, of these tends to be uppermost in people’s minds.

A third reason might be that ships generally have a pretty good safety record; and it is certainly true that, every day, ships carry many millions of tonnes of cargo for millions of miles, all over the world, without mishap, without delay, in almost complete safety and in an ever-increasing environment-friendly manner.

Nevertheless, because shipping is a competitive business, ship operators are always under pressure to provide quality services at minimal cost – and this pressure is increasing. There is an inherent quandary in the fact that, on the one hand, everybody, it seems, wants more for less: while, on the other, society’s concerns about safety and the protection of the environment continue to grow. While shipping needs to do whatever it can to solve this apparent conundrum, I think that, in the long term, society will need to address its own priorities and understand that nothing comes for nothing.

It is perfectly appropriate that, in the last quarter of a century, shipping’s environmental credentials should come under sharper scrutiny than ever before. The earth and its resources do not belong to us and are not our to squander without thought for the future. Not before time, global society is coming to accept this and, as it does, shipping has to ensure that its activities are sustainable. Sustainability in this context is normally understood to mean that any negative impact an activity may have on the environment must be reduced to the point where it is clearly outweighed by the positive benefits that the activity brings. I believe we are rapidly approaching the time when we need to move beyond this and understand that caring for our environment must become our top priority, even though that may come with an economic price.

In the world of global business today, it is not unusual to find major commercial companies freely embracing the notion that good environmental and social stewardship actually make good business sense. And shipping is no different from any other industry in that, both collectively and individually, shipowners and operators need to protect their brand image. Indeed, in almost every sphere of shipping, including everything from ship design, construction and equipment, through ship operation, to the final disposal of ships once their economic lives are over, one can discern a growing awareness of society’s broader concerns.

Commercial success may remain paramount, but the wise are increasingly realizing that they may need to explore new roads in order to achieve it.

A message from the Secretary-General Efthimios E. Mitropoulos
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Support confirmed for co-operative approach to Straits issues

The littoral States of the Straits of Malacca and Singapore and user States have agreed, at a meeting in Kuala Lumpur, Malaysia, to support a proposed co-operative mechanism on safety of navigation and environmental protection in the Straits, one of the most important and busiest shipping routes in the world.

The meeting adopted the Kuala Lumpur Statement, in which it agreed to support the continuous efforts of the littoral States and the proposed co-operative mechanism as presented by the littoral States on safety of navigation and environmental protection, the aim of which is to promote dialogue and facilitate close co-operation between the littoral States, user States, shipping industry and other stakeholders.

The meeting, which took place from 18 to 20 September 2006, was convened by IMO and the Government of Malaysia and organized in co-operation with the Government of the Republic of Indonesia and the Government of the Republic of Singapore.

Delegations from the three littoral States (Indonesia, Malaysia and Singapore) and from 28 other States, as well as observers from the Association of South East Asian Nations (ASEAN) and nine non-governmental organizations, attended the meeting to discuss recent developments relating to safety, security and environmental protection of the Straits, with the aim of developing mechanisms and programmes to facilitate co-operation in keeping the Straits safe and open to international shipping at all times. One-third of the world’s trade and half of the world’s oil supply are carried through the Straits by some 60,000 vessels each year.

The meeting supported the following projects presented by the three littoral States:

- Removal of wrecks in the Traffic Separation Scheme in the Straits of Malacca and Singapore;
- Co-operation and capacity building on hazardous and noxious substances (HNS); preparedness and response in the Straits of Malacca and Singapore;
- Demonstration project of class B automatic identification system (AIS) transponder on small ships;
- Setting up tide, current and wind measurement systems for the Straits of Malacca and Singapore to enhance navigational safety and marine environment protection;
- Replacement and maintenance of aids to navigation in the Malacca and Singapore Straits; and
- Replacement of aids to navigation damaged by the tsunami disaster of December 2004.

The meeting agreed that the littoral States, user States, the shipping industry and other stakeholders should co-operate towards the establishment of a mechanism for voluntary funding for the above projects and the maintenance and renewal of aids to navigation in the Straits.

The Kuala Lumpur Meeting was held a year after the first Meeting on the Straits of Malacca and Singapore:

- Enhancing Safety, Security and Environmental Protection, held in Jakarta, Indonesia.

The Kuala Lumpur Meeting agreed to support the continuous efforts of the littoral States to promote dialogue and facilitate close co-operation between the littoral States, user States, shipping industry and other stakeholders. It commended and welcomed efforts made since the Jakarta meeting on enhancing safety of navigation, environmental protection and security in the Straits, in particular in reducing the number of shipping incidents, oil spill incidents from ships, and armed robbery and other unlawful acts against ships to a very low level.

The meeting noted with appreciation the entry into force of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (“ReCAAP”) on 4 September 2006, which will lead to the launch of the ReCAAP Information Sharing Centre in Singapore in November 2006.

The progress made in relation to the implementation of the Marine Electronic Highway (MEH) Demonstration Project for the Straits of Malacca and Singapore, developed by IMO in co-operation with the littoral States and funded by the Global Environmental Facility through the World Bank and with financial support from the Republic of Korea, was also commended. The proposed projects discussed at the meeting could contribute to the MEH project.

The meeting agreed that the work of the Tripartite Technical Experts Group on Safety of Navigation (TTEG), in enhancing the safety of navigation and in protecting the marine environment in the Straits, should continue to be supported and encouraged, and the littoral States should continue their efforts towards enhancing maritime security in the Straits.

IMO was invited to continue to co-operate with the littoral States and to provide every assistance possible in attracting sponsors for the agreed projects and contributors for the maintenance, repair and replacement of aids to navigation in the Straits.

IMO was also invited to consider, in consultation with the littoral States, convening further follow-on meetings for the littoral States to identify and prioritize specific needs, and for user States to identify possible assistance and to respond to those specific needs, which may include provision of resources, capacity building, training and technical support, with a view to promoting further co-operative measures, including possible options for burden sharing.

The Straits of Malacca and Singapore have long served as a major artery of trade between countries in the east and those in the west and is also an important source of marine resources for the littoral States. A significant proportion of the population of the littoral States lives within 50 km of the Straits and many are directly dependent on it, making it essential that shipping passes through the Straits safely to avoid any environmental damage.
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Looking at the real issues impacting on the industry.
Several important amendments to the Convention on Facilitation of International Maritime Traffic (FAL Convention) entered into force on 1 November 2006. They include new recommended practices to encourage the use of electronic systems for exchanging data and, generally, to simplify procedures to enhance the facilitation of trade. The new recommended practices include transmission of data, required in connection with the arrival, stay and departure of ships, persons and cargo, to a single point (the “Single Window” concept) and use of pre-arrival data for subsequent release and clearance of passengers and cargo. Another amendment requires authorities to facilitate the arrival and departure of ships carrying persons rescued at sea.

The amendments, adopted in July 2005, include provision that measures and procedures for security, or for preventing the trafficking of narcotics, should be efficient, use information technology, and should not cause unnecessary delays.

New Zealand took the opportunity of the recent 97th meeting of the IMO Council in London to sign a Memorandum of Understanding formalising their intention to undergo an audit under the IMO’s Voluntary Member State Audit Scheme. Pictured here are Russell Kilvington, Director of Maritime New Zealand and Ms Susie Staley, Chairman of Maritime New Zealand with IMO Secretary-General Efthimios E. Mitropoulos.

New Zealand signs audit MoU

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New Zealand took the opportunity of the recent 97th meeting of the IMO Council in London to sign a Memorandum of Understanding formalising their intention to undergo an audit under the IMO’s Voluntary Member State Audit Scheme. Pictured here are Russell Kilvington, Director of Maritime New Zealand and Ms Susie Staley, Chairman of Maritime New Zealand with IMO Secretary-General Efthimios E. Mitropoulos.
A third meeting has been held between Mr. Jacques Barrot, Vice-President of the European Commission and Commissioner for Transport and IMO Secretary-General Mitropoulos, within the framework of co-operation between the two sides aimed at promoting maritime safety and security and environmental protection.

The two discussed a range of topics, including the Commission’s Third Maritime Safety Package and Green Paper on Oceans and Seas, ship recycling, technical co-operation and the ratification of IMO conventions.

The two sides once again underlined their determination to continue working in partnership to enhance maritime safety and security and the protection of the marine environment globally. Mr. Mitropoulos expressed appreciation for the contribution of EU members and the European Commission in promoting the development and adoption, through IMO, of the highest practicable standards affecting shipping engaged in international trade and their incorporation into Community law. “It is equally important for the experience gained by the Community in implementing and enforcing such standards to be shared, so that all IMO Member States, especially the developing countries, may benefit and so that the regulatory process takes account of best practices and lessons learned”, he added.

On his side, Mr. Barrot underlined that “it is, in particular, the EU legislation implementing the IMO rules in a harmonized way all over the 25 Member States of the Union, that allows the EU to play a catalyst role in further developing and improving maritime safety and pollution prevention at worldwide level, as far as possible in close co-operation with the shipping industry.”

Mr. Mitropoulos also spoke of the desirability of early action by the EU Members in accepting the IMO instruments that have not yet come into force – such as those dealing with anti-fouling systems, ballast water management and bunkers, the Hazardous and Noxious Substances Convention of 1996 and the SUA Protocols of 2005 – as well as contributing positively to those that are currently being developed or updated on subjects such as air pollution, ship recycling and the removal of wrecks. He stressed the significant part that EU members could play through their early ratification of such measures and the example they could set by doing so. Mr. Barrot confirmed his determination to further persuade the EU Member States to ratify the IMO conventions. He also assured the Secretary-General of his support for the development of new conventions or revision of existing ones with a well-balanced approach covering both the shipping interests and the environmental concerns. In this context, he referred, in particular, to the preparation of a ship recycling convention and the review of the STCW Convention and STCW Code.

The two sides expressed satisfaction with the positive and constructive outcome of their third meeting, which provided both with an opportunity to present their views on recent developments.

Change at the top for IOPC Funds

Mr. Måns Jacobsson of Sweden has retired from his position as Director of the International Oil Pollution Compensation Funds, a position in which he had served for nearly 22 years. Jacobsson was instrumental in the birth of the revised IOPC Funds. He served as Chairman of the Committee of the Whole at the Diplomatic Conference that revised the Funds, in 1984. Since then, he devoted his professional life to their management, development and growth.

His overall association with IMO was longer still. Before taking up his position with the IOPC Funds, he had been attending IMO meetings as a member and, later, as the head of the Swedish delegation for nearly a quarter of a century.

During his tenure, the compensation regime played a vital part in the comprehensive network of measures taken, over many years, to support the shipping industry and provide for the victims of disasters at sea, responding to major incidents such as the Nakhodka, Erika and Prestige.

He has been succeeded by Mr Willem Oosterveen of the Netherlands who also has a long association with the Funds, having been Chairman of the 1971 Fund Executive Committee from 1995 to 1998 and of the 1992 Fund Assembly from 1999 to 2005.
Mr Efthimios E. Mitropoulos outlined his agenda for the future as the IMO Council confirmed its support for his continuing to serve the Organization as Secretary-General for another four years. The Council decided unanimously by acclamation to renew Mr. Mitropoulos’s mandate for another four-year term, concluding on 31 December 2011.

Addressing the Council meeting, Mr. Mitropoulos took the opportunity to thank the staff of the Organization. “No one can work in a vacuum,” he said, “and the advice I receive from my colleagues, the Organization’s most valuable asset, is sound, valid and reliable and helps me substantially to perform my duties.”

Looking to the future, Mr. Mitropoulos said that the safety of life at the sea should continue to be IMO’s principal objective. In particular, he singled out the ‘goal-based standard’ concept, and spoke of the ‘beneficial impact it will certainly have.’

He added, “We should continue to pay due regard to the contribution to enhanced safety of flag, port and coastal States, classification societies and other stakeholders, all having an important role to play in collectively implementing, maintaining and raising the safety standards of shipping”.

Anticipating a period in which significant long-term efforts to improve maritime safety and reduce the risk of pollution will take effect, Mr. Mitropoulos spoke of the many challenges currently facing the Organization.

Efforts to put the Voluntary Member State Audit Scheme on a strong basis from which to move forward must continue, he said, and he pledged to ensure that the IMO Secretariat had the necessary resources to support the Scheme as vigorously as possible.

He also said he intended to strengthen the Secretariat to continue to address the maritime security issue. He stressed the importance of guarding against complacency in assessing the risks of terrorism and raising shipping’s defences to protect human lives, property and the environment.

Referring to an earlier Council decision to dedicate next year’s World Maritime Day to IMO’s response to current environmental challenges, Mr. Mitropoulos called for the intensification of efforts to implement the Organization’s marine environment-related instruments that were already in place and to bring those in the pipeline to a successful conclusion within reasonable time limits.

Admiral William Kime

Admiral William Kime, former Commandant of the US Coast Guard and an active participant in IMO activities over many years, has died recently. Admiral Kime succumbed to cancer, at the Hospice of Baltimore. He was 72.

Admiral Kime’s involvement in IMO culminated in his leadership of the US delegation to the Organization. He played a major role in efforts to develop an international solution to the problem of maritime terrorism, following the Achille Lauro incident in 1985, and was active in efforts to revise the Safety of Life at Sea Convention and develop the Global Maritime Distress and Safety System, among other projects. He was also a key leader in the Coast Guard’s response to the Exxon Valdez oil spill in 1989 and was always keen that IMO’s efforts to eliminate substandard shipping should be reinforced by a mechanism to assess flag States’ ability to enforce IMO conventions on safety and pollution. In 1993, IMO awarded him the International Maritime Prize.
Mr. Igor Ponomarev

IMO’s Integrated Technical Co-operation Programme (ITCP) has received a significant boost in the form of three substantial financial contributions to support the delivery of its activities.

IMO’s technical co-operation activities in Africa have received a major funding boost with the conclusion of an agreement between IMO and NORAD, the Norwegian Agency for Development Cooperation. NORAD is to provide US$226,000 towards three technical co-operation activities in Africa in the field of maritime security, to be executed through the ITCP. Norway has long been a major donor to the ITCP. Its funding has resulted in the delivery of key assistance to developing regions, particularly Africa. Considerable support has also been provided by Norway to strengthen maritime training institutes, including annual donations of some US$600,000 to the World Maritime University through the ITCP.

The Government of the United States has made a third donation to the International Maritime Security Trust Fund, of some US$96,000. The continued financial support provided by donors to the Fund, or directly to the ITCP’s maritime security components, has enabled IMO to carry out a considerable number of capacity building activities, at regional and national level, aimed at promoting the effective implementation and enforcement of the Organization’s special measures to enhance maritime security, as well as the prevention and suppression of acts of piracy and armed robbery against ships.

The bilateral trust fund established in June 2003 to facilitate the implementation of ITCP activities through the IMO – Republic of Korea Programme on Technical Co-operation, was also further enhanced by a donation from that Government of US$565,314, bringing its total contributions to the Fund to US$1,818,706 since its establishment. In the past three years, 24 individual ITCP activities have been financed by the IMO – Republic of Korea Programme and delivered in Africa, Asia and Latin America and the Caribbean.

Mr. Igor Ponomarev, Permanent Representative of the Russian Federation to IMO and Chairman of the Maritime Safety Committee (MSC) has died suddenly at the age of 41.

Mr. Ponomarev had been closely involved with the development of the Russian Federation’s participation in IMO’s activities since 1993 and chaired various working and drafting groups, including the MSC Working Groups on Tanker Safety and Bulk Carrier Safety from 1999 to 2002.

Designated as the Permanent Representative of the Russian Federation to IMO in 2003, Mr. Ponomarev was Chairman of the Sub-Committee on Ship Design and Equipment (DE) from 2003 to 2005. During his tenure as chair of that Sub-Committee, he successfully oversaw complex technical issues including the revision of IMO Assembly resolution A.744(18) on the Guidelines on the enhanced programme of inspections during surveys of bulk carriers and oil tankers, as well as that of SOLAS chapter XII, which provides additional safety measures for bulk carriers.

Mr. Ponomarev also chaired the Technical Committee of IMO’s 24th Assembly at the end of 2005.

Elected Chairman of the MSC by acclamation in 2005, Mr. Ponomarev chaired his first MSC session in May this year. He was due to chair the MSC’s 82nd session, which is to be held in Istanbul, Turkey from 29 November to 8 December.

Mr. Ponomarev graduated from St. Petersburg State Maritime Technical University as a naval architect and joined the Russian Maritime Register of Shipping (RS) in 1988, where he served first as a Senior Surveyor, then as Principal Surveyor/Coordinator for IMO-related activities, later as Head of the International Department and, subsequently, from 1999 to 2003, as Vice Director-General of RS.

Mr. Ponomarev was also a Member of the Council of the International Association of Classification Societies (IACS) and served as its Chairman from 2001 to 2002.
Northeast Maritime Institute provides technical assistance and advisory services for the implementation of International Conventions, Codes and Regulatory Requirements.
Every year, the International Maritime Organization and its Member States and Associate Members celebrate World Maritime Day, taking the opportunity to bring the objectives and achievements of the Organization to the attention of a wider audience and, at the same time, increase overall public awareness of the vital role that shipping plays in all of our lives.

This year the theme for World Maritime Day was Technical Co-operation: IMO’s response to the 2005 World Summit. It was an opportunity to highlight how maritime activity has a key role to play in meeting the Millennium Development Goals, for shipping not only moves the world’s burgeoning trade, but can also contribute substantially to sustainable development, while international commerce promotes production, job creation and greater socio-economic prosperity. And the combination of all these has, undoubtedly, the potential to lift people from hunger and poverty and also eradicate life-threatening diseases. IMO’s technical co-operation activities help ensure that developing countries are better equipped to play a full part in shipping and also to carry out their obligations as members of the wider maritime community.

There was a change of venue for IMO’s traditional World Maritime Day reception this year. With the Organization’s headquarters on London’s Albert Embankment currently being refurbished, Secretary-General Efthimios E. Mitropoulos welcomed dignitaries from the shipping and diplomatic communities to the historic setting of London’s Banqueting House for their annual celebration of the event, which was held on September 28th.

Earlier in the day, the historic ship Wellington, berthed in central London, had
been the venue for a special event, jointly organized by the Honourable Company of Master Mariners (HCMM) and the International Maritime Pilots Association (IMPA), and with the active participation of IMO, to celebrate World Maritime Day.

Nearly 300 people, including 120 young people from schools and universities, attended the event which highlighted the vital role of shipping in world trade. In all, 34 leading shipping industry and associated international organizations promoted the latest technological developments and the visitors enjoyed the opportunity to meet key players in the industry, drive ship simulators and gain a unique insight into the transport of goods by sea.

Secretary-General Mitropoulos opened the event, which was also attended by a number of high-level guests, including HRH The Princess Royal, the First Sea Lord and Chief of the Naval Staff Admiral Sir Jonathon Band, KCB, ADC, the Chief Executive of the United Kingdom Maritime and Coast Guard Agency Mr. John Astbury, CBE and Sir Stelios Haji-Ioannou, who has a long association with shipping.
Dr Tom Allan of the UK and Mrs Allan with the Secretary-General.

Mr Chris Horrocks, formerly Secretary-General of the ICS and ISF, and his wife flank Mrs Mitropoulos.

Mr and Mrs Esteban Pacha of Spain (left) with Mrs Mitropoulos.

The Ambassador of Denmark, HE Mr Michael Borg-Hansen with Mr Mitropoulos.

Mr S Couloukoundis (left), Mr S. Polentis (right) of the International Chamber of Shipping with Mrs Polentis (centre), the Secretary-General and his daughter Athina.
Mr. Stepanov of Ukraine with Mr. Mitropoulos Personnel from the UK’s Royal Fleet Auxiliary

The Ambassador of Greece, HE Mr. Theodoros Theodorou, and his wife

The Nigerian High Commissioner, HE Dr. Christopher Oluosla Kolade

The Ambassador of Eritrea, HE Mr. Negassai Sengal Ghebrezghi

The Ambassador of Spain, HE Mr. Carlos Miranda, Count of Casa Miranda

The Ambassador of Mongolia, HE Mr. Dalrain Davaasambuu
Elsewhere, Singapore jointly hosted (with IMO) the second World Maritime Day “Parallel” Event, on 25 September, the first occasion on which an IMO World Maritime Day celebration had been held in Asia. The celebration began with the World Maritime Day@Singapore Forum in the afternoon and culminated in a grand evening reception at the Asian Civilisations Museum. The Secretary-General of the IMO was represented on the occasion by Mr David Edwards, Director of the IMO Secretariat’s Technical Cooperation Division. The Evening Reception was jointly hosted by Mr Raymond Lim, Singapore’s Minister for Transport, Mr Johan Franson, Chairman of the IMO Council, and Mr David Edwards.

The reception also raised the curtain for Singapore’s inaugural Maritime Week that took place from 25-29 September 2006. Maritime Week 2006 was an umbrella of events which, in addition to the IMO World Maritime Day Parallel Event, also included the Women’s International Shipping and Trading Association (WISTA) Annual Conference, the 3rd Singapore International Maritime Awards, the 3rd International Conference & Exhibition on Ballast Water Management, the 14th Singapore International Bunkering Conference 2006, as well as a host of seminars on topics from ship financing to maritime security.

Previously, in a message ahead of World Maritime Day, the Pope had praised IMO for its work in promoting the alleviation of poverty and hunger. At the end of his weekly Angelus address at the papal summer residence in Castel Gandolfo, Pope Benedict XVI told the crowds in English: “Next Thursday is World Maritime Day and I would like to invite all of you to pray for the men and women involved in seafaring, and for their families.”

He continued: “I welcome particularly the recent initiatives taken by the International Maritime Organization to contribute to the fight against poverty and hunger. May Our Lady, Star of the Sea, look down in love upon seafarers and their families and upon all those who care for their human and spiritual needs.”

The Pope, seen here on a cruise ship on the River Rhine, praised IMO for its work in promoting the alleviation of poverty and hunger.
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DSC agrees security-related revisions to guidelines and recommendations

Revisions to recommendations on safe transport of dangerous cargoes and to guidelines for packing of cargo transport units, to take into account the maritime security regime adopted by IMO, were agreed by the Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC), when it met for its 11th session.

Specifically, the Sub-Committee agreed changes to the Revised recommendations on the safe transport of dangerous cargoes and related activities in port areas (MSC/Circ.675), to include provisions intended to address the security of dangerous goods transported by sea, and amendments to the IMO/ILO/UNECE Guidelines for packing of cargo transport units (MSC/Circ.787), to broaden the scope of the guidelines to address the need for vigilance and the need for security procedures to be developed and followed by all concerned.

The new texts point out that all personnel involved in the packing, security sealing, handling, transportation and processing of cargo should be made aware of the need for vigilance and the need for security procedures to be developed and followed by all concerned.

The amendments to the recommendations and guidelines will be submitted to the Maritime Safety Committee (MSC) at its 82nd session for approval.

Offshore support and supply vessels – revised guidelines agreed

The Sub-Committee completed its revision of the Guidelines for the Design and Construction of Offshore Supply Vessels (resolution A.468(XII)) and the Guidelines for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels (resolution A.673(16)).

The following resolutions were, consequently, agreed for adoption by the MSC: Guidelines for the design and construction of offshore supply vessels, Amendments to the Guidelines for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels, and Amendments to the Code of safe carriage of cargoes and persons by offshore supply vessels.

Mandatory BC Code – progress made

Further progress was made in developing the text of the mandatory Code of Safe Practice for Solid Bulk Cargo (BC Code) and, accordingly, the Sub-Committee finalized draft amendments to SOLAS chapters VI and VII to make the Code mandatory.

The proposed timetable would see the mandatory BC Code and SOLAS amendments adopted in 2008, with entry into force in 2011.

The Sub-Committee agreed to amend the BC Code to clarify ventilation provisions; agreed in principle to add two additional entries on “Chopped rubber and plastic insulation” and “Chopped tyre rubber”; and agreed in principle to include a schedule related to fuzzy cotton.

A Correspondence Group on Amendments to the BC Code and its Mandatory Application was established to continue the work intersessionally.

High rate of deficiencies found in container inspection programmes

The Sub-Committee expressed its concern about the high rate of deficiencies revealed by the results of the consolidated report on container inspection programmes and the lack of adherence to the provisions of the IMDG Code, especially in placarding and marking, and documentation.

The report showed that a total of 25,284 cargo transport units were reported as having been inspected: 7,979 cargo transport units were found to have had deficiencies (31.6 per cent), with a total of 8,574 specific deficiencies recorded (34 per cent).

The Sub-Committee urged States to comply with MSC.1/Circ.1202 Inspection programmes for cargo transport units (CTUs) carrying dangerous goods, which calls for Governments, especially those who have not yet done so, to implement inspection programmes on a regular basis.

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Preventing accidents during securing of containers - guidance in development

Work on the development of guidance on providing safe working conditions for securing containers was continued, including the development of draft Revised Guidelines for the preparation of Cargo Securing Manual (currently in MSC/Circ.745) and draft Revised Recommendations on safety of personnel during container securing operations (MSC/Circ.886).

A Correspondence Group on Guidance on Providing Safe Working Conditions for Securing of Containers was established to progress with developing draft amendments, including a new Annex, to the Code of Safe Practice for Cargo Securing (CSS Code) (resolution A.714(17)).

It is anticipated that a proposal on amendments to the CSS Code will be considered at DSC 12, including a draft MSC circular on the form of cargo information and method of calculation of non-shift criterion for structuring (non-standardized) cargoes, which would be relevant to specialized cargoes and regional trade.

Extension of the BLU Code to include grain

Substantial progress was made on the extension of the Code of Practice for the safe unloading and loading of bulk carriers (resolution A.862(20) - the BLU Code) to extend its provisions to ships carrying grains. The work will be finalized once the draft mandatory BC Code has been prepared. Meanwhile, an MSC resolution on Amendments to the Code of safe practice for the safe loading and unloading of bulk carriers, and an MSC circular on Amendments to the manual on loading and unloading of solid bulk cargoes for terminal representatives were agreed for submission to MSC 82.

Application of requirements for dangerous goods in packaged form in SOLAS and the 2000 HSC Code

The Sub-Committee reviewed submissions relating to possible inconsistencies and errors in table 19.3 in SOLAS regulation II-2/19 Carriage of dangerous goods, which aims to provide additional safety measures in order to address the fire safety objectives of the chapter for ships carrying dangerous goods. For the carriage of dangerous goods in packaged form, relevant requirements in the regulation are applied, depending on classes and flashpoints of dangerous goods, in accordance with the table.

A correspondence group was established to prepare draft amendments to the table to correct any inconsistencies or errors and to prepare draft amendments to the related table 7.17-3 in the 2000 HSC Code, in line with those to table 19.3 in SOLAS.
Legal Committee approves draft wreck removal convention

A draft convention on the removal of wrecks has been approved by the IMO’s Legal Committee, which met for its 92nd session from 16 to 20 October 2006 at the UNESCO headquarters in Paris, France.

The draft text will now be forwarded to a Diplomatic Conference, scheduled to be held from 14 to 18 May 2007 at the United Nations Office in Nairobi, Kenya.

Once adopted and in force, the new convention will provide the legal basis for States to remove, or have removed, from their exclusive economic zones (EEZs), wrecks that may pose a hazard to navigation or, because of the nature of their cargo, to the marine and coastal environments, or to both. The new convention will also require shipowners to take out insurance to cover costs of removal and provide States with a right of direct action against insurers.

Proposals to extend the scope of the new convention to the territorial sea of States Parties are still under consideration and will be the subject of consultations by interested delegations before the Diplomatic Conference.

Athens 2002 – reservation and guidelines adopted

The Legal Committee adopted the text of a reservation, intended for use as a standard reservation, to the 2002 Protocol to the Athens Convention Relating to the Carriage of Passengers and Their Luggage by Sea (2002 Athens Protocol) and Guidelines for the implementation of the Athens Convention, to allow limitation of liability in respect of claims relating to war or terrorism.

The aim is to put States in a position to ratify the 2002 Protocol and thereby afford passengers better cover. The 2002 Athens Protocol has, to date, been ratified by just four States (representing only 0.13 per cent of the world’s merchant shipping tonnage) - against the 10 States required for its entry into force - which is, in part, due to concerns relating to the ability of the insurance market to provide compulsory cover up to the general limits established under the Protocol and its ability to provide insurance cover for injury and damage arising out of acts of terrorism.

The text of the agreed reservation states that the Government concerned reserves the right to and undertakes to limit liability to 250,000 units of account in respect of each passenger on each distinct occasion; or 340 million units of account overall per ship on each distinct occasion. This relates in particular to war insurance which, under the guidelines, shall cover liability, if any, for loss suffered as a result of death or personal injury to a passenger caused by:

- war, civil war, revolution, rebellion, insurrection, or civil strife arising therefrom, or any hostile act by or against a belligerent power;
- capture, seizure, arrest, restraint or detention, and the consequences thereof or any attempt thereat;
- derelict mines, torpedoes, bombs or other derelict weapons of war;
- act of any terrorist or any person acting maliciously or from a political motive and any action taken to prevent or counter any such risk;
- confiscation and expropriation.

Fair treatment of seafarers

The Guidelines on fair treatment of seafarers in the event of a maritime accident were adopted by the Legal Committee at its last session and by the Governing Body of the ILO at its 206th session on 12 June this year.

The Legal Committee, at this session, discussed submissions relating to possible changes, but decided, at this point in time, that it would be premature to amend the Guidelines. The Committee agreed, however, that review and monitoring of the Guidelines should be kept on its agenda.

Claims for death, personal injury and abandonment of seafarers

The Committee invited the Joint IMO/ILO Ad Hoc Expert Working Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers to make arrangements to hold a seventh session, with a view to developing a standard and guidelines in relation to such claims.

This invitation was extended, in part, following a resolution adopted by the ILO International Labour Conference which, at its 94th session in February this year, adopted the 2006 Maritime Labour Convention. The ILO Resolution notes that the text in the Convention does not address
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92nd session

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From the meetings

• Legal Committee (LEG)

many of the provisions set out in the Guidelines on Shipowners’ Responsibilities in respect of Contractual Claims for Personal Injury to or Death of Seafarers and the Guidelines on Provision of Financial Security in Cases of Abandonment of Seafarers, which have been adopted by both the IMO Assembly and the ILO Governing Body. The resolution, therefore, recommends to both Organizations that the way forward would be for the Working Group to develop a standard accompanied by guidelines, which could be included in the Maritime Labour Convention or another existing instrument, at a later date.

The Committee was also updated on the Database on Abandonment of Seafarers which can be viewed on the ILO website (http://www.ilo.org/dyn/seafarers/seafarers/browse.home). The database currently includes 40 reported cases, 22 of which had been agreed as resolved.

HNS Convention

The Committee was updated on the status of the 1996 International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea (the HNS Convention).

The HNS Convention currently has eight Contracting States (Angola, Cyprus, Morocco, Russian Federation, Saint Kitts and Nevis, Samoa, Slovenia and Tonga). Entry into force will occur 18 months after 12 States have accepted the Convention, four of which have not less than two million units of gross tonnage, provided that persons in these States who would be responsible to pay contributions to the general account have received a total quantity of at least 40 million tonnes of contributing cargo in the preceding calendar year.

The Committee was reminded of the obligation, pursuant to Article 43 of the Convention, for States to submit information on contributing cargo received, or, in the case of LNG, discharged in that State, when depositing their instruments of ratification or acceptance with the Secretary-General, and annually thereafter, until the Convention has entered into force.
Southern South Africa waters designated Special Area by MEPC

Amendments to MARPOL designating the waters off Southern South Africa as a Special Area under the MARPOL Convention for the prevention of pollution by ships, have been adopted by the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO), which met for its 55th session from 9-13 October, at Westminster Central Hall, London.

The MEPC also made significant progress in developing a new convention on ship recycling and on other issues on its agenda, including ballast water management and air pollution from ships.

Southern South Africa Special Area
The designation of the Southern South Africa waters as a Special Area under Annex I (Regulations for the prevention of pollution by oil from ships) of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), will provide measures to protect wildlife and the marine environment in an ecologically important region used intensively by shipping.

In an Annex I Special Area, any discharge into the sea of oil or oily mixtures from ships of 400 gross tonnage and above is prohibited except when certain conditions apply.

Other Special Areas designated under MARPOL Annex I are: the Mediterranean Sea, Baltic Sea, Black Sea, Red Sea, “Gulfs” Area, Gulf of Aden, Antarctic, North West European Waters and the Oman area of the Arabian Sea.

The MEPC also agreed a Circular which requests Member Governments and industry groups to comply with the Special Area requirements immediately on a voluntary basis and, in particular, requests them to urge oil tankers to refrain from washing their cargo tanks in the new Special Area, pending the entry into force of the amendment, which will take effect from March 2008.

Revised MARPOL Annex III adopted
The MEPC adopted the revised MARPOL Annex III Regulations for the prevention of pollution by harmful substances carried by sea in packaged form. The Annex has been revised to harmonize the regulations with the criteria for defining marine pollutants which have been adopted by the UN Transport of Dangerous Goods (TDG) Subcommittee, based on the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS).

Amendments to the Condition Assessment Scheme
The MEPC adopted amendments to the Condition Assessment Scheme (CAS) clarifying the validity of the Statement of Compliance where there is a change of ownership of the ship, change of recognized organization or change of flag and giving the procedures to follow in these cases.

Amendments to the Guidelines for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore supply vessels
The MEPC adopted amendments to the Guidelines for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore supply vessels (LHNS guidelines) consequent upon the entry into force of the revised MARPOL Annex II and the amended IBC Code on 1 January 2007.

Revised sewage standards
The MEPC adopted revised Guidelines on implementation of effluent standards and performance tests for sewage treatment plants. The revised guidelines, which will apply to sewage treatment plants installed onboard or after 1 January 2010, replace the Recommendation on international effluent standards and guidelines for performance tests for sewage treatment plants adopted by resolution MEPC.2(VI) in 1976.

The MEPC also adopted a standard for the maximum rate of discharge of untreated sewage from holding tanks when at a distance equal or greater than 12 nautical miles from the nearest land.

Recycling of ships
The MEPC Working Group on Ship Recycling further developed the text of the draft Convention providing globally applicable ship recycling regulations for international shipping and for recycling activities and it agreed to request the IMO Council, at its 98th session (in June 2007), to consider the allocation of a five-day
From the meetings: Marine Environment Protection Committee (MEPC)

55th session
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A ship discharges ballast water in port. The Committee strongly urged all Member Governments to ratify the Ballast Water Management Convention at their earliest convenience.

International conference in the 2008-2009 biennium to adopt it.

It is intended that the Convention will provide regulations for:

- the design, construction, operation and preparation of ships so as to facilitate safe and environmentally-sound recycling, without compromising the safety and operational efficiency of ships;
- the operation of ship recycling facilities in a safe and environmentally-sound manner; and
- the establishment of an appropriate enforcement mechanism for ship recycling, incorporating certification and reporting requirements.

A correspondence group was established to continue developing the draft convention and related guidelines and it was agreed to hold an intersessional meeting of the Ship Recycling Working Group, ahead of the next MEPC session scheduled for July 2007.

Harmful aquatic organisms in ballast water

The MEPC adopted the following guidelines, which are part of a series developed to assist in the implementation of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention) adopted in February 2004:

- ballast water exchange design and control standards (G11);
- design and construction to facilitate sediment control on ships (G12);
- designation of areas for ballast water exchange (G14);
- sediment reception facilities (G1); and
- ballast water reception facilities (G5).

Six other guidelines in the series have already been adopted during the last two sessions of the MEPC. The Sub-Committee on Bulk Liquids and Gases (BLG) was instructed to finalize guidelines on additional measures including emergency situations (G13).

Meanwhile, following consideration of the report of the second meeting of the GESAMP Ballast Water Working Group, which met in May 2006, the MEPC granted Basic Approval to two BWM systems proposed by Japan (the Special Pipe Ballast Water Management System (combined with Ozone treatment)) and Sweden (the EctoSys™ electrochemical system).

The Ballast Water Review Group met during the session to evaluate the latest information on ballast water treatment technologies and to determine whether appropriate technologies are available to achieve the ballast water performance standard required under regulation D-2 of the BWM Convention by 2009, the first date specified in the Convention under which new ships must comply with the performance standard. Based on the Review Group’s conclusions, the MEPC noted that type-approved ballast water management systems would probably be available for installation prior to the first application date of the BWM Convention. However, the installation of type-approved ballast water management systems on ships already contracted to be built in or after 2009 may not be feasible or only possible at excessive cost and/or delivery delay.

The MEPC noted two options as suggested in the report of the Review Group: (1) to amend the first application date specified in the BWM Convention; or (2) to develop an exemption procedure for the first set of vessels.

In response to the above suggested options, the Chairman of the MEPC stated that the amendment procedure of the BWM Convention (described in Article 19) could not be applied until the Convention is in force. The Committee strongly urged all Member Governments to ratify the Convention at their earliest convenience so that either amendments or exemptions could be considered by the MEPC as soon as the conditions for entry into force are satisfied.

In order to address the concerns related to the availability of appropriate technologies, the Committee invited Administrations to develop recommendations to ensure that owners allow for technology to be included in ship design; invited Administrations with land-based testing facilities to supply information to the next session of the Committee (in July 2007) on the existence, utilization, capacity, accreditation and capabilities of their facilities; and invited Member States and observers to submit information on the estimated number of vessels in the first category to which the Convention may apply.

The MEPC noted that, to date, only six countries representing 0.62% of the world tonnage had become contracting States to the BWM Convention and once again urged Member States to ratify it at the earliest possible opportunity.

Prevention of air pollution from ships

The MEPC agreed a work plan, with a timetable, to identify and develop the mechanisms needed to achieve the limitation or reduction of carbon dioxide (CO₂) emissions from ships, noting that climate change caused by greenhouse gas emissions from the burning of fossil fuel is a steadily growing concern for most countries. The MEPC noted that shipping, although an environmentally-friendly and fuel-efficient mode of transport, nevertheless, needs to take action on greenhouse gases (GHG).

The work plan provides for the further development of the CO₂ Emission Indexing Scheme, with Member States and the industry asked to continue to carry out trials in accordance with the Interim Guidelines for Voluntary Ship CO₂ Emission Indexing for Use in Trials (MEPC/Circ.471, issued in 2005); the consideration and evaluation of methodology for CO₂ emission baseline(s); and the consideration of technical, operational and market-based methods for dealing with GHG emissions. The aim is to complete the work by 2008/2009.

Following discussions in the Working Group on Air Pollution, the MEPC moved forward
with other issues relating to air pollution as follows:

- it agreed eight unified interpretations relating to the implementation and enforcement of MARPOL Annex VI, the NOx Technical Code and related guidelines;
- it approved the standard form of the Sulphur Emissions Control Area (SECA) Compliance Certificate to facilitate uniform enforcement and port State control;
- it approved the establishment of a correspondence group to develop washwater discharge criteria for exhaust gas SOx cleaning systems;
- regarding standardization of on-shore power supply connections with ships, it agreed that a global standard would benefit the shipping industry but agreed to await the finalization of such a standard before taking any decision on its possible inclusion in the revised MARPOL Annex VI, noting that the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) have established a working group on standardization of on-shore power supply for ships at berth; and
- it agreed that co-operation between the secretariats of the International Civil Aviation Organization (ICAO) and IMO should be strengthened and that developments related to GHG emissions in both Organizations should be communicated to each other.

The Sub-Committee on Bulk Liquids and Gases (BLG) is currently undertaking a comprehensive review of MARPOL Annex VI and the NOx Technical Code and an intersessional meeting of the BLG Air Pollution Working Group will be held from 13 to 17 November 2006 in Oslo, Norway, to progress the work further.

**Sulphur monitoring**

The MEPC noted the results of monitoring of the worldwide average of sulphur content of residual fuel oils, which indicated that in 2005, almost 90% of the samples had sulphur contents between 1.5 and 4% m/m. Almost 50% was between 2 and 3% m/m. 2,19 out of 79,592 (0.3%) of the samples were over 4.5% m/m sulphur, and 5 samples contained more than 5% sulphur (compared to 7 samples in 2004). The sulphur content of residual fuel measured for 2003, 2004 and 2005 gave a three year rolling average for the period of 2.7%. The rolling average for 2002-2004 was 2.67%.

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**Inadequacy of shoreside reception facilities**

The MEPC approved an Action Plan to tackle the alleged inadequacy of port reception facilities - seen as a major hurdle to overcome in order to achieve full compliance with MARPOL. The Plan was developed by the Sub-Committee on Flag State Implementation (FSI) and it is hoped that its outcome will contribute to the effective implementation of the MARPOL Convention and promote quality and environmental consciousness among administrations and shipping.

The Plan contains a list of proposed work items to be undertaken by IMO with the aim of improving the provision and use of adequate port reception facilities, including items relating to reporting requirements, provision of information on port reception facilities, identification of any technical problems encountered during the transfer of waste between ship and shore and the standardization of garbage segregation requirements and containment identification; review of the type and amount of wastes generated on board and the type and capacity of port reception facilities; revision of the IMO Comprehensive Manual on Port Reception Facilities; and development of a Guide to Good Practice on Port Reception Facilities. With regard to regional arrangements, the Committee agreed to recognize them as a means to provide reception facilities in light of the MARPOL requirements, taking into account the benefit of having such regional arrangements in place.

**Review of MARPOL Annex V**

The MEPC established an intersessional correspondence group to develop the framework, method of work and timetable for a comprehensive review of MARPOL Annex V Regulations for the prevention of pollution by garbage from ships and the associated Revised Guidelines for the implementation of MARPOL Annex V. The review will take into account resolution 60/30 of the UN General Assembly, which invited IMO to review MARPOL Annex V, in consultation with relevant organizations and bodies, and to assess its effectiveness in addressing sea-based sources of marine debris.

A work plan, with a timetable, to further the Organization’s work on reducing air pollution from ships, was agreed
Transport of bio-fuels and bio-fuel blends

The MEPC agreed to address the increasing transport by sea of bio-fuels and bio-fuel blends as cargo, in order to clarify the regulations which apply. Bio-fuels are considered to fall under MARPOL Annex II when transported as products intended for blending with petroleum or mineral products but, when carried as blended products, it becomes unclear whether their carriage should be in accordance with MARPOL Annex I or Annex II. The MEPC instructed the Sub-committee on Bulk Liquids and Gases (BLG) to include on its agenda a new high-priority item on “Application of requirements for the carriage of bio-fuels and bio-fuel blends”, with a target completion date of 2008.

Technical Co-operation

The Committee was provided with an update on the marine environment protection-related technical co-operation activities under IMO's Integrated Technical Co-operation Programme (ITCP), the purpose of which is to assist countries in building up their human and institutional capacities for uniform and effective compliance with the Organization’s regulatory framework. This covered activities carried out with IMO and donor financing, including the following programmes funded by the Global Environment Facility: Building Partnerships for Environmental Protection and Management of the Seas of East Asia (PEMSEA); Building Partnerships to Assist Developing Countries to Reduce the Transfer of Harmful Aquatic Organisms in Ships’ Ballast Water (Globallast Partnerships); Development of a Regional Marine Electronic Highway (MEH) in the East Asian Seas; and the IMO/UNEP/UNIDO Guinea Current Large Marine Ecosystem (GCLME) Project. Information was also provided on the EC/MEDA financed project on EUROMED Co-operation on Maritime Safety and Prevention of Pollution from Ships (SAFEMED).

The Committee acknowledged and expressed gratitude to IMO and its partners for their financial and/or in-kind contributions to the ITCP and invited Member States, international organizations and the shipping and oil industry to continue and, if possible, increase their support.

OPRC-HNS implementation

The MEPC considered the report of the fifth meeting of the OPRC HNS Technical Group, which met in the week prior to the Committee’s session and approved an MEPC circular on Briefing package for senior government officials and high-level executives in the event of major oil spills, which is intended to facilitate the preparation of a comprehensive but concise brief for senior government officials and high-level executives, as well as a revision of the Manual on oil pollution I– Prevention.

The MEPC also approved the Guidance document on planning and response to chemical releases in the marine environment that was prepared by the OPRC-HNS Technical Group and agreed at its fourth session.

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IMO to focus on environment in 2007

The World Maritime Day theme for 2007 will be IMO's response to current environmental challenges, the IMO Council agreed at its 97th session, held at Westminster Central Hall, London, following a proposal from the IMO Secretary-General Mr. Efthimios E. Mitropoulos.

“The theme will give IMO the opportunity to focus on our environmental work (both of the past and present) and thus intensify our efforts to add our contribution to that of the international community to protect and preserve the environment before it is too late,” Mr. Mitropoulos said.

The Council also approved the holding of the 2007 parallel event for the celebration of World Maritime Day in Brazil and expressed its appreciation to the Brazilian authorities for their offer to host it.

**Voluntary IMO Member State Audit Scheme**

The Council noted that the first audits under the Voluntary IMO Member State Audit Scheme had commenced and that the audits planned for 2006 were on schedule. The Council encouraged Member States that had not yet volunteered for audits, to do so as and when they are ready, and as early as possible, and also encouraged Member States to continue to nominate as many qualified auditors as possible.

The Council noted that four regional auditors’ training courses had been held this year, with more planned for 2007. It also requested the Secretariat to analyze the experience gained from audits, with the aim of preparing an auditor’s manual in the future.

**Ship recycling conference to be held in 2008-2009 biennium**

The Council approved the request of the Marine Environment Protection Committee (MEPC) to allocate a five-day diplomatic conference on ship recycling in the 2008-2009 biennium, with a view to adopting the draft convention on ship recycling. (See page 28).

**Protection of vital shipping lanes**

The Council reaffirmed its mandate to the Secretary-General to continue his work relating to the protection of shipping lanes of strategic importance and significance and noted the successful outcome of the September Meeting on the Straits of Malacca and Singapore: Enhancing Safety, Security and Environmental Protection. (See page 6).

The Council authorized the Secretary-General to convene, in consultation with the littoral States, a series of follow-on meetings for the littoral States to review the identification and prioritization of specific needs in relation to the enhancement of safety, security and environmental protection in the Straits; and for user States to identify possible assistance to respond to those specific needs, which may include provision of resources, capacity building, training and technical support, with a view to promoting further co-operative measures, including possible options for burden-sharing.

The Council thanked the Government of the Republic of Singapore for offering to host the next IMO-sponsored meeting on the Straits of Malacca and Singapore which, as with the previous Jakarta (2005) and Kuala Lumpur Meetings, should involve the littoral and user States, the industry and other stakeholders.

The Council decided to request the Maritime Safety Committee, the Legal Committee, the Technical Co-operation Committee and the Facilitation Committee to study the United Nations Global Counter Terrorism Strategy, as well as related United Nations General Assembly and Security Council resolutions; and to prepare specific proposals in association with a plan of action, within the framework of the Strategic Plan of the Organization, on how the Organization could respond and contribute to the implementation of the United Nations Global Counter Terrorism Strategy.

The proposals will be submitted through the Ad Hoc Working Group on the Organization’s Strategic Plan, for consideration by the Council at its twenty-fourth extraordinary session in November 2007, ahead of IMO’s 25th Assembly, scheduled for November-December 2007.

**Geographical representation in the IMO Council**

The Council discussed the issue of geographical representation on the IMO Council, in accordance with part (c) of Article 17 of the IMO convention, which states that, in electing Members of the Council under that part, the Assembly is bound to take account of the criteria that the States elected should have special interests in maritime transport or navigation, and that their election to the Council should ensure the representation of all major geographic areas of the world.

The Council requested the Secretary-General to prepare a draft Assembly resolution on the implementation of part (c) of Article 17 of the IMO Convention, for submission, as early as possible, to the 98th session of the Council, in June 2007.

**Ratification of instruments**

The Council endorsed and supported the Secretary-General’s continuing efforts to encourage Governments to consider accepting those instruments to which they were not yet parties. It reiterated its plea to Member Governments to pay particular attention to ratifying the two fishing vessel-related instruments, the 1993 Torremolinos Protocol and the 1995 STCW-F Convention, and, as far as environment-related conventions are concerned, the 2001 Anti-fouling Systems (AFS) Convention and the 2004 Ballast Water Management Convention, to enable them to enter into force as soon as possible.

As far as security-related conventions are concerned, the Council endorsed the need for an early entry into force of the two SUA Protocols adopted in 2005 and urged Member Governments to take the necessary action to effect this as a matter of priority.

**Contract of the Secretary-General**

The Council decided unanimously by acclamation to renew Mr. Mitropoulos’s mandate as Secretary-General for another four-year term, concluding on 31 December 2011, and to advise the 25th regular session of the Assembly accordingly. (See page 10).
Draft new ship-recycling convention reaches advanced stages

When ships reach the end of their working lives, recycling is undoubtedly the most environmentally-friendly way to dispose of them. Virtually every part of the hull and machinery is capable of being re-used and so are a great deal of the fixtures, fittings and furnishings. Ship recycling contributes to sustainable development.

Nevertheless, as the world has been aware for some time, while the principle of ship recycling is a sound one, working practices and environmental standards in recycling facilities in certain parts of the world often leave much to be desired.

In view of this, IMO, as the international regulatory body responsible for the safety and security of shipping as well as the protection of the marine environment from ships, has taken action to develop a realistic and effective solution to some of the problems associated with ship recycling.

At the end of 2003, IMO adopted Guidelines on Ship Recycling, but these were recommendatory only. However, at its 53rd session in July 2005, the IMO’s Marine Environment Protection Committee (MEPC) agreed that IMO should develop a new instrument on recycling of ships, with a view to providing legally-binding and globally-applicable regulations for international shipping and for recycling facilities.

Work on the instrument is now at an advanced stage and, at its most recent meeting. (MEPC 55, 9-13 October 2006) the MEPC formally agreed to request the IMO Council to allocate a five-day international conference in the 2008-2009 biennium to adopt it.

Although the instrument is still very much a 'work in progress', it is nevertheless instructive to take a look in detail at how some of the key issues have been approached and how the instrument deals with the concerns of the many stakeholders in this complex and multi-faceted issue.

It had been agreed from the outset that the new instrument should include regulations for the design, construction, operation and preparation of ships so as to facilitate safe and environmentally-sound recycling but without compromising the safety and operational efficiency of ships; for the operation of ship-recycling facilities in a safe and environmentally-sound manner and for the establishment of an appropriate enforcement mechanism for ship recycling. These have remained the guiding principles throughout its development.

The regulations within the draft instrument are in four sections. Section A contains general provisions, while sections B, C and D respectively address requirements for ships, requirements for recycling facilities and reporting requirements.

The overall philosophy is that the capacities and abilities of all recycling facilities should be audited and authorized; so, too, should the precise recycling considerations of all
ships. The recycling requirements of the ship and the capabilities of the recycling facility can then be accurately matched and a detailed plan for the recycling drawn up, ensuring that the facility only has to deal with materials of the type and in the quantities for which it has been properly authorized.

Under the instrument, ships will be required to have an Inventory of Hazardous Materials. This inventory will have to be approved by the Flag State Administration, taking into account guidelines that will be developed by IMO. The Inventory of Hazardous Materials must be specific to each ship and must identify hazardous materials, their location and approximate quantities. It will consist of three parts, dealing respectively with 1) materials contained in the ship’s structure and equipment, and (immediately prior to recycling), 2) operationally-generated wastes, and 3) stores. Annexed to the convention will be a list of hazardous materials, the use of which is prohibited or restricted. The ship’s inventory must clarify that the ship does not contain any of these that are prohibited.

By the same token, ship-recycling facilities will have to be authorized by their own national authorities, again taking into account guidelines developed by IMO. This authorization must detail exactly the type and quantities of substances that the facility is capable of dealing with – in other words, a full exposition of both its capabilities and its limitations.

One important point to note is that the draft convention sets out very specific requirements for the prior removal of substances and/or materials (often referred to as pre-cleaning) and the circumstances under which it must take place. Any substance or material that the recycling facility is not authorized to handle must be removed prior to the ship’s arrival at the facility. The convention states quite clearly that prior removal of materials shall not be required only if the recycling facility chosen is fully authorized to manage the type or amount of the material.

As currently envisaged, it will work something like this: the shipowner will present the chosen recycling facility with the ship’s inventory of hazardous materials. Based on this and the limits of its own authorization, the recycling facility will then prepare a full recycling plan, detailing how the process will take place and how the various materials will be dealt with. This plan will include detailed information concerning, among other things, prior removal of materials, where required, in accordance with the capability of the recycling facility to manage the type or amount of materials. In a final survey envisaged by the draft convention, both the vessel inventory and the recycling plan must be verified by a surveyor working on behalf of the flag State administration. Following a successful final survey the ship will be issued with a “Ready for Recycling” certificate.

The convention will also address in some detail the working conditions within recycling facilities, setting minimum international standards that Parties to the convention undertake to adhere to. It approaches the issue on three levels. First, Article 4 (2) states that each Party shall require that ship-recycling facilities under its jurisdiction comply with the requirements set forth in the Convention, including the applicable requirements in the Annex, and shall take effective measures to ensure that recycling facilities comply with those requirements.

Then, within the specific regulations contained in the Annex, there is a whole section devoted to requirements for ship-recycling facilities. There are nine of these in all, covering: controls on ship-recycling facilities; authorization of ship-recycling facilities; general requirements; recycling facility-management plan; prevention of accidents; safe and environmentally sound removal and management of hazardous materials; emergency preparedness and response; worker safety and training; and reporting on incidents and chronic effects. These regulations place very specific obligations on Parties to the Convention to ensure that the appropriate mechanisms and infrastructures are in place in each of these areas.

Furthermore, and still in development, are a series of guidelines which will specify in great detail the ways in which the obligations set under the regulations can be met. Among them are “Guidelines for the prior removal of substances and/or materials (often referred to as pre-cleaning) and the circumstances under which it must take place” (ECO/DOC)
and “Guidelines for the development of Ship-Recycling Plan”.

The regulations do not just deal with these issues in general terms – they actually go into very specific detail. Take, just as one example, regulation C-8 (2). This stipulates: “The ship-recycling facility shall specifically ensure, [and the workers shall specifically be able to request,] the use of the following personal protective equipment for the operations requiring such use:

- head protection,
- face and eye protection,
- hand and foot protection,
- respiratory protective equipment,
- hearing protection,
- protectors against radioactive contamination,
- protection from falls, and
- appropriate clothing.”

Regulation C-5, as another example, deals with the prevention of accidents. It requires authorized ship-recycling facilities to establish and utilize procedures to prevent explosions by establishing procedures for ensuring “gas free for hot work” conditions throughout the ship-recycling process, to prevent other accidents causing, or with the potential to cause, damage to human health and to prevent spills of cargo residues and other materials on the ships which may cause harm to human health and/or the environment. And, once again, the details of exactly how this can be done will be covered in detail in the guidelines currently being developed.

The regulations concerning ships are equally categorical. First of all, there is a general requirement that all Parties to the convention shall prohibit and/or restrict the installation or use of hazardous materials (listed in an appendix) on its ships. Then, as the ship nears the end of its life, there is another requirement that ships shall only be recycled at facilities that are authorized in accordance with the convention. It also stipulates that operations must be conducted in the period prior to entering the recycling facility to minimize the amount of cargo residues, bunker residues and wastes remaining on board. The shipowner must provide the recycling facility with all available information relating to the ship for the development of the ship-recycling plan as well as completing the Inventory of Hazardous Materials referred to earlier. Finally, it must be formally certified as “ready for recycling” by the flag State administration (or organizations recognized by it), prior to any recycling activity taking place.

All in all, this is a convention designed to deal with technical aspects of the safe and environmentally-friendly recycling of ships. While it may not specifically address human rights or workers’ rights in those actual terms, nevertheless it does create a legal framework within which the working conditions of workers in the ship-recycling industry will undoubtedly be made safer and the impact of the activity on the environment will be reduced. It does, therefore, make a positive contribution to the rights of workers to a relatively safe and clean working environment.

Moreover, it dovetails well with other, existing, international instruments, such as the ILO’s labour conventions and the Basel Convention, which regulates the trans-boundary movement of hazardous and other wastes. Indeed, IMO has maintained close co-operation with ILO and the appropriate bodies of the Basel Convention throughout the development of the new instrument, so that duplication of work and overlapping of responsibilities and competencies between the three Organizations can be avoided.

This draft IMO convention will establish common standards for all ship-recycling operations, without distinction as to which part of the world they take place in, nor the economic situation of the country in which they are carried out and thereby establishes a regulatory regime to improve the safety and the environmental credentials for shipbreaking regardless of where and by whom it may undertaken.

Finally, in any consideration of this topic, the hugely beneficial economic impact that ship-recycling has in what are often otherwise very poor areas, nor what would otherwise happen to ships at the end of their lifetimes, should never be overlooked. The facts are that ship recycling is a vibrant international business, it is of considerable benefit to all concerned in it, yet is in need of regulation to improve safety and environmental aspects. And that is exactly what this IMO Convention will address.

For an in-depth study of IMO’s work on ship-recycling, visit the IMO website: www.imo.org/home.asp?topic_id=406
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The prestigious International Maritime Prize for 2005 has been presented to Dr. Tom Allan (United Kingdom), former Chairman of the IMO Maritime Safety Committee (MSC) and Permanent Representative of the United Kingdom to IMO.

Mr. Efthimios E. Mitropoulos, Secretary-General of the International Maritime Organization, presented the prize to Dr. Allan during a special ceremony during the 97th session of the IMO Council, which met at London’s Central Hall, Westminster.

The International Maritime Prize is awarded annually by IMO to the individual or organization judged to have made the most significant contribution to the work and objectives of IMO. The 96th session of the IMO Council in June 2006 took the decision to award the prize to Dr. Allan in recognition of his long service to the cause of maritime safety and the protection of the marine environment, highlighted by his work representing the United Kingdom at IMO and chairing IMO’s senior technical body, the MSC, from 1999 to 2005.

The prize-giving ceremony was attended by Dr. Stephen Ladyman, United Kingdom Minister of State for Transport and other officials from the United Kingdom Department for Transport, as well as by delegations to the IMO Council and IMO staff.

The International Maritime Prize consists of a sculpture in the form of a dolphin and includes a financial award. The winner of the annual prize is also invited to write a paper on a theme relating to the work of IMO.

**Previous winners**

Winners of the prize since 2000:
- 2005 – Dr. Tom Allan (United Kingdom)
- 2004 – Mr. Luis Martínez (Mexico)
- 2003 – Mr. William O’Neil (Canada)
- 2002 – Mr. Frank Wall (United Kingdom)
- 2001 – Mr. Giuliano Pattofatto (Italy) (posthumously)
- 2000 – Mr. Heikki Juhani Valkonen (Finland)

**Correction**

In the photograph on page 14 of IMO News 3 2006, the caption should read Mrs Georgina Tackie, IMO Regional Co-ordinator for West and Central Africa (Anglophone), not Eastern and Southern Africa as stated.
1st meeting outside IMO

The twelfth session of the Working Group on the Evaluation of Safety and Pollution Hazards of Chemicals (ESPH 12) was held at the Maritime and Coastguard Agency (MCA) in Southampton, United Kingdom, from 4 to 8 September 2006, and was the first meeting to be held outside IMO Headquarters since the move of the Secretariat to 55 Victoria Street, London, in August this year for 12 months during the refurbishment of the Albert Embankment building. The meeting was attended by 15 Member States and five non-governmental organizations.

IMO welcomes China anti-fouling project

IMO Secretary-General Efthimious E. Mitropoulos has welcomed a new multi-million dollar project to eliminate the mixing of DDT (dichlorodiphenyl-trichloroethane) in antifouling paint used in China.

Project estimates show that of the 65,000 metric tonnes of antifouling paint used in China, about 5,000 metric tonnes contain DDT. This persistent organic pollutant ends up residing in fatty tissue of humans and marine wildlife, retaining its toxicity for long periods of time, and playing havoc on coastal and marine environments.

The project, to be implemented by the United Nations Development Programme (UNDP), was reviewed by the GEF Council at a special meeting in Cape Town in late August 2006. The GEF serves as a financing mechanism for the Stockholm Convention on Persistent Organic Pollutants. China became a signatory to the Convention in May 2001.

IMO supports the implementation of the project which will assist China to put in place the necessary measures for acceptance and effective implementation of the International Convention on the Control of Harmful Anti-fouling Systems on Ships, adopted by IMO in 2001, thereby also promoting the treaty’s entry into force globally.

Welcoming the project, Mr Mitropoulos said, “Merchant ships and fishing vessels serve as the economic and social lifeline of many countries. We are committed to promoting safe, secure and efficient shipping on clean oceans and are pleased that the GEF is helping one of our largest Member States to achieve one of the Organization’s goals, which is the prevention of harm to the marine environment from ships’ anti-fouling systems.”

China’s burgeoning coastal cities are the engines of economic growth in the country, and contribute significantly to the spectacular double-digit growth rates of the economy. Coastal fishing is an important source of livelihoods, involving nearly 300,000 fishing ships widely distributed along the coastline. The residual DDT in antifouling paint production is one of the main sources of DDT pollution in China. China uses about 65,000 metric tonnes of antifouling paint annually (1 tonne = 1.10 ton). It is the only nation still using the harmful chemical DDT in antifouling paints.

Chinese visit IMO

A delegation from the China State Oceanic Administration of officers in charge of maritime rescue, oil-spill response and maritime emergency response visited IMO for a briefing on the work of the Organization. The visit was organized on behalf of the Chinese Ministry of Transport, Maritime Bureau.
IMO gives children anti-pollution

An international gathering of government officials and technical experts has provided an unlikely setting for two 12-year-olds to speak out about their concerns for the marine environment and their fears for the legacy that the current generation of adults might bequeath them.

The 55th meeting of IMO’s Marine Environment Protection Committee (MEPC), held in London in October, invited children from the Junior program of the International Marine Environment Protection Association (Intermepa) to speak about their activities to protect the marine environment.

Dionysia Lymperopoulou from Greece (representing Helmepa Junior) and Serra Kuman from Turkey (representing Turmepa Junior) took the opportunity to highlight how their respective Marine Environment Protection Associations (MEPAs) had assisted them in gaining a better understanding of how immense the problem of marine pollution could be and how they had been motivated to become environmentally aware and responsible citizens of tomorrow. They also pointed out what they perceived to be the indifference of adults towards nature but noted that the common work for a cleaner planet by members of the MEPA Juniors - all children - had made them stronger in their convictions.

The two MEPA Junior representatives told delegates that it was the responsibility of all to hand on to the next generation a planet that is healthy and inhabitable by all species of flora and fauna. It was their generation, they said, as well as those to come, that would have to confront the planet's environmental issues. The MEPA Juniors suggested that they would punish ships leaving garbage, poisonous materials or invasive species in the seas of their beautiful countries. They also hoped that they could fund organizations trying to save marine wildlife animals and the marine environment. They called on IMO to use all its power to save the seas, which they said were a very precious treasure that needed help and protection.

In extending his sincere gratitude to the girls for making the journey to London, IMO Secretary-General Efthimios E. Mitropoulos recognized that their work had been effective in dealing with local environmental problems, such as marine debris on beaches in the communities of several countries in the Mediterranean Sea area, and in raising awareness of the need to protect the marine environment.

IMO has been working for some time to increase its visibility among younger people and last year helped a number of children to attend the Children’s World Summit for the Environment in Japan, in co-operation with the Junior sections of Helmepa, Turmepa and Cymepa. To strengthen its relationships with children in the wider world, the Organization is now actively planning a number of initiatives aimed specifically at children which will be unveiled over the next few months.

Judging panel announced for Seatrade Awards

IMO Secretary-General Efthimios E. Mitropoulos will once again chair the independent panel of judges for the prestigious Seatrade Awards in 2007. The panel will assess all Seatrade Awards entries and compile a short-list. The judges make their final selection on the day of the Awards Ceremony Dinner, where the winners will be presented with a unique hand-crafted trophy at London’s Guildhall on 21 May 2007.

The Secretary-General will be joined on the judging panel by The Rt. Hon. The Lord Clinton-Davis, PC, Chairman, Advisory Committee on Protection of the Sea (ACOFS), Pier Luigi Foschi, Chairman, European Cruise Council, Jan Kopernicki, Chairman, Oil Companies International Marine Forum (OCIMF), Li Kejun, Chairman, International Association of Classification Societies (IACS), and President, China Classification Society (CCS), Nicholas Pappadakis, Chairman, HELMEPA and Chairman, Intercargo, Spyros M. Polemis, Chairman, International Chamber of Shipping (ICS), and President, International Shipping Federation (ISF), Knud Pontoppidan, President, BIMCO, and A.P. Møller-Maersk A/S, Denmark and Stephen Van Dyck, Chairman, Intertanko.
This widely recognised and practical intensive course is now in its 19th successive year. The course is designed especially for officials in national marine departments, port or terminal operators, ship managers and shipowners.

The course includes port and vessel visits and covers in detail the major IMO conventions and codes along with other relevant international regulations and conventions, inspection systems and documentation.

Special sections of the course concentrate on the ISPS code.

The Course is taught by an experienced team of academics and practitioners from the UK, USA and Europe.

Venue: London School of Economics & Political Science, University of London

Fees: Sterling £2,750

The course is conducted by the Centre for Maritime Co-operation of the International Chamber of Commerce.

Further details can be obtained from:

Miss Angeles Aguado, Course Co-ordinator
ICC Centre for Maritime Co-operation
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