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**PROTOCOL OF 1997 TO AMEND THE INTERNATIONAL CONVENTION FOR THE
PREVENTION OF POLLUTION FROM SHIPS, 1973, AS MODIFIED BY
THE PROTOCOL OF 1978 RELATING THERETO**

Ratification by the United States

The Secretary-General of the International Maritime Organization has the honour to refer to the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 relating thereto, as amended, and to state that ratification by the United States of America was effected by the deposit of an instrument, on 8 October 2008, in accordance with article 5 of the Protocol.

The instrument of ratification by the United States contained the following two understandings:

“The United States of America understands that the Protocol of 1997 does not, as a matter of international law, prohibit Parties from imposing, as a condition of entry into their ports or internal waters, more stringent emission standards or fuel oil requirements than those identified in the Protocol.”

“The United States of America understands that Regulation 15 applies only to safety aspects associated with the operation of vapour emission control systems that may be applied during cargo transfer operations between a tanker and port-side facilities and to the requirements specified in Regulation 15 for notification to the International Maritime Organization of port State regulation of such systems.”

The instrument of ratification by the United States also contained the following declaration:

“The United States of America notes that at the time of adoption of the Protocol of 1997, the NO_x emission control limits contained in Regulation 13 were those agreed as being achievable by January 1 2000, on new marine diesel engines, and further notes that Regulation 13(3)(b) contemplated that new technology would become available to reduce on-board NO_x emissions below those limits. As such improved technology is now available, the United States expresses its support for an amendment to Annex VI that would, on an urgent basis, revise the agreed NO_x emission control limits contained in Regulation 13 in keeping with new technological developments.”

In accordance with the provisions of article 6 of the Protocol and article 15(4) of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, the Protocol will enter into force for the United States on 8 January 2009.

There are, at present, fifty-three Contracting States to the Protocol.
