

# IMO MARINE ENVIRONMENT PROTECTION COMMITTEE 22 – 26 NOVEMBER 2021

The IMO Marine Environment Protection Committee held its 77<sup>th</sup> Session (MEPC 77) remotely from Monday 22 through Friday 26 November 2021 under the Chairmanship of Mr Hideako Saito (JAPAN) and his Vice Chair, Mr Harry Conway (LIBERIA).

A total of 109 delegations submitted their credentials for the meeting. Their numbers were supplemented by attendance from Associate Member States, UN and Special Agencies, also Inter-Governmental and Non-Governmental organisations. InterManager's delegation was bolstered by five members of SGS, two of whom participated in the Working Group on Ballast Water and a further two on Air Emissions with their organiser following the Plenary session. Working Groups (WG) and Review Group (RG) were formed and chaired as follows:

WG1 Air Pollution and Energy Efficiency, Mr K Yoshida (JAPAN)

WG2 Marine Plastic Litter, Ms A Sly (AUSTRALIA)

RG1 Ballast Water, Ms L Paige (UK)

**ADDRESS BY THE IMO SECRETARY GENERAL.** The S-G welcomed delegates to the meeting stating that one of the main topics for discussion will be the reduction of GHG emissions from international shipping. With COP 26 still very fresh in our minds, he emphasised that we are no longer considering climate change as it will impact future generations, rather it presents a very real and present threat to our own generations. Indeed, the Glasgow Climate Pact clearly underscores the need for accelerated action in this critical decade, whilst also recognising the need to acknowledge the concerns of Parties with economies most affected by the impacts of response measures, particularly those of developing country Parties. The pact also recognises the role of multilateralism in addressing climate change and promoting regional and international cooperation in order to strengthen climate action.

The adoption of IMO's Initial GHG strategy over three years ago was a landmark decision at the time, however more recently the IPCC [International Panel on Climate Change] underscored the need for greater urgency in combatting climate change by all sectors and all nations in order to protect the future of our planet. Discussions for strengthening the Initial GHG Strategy to build on progress made thus far will be important in transitioning international shipping from fossil fuels to low and zero-carbon alternatives.

Improvements to energy efficiency of the world fleet adopted at the last MEPC session will enter into force next year, and these amendments to MARPOL Annex VI also provide building blocks for further discussion on mid- and long-term GHG reduction measures. The outcome of the ninth and tenth meeting of the Intersessional Working Group on Reduction of GHG measures from Ships (ISWG) will be considered, good progress having been made with the development of lifecycle GHG intensity guidelines for all types of marine alternative fuels.

Mr Lim then took the opportunity to thank four Member States for their kind donations to the GHG Trust Fund as well as all Member States, IGOs and NGOs, for their input to the Correspondence Group on Carbon Intensity and especially, the Chair of the Working Group on reduction of GHG emissions from ships, Mr Oftedal of Norway, for ensuring highly successful outcomes of both the ninth and tenth Intersessional Working Groups. Whilst climate change matters are at the centre of MEPC's discussion this week, the S-G reminded delegates that there are also other topics requiring attention, including:

- Finalisation of the draft Strategy to address Marine Plastic Litter from Ships;
- Taking stock of the experience-building phase associated with the BWM Convention; and,
- Matters related to air pollution and energy efficiency.

Mr Lim wished delegates every success in their deliberations and cautioned them that "the World is watching us"; he thought that the way forward on many of the topics to be considered would be solved by working together with determination and also, that collaborative and considerate actions hold the key to making sure that no one is left behind.

**DECISIONS OF OTHER BODIES.** The Committee noted the decisions and outcomes of MSC 103, FAL 45, C 125 and LEG 108 with regard to its work and took action under the relevant agenda items.

### **HARMFUL AQUATIC ORGANISMS IN BALLAST WATER.**

**Matters considered by correspondence prior to the virtual meeting.** Five documents and six Information Papers were considered by correspondence.

**Approval of ballast water management systems that make use of Active Substances.** The Committee agreed to:

- Not grant Final Approval to the FlowSafe BWMS;
- Grant Basic Approval to the RADClean® BWMS;
- Grant Final Approval to JFE BallastAce® that makes use of NEO-CHLOR MARINER; and,
- Grant Final Approval to HiBallast NF™

**Organisational arrangements related to the evaluation and approval of BWM systems.** GESAMP-BWWG's views were noted that:

- The relevant Administration should check the Operations, Maintenance and Safety Manual (OMSM) and that any changes from the original BWMS should be clearly indicated in the application; and,
- Submitting Administrations should conduct a careful completeness check to ensure that all the provisions contained in Procedure G9 are satisfied.

The Committee noted GESAMP-BWWG's view that a Stocktaking Workshop is necessary and also instructed the BWRG to consider the proposal to consider procedures for re-evaluations of BWMS which utilise Active Systems.

**Matters considered during the virtual meeting.** Application of the BWM Convention to specific ship types, also the experience-building phase associated with the Convention were discussed.

**Application of the BWM Convention to specific ship types.** Four documents submitted to MEPC 74 and two to MEPC 75 that had been deferred to MEPC 76, which had further deferred them to this session, were discussed. These contained a number of diverse proposals ranging from the application of the Convention to specific ship types to the proposal for a new circular on options for compliance required to meet the D-2 performance standard. Concluding discussion, the Committee invited Member States and international organisations to work intersessionally and submit updated proposals to the next session.

**The experience-building phase associated with the BWM Convention.** The Committee had for its consideration, one deferred document submitted to MEPC 76, and five documents submitted to this session. The substance of these documents are as follows:

- A discussion of entries in the ballast water record book (BWRB) proposing that the guidance provided in Appendix II of the BWM Convention (Form of BW Record Book) be reviewed as part of the experience-building phase (EBP);
- Sharing of the results of scientific research by Canada on BWMS performance as well as experience with potential approaches for compliance assessment during port State control;
- An update on the EBP by the Secretariat including progress on data gathered in concert with the WMU;
- A proposal to extend the EBP;
- A commenting document on EBP arguing that there is enough information available to review Appendix II of the BWM Convention; and,
- The status of ongoing studies in Brazil during the EBP regarding implementation of the D-2 standard, including a survey relating to the training of inspectors.

The Committee noted that data has been made available from 35 Member States and seven other stakeholders corresponding to approximately 15,000 ships which is being analysed by the Secretariat and WMU for consideration at MEPC 78.

**Application of the BWM Convention to ships operating at ports with challenging water quality.** A total of nine documents were submitted in respect of this sub-item. However, due to the large number of issues to be resolved, finalisation of a draft BWM.2 circular on guidance was not achieved and instead, the WG was invited to focus on

fundamental elements that could form the basis for future deliberation at the next session of the Committee.

**Establishment of the Ballast Water Review Group (BWRG).** Furnished with appropriate terms of reference, the BWRG met virtually whilst Plenary was in session, and having completed its work, submitted its report. This was approved in general, and in particular, the Committee:

- Approved the draft unified interpretation of the Date to be used for the determination of mandatory commissioning testing of individual BWMS in accordance with Resolution MEPC.325(75);
- Noted that the Group did not finalise the draft BWM.2 circular on application of the Convention to ships operating at ports with challenging water quality, but had focussed on fundamental elements forming the basis for future deliberations, annexed to its report;
- Invited submission of further proposals on measures that may be taken when a BWMS encounters challenging uptake water quality, taking into account the fundamentals mentioned above;
- Noted non-consideration of procedures for re-evaluations of BWMS which make use of Active Substances, but which will be considered at a future session; and,
- Re-established the Review Group at MEPC 78.

## **AIR POLLUTION PREVENTION.**

### **Establishment of the Working Group (WG) on Air Pollution and Energy Efficiency.**

The WG was instructed to:

- Finalise the draft 2021 Guidelines for exhaust gas cleaning systems (EGCS);
- Finalise output 1.23 on “Evaluation and harmonisation of rules and guidance on the discharge of water from EGCS into the aquatic environment, including conditions and areas”;
- Finalise the draft MEPC circular on *Guidance on indication of ongoing compliance in the case of failure of a single monitoring instrument, and recommended actions to take if the EGCS fails to meet the provisions of the EGCS Guidelines*;
- Consider and prepare amendments to the 2013 *Guidance of treatment of innovative energy efficiency technologies for calculation and verification of the attained EEDI*; and,
- Consider documents concerning data collection and analysis under regulation 18 of MARPOL Annex VI, in particular, inclusion of the CG’s recommendation on the inclusion of flashpoint as mandatory information in the bunker delivery note.

Following the WGs deliberations, the report submitted by the Group was approved in general, and in particular, the Committee;

- Adopted the draft MEPC resolution on 2021 Guidelines for exhaust gas cleaning systems;

- Approved the draft MEPC circular on Guidance on indication of ongoing compliance in the case of the failure of a single monitoring instrument, and recommended actions to take if the EGCS fails to meet the Guidelines;
- Approved the draft title and scope of work on output 1.23 as per terms of reference;
- Forwarded selected documents to PPR 9 for further consideration;
- Approved the draft MEPC circular on 2021 Guidance on treatment of innovative energy efficiency technologies for calculation and verification of the attained EEDI and EEXI;
- Noted the outcome of the Group's deliberations regarding inclusion of flashpoint in appendix V of MARPOL Annex VI;
- Instructed the Secretariat to proceed with the improvements to the MARPOL Annex VI GIGIS module;
- Invited MSC 105 to note the status of the Committees work in relation to flashpoint of fuel oil; and
- Noted the information regarding an online training course on "Uniform implementation and control of the sulphur limits" offered by Spain.

## **ENERGY EFFICIENCY OF SHIPS.**

**Matters considered by correspondence prior to the virtual meeting.** Documents considered by correspondence comprised:

- A Secretariat report on fuel consumption data for 2020 submitted to the IMO Ship Fuel Oil Consumption Database in GISIS together with recommendations to improve the reporting process;
- The tenth summary of data and graphical representations in the EEDI database; and,
- Information on the status of IMO model course 4.05 on "Energy efficient operation of ships", and advice that it would benefit from updating, or alternatively, that reference could be made to training materials and other resources prepared under the GloMEEP and GMN projects.

**Data submitted to the IMO Ship Fuel Oil Consumption Database for 2020.** The Committee approved the summary report of fuel oil consumption data submitted to the database for 2020 and agreed with recommendations to further improve the IMO Ship Fuel Oil Consumption Database module in GISIS.

**Model course on the energy efficient operation of ships.** The Committee instructed the Secretariat not to update model course 4.05 on the Energy efficiency operation of ships at this stage, but instead to support IMO's capacity-building initiatives, inter alia, the ITCP Energy Efficiency Global Programme, GMN-MTCC, Green Voyage 2050 and RoK-SMART, to deliver training on the energy efficient operation of ships and to ensure that their presentation and training materials and other resources are widely disseminated and made available on the IMO website.

## **REDUCTION OF GHG EMISSIONS FROM SHIPS.**

**Matters related to the short-term GHG reduction measure and carbon intensity.** The Committee instructed the Correspondence Group on Carbon Intensity Reduction established by MEPC 76, to consider a further seven documents as part of the agreed ToRS, and to reflect its consideration in the final report to be submitted to MEPC 78.

**Matters related to LNG and low- and zero-carbon fuels.** The Committee instructed ISWG-GHG 11 to consider documents:

- MEPC 77/7/19 and three Information papers (all by World Bank), providing information on its recent research on bunker fuels and related reports on Summary for policymakers and industry, the potential for zero-carbon fuels in developing countries, and the role of LNG in the transition towards low- and zero-carbon shipping;
- An Information paper by China proposing different technical routes of methane slip treatment devices for different marine LNG engines;
- An Information paper by WWF setting out a series of sustainability principles for the zero- and low carbon marine fuels under consideration as substitutes; and,
- An Information paper by FOEI et al, summarising the key findings of a new study entitled “The climate implications of using LNG as a marine fuel”.

**Matters considered during the virtual meeting.** The Committee agreed to consider matters under this agenda item in the following order:

- Proposals related to the 2050 level of ambition and the revision of the initial IMO GHG Strategy;
- Outcome of the Intersessional Working Group on Reduction of GHG Emissions from Ships (ISWG-GHG 9);
- Outcome of ISWG-GHG 10 in conjunction with proposals for mid- and long-term GHG reduction measures submitted to this session of the Committee;
- Revised proposal on the establishment of the International Maritime Research and Development Board (IMRB); and,
- Proposals for the revision of the IMO Ship Fuel Oil Consumption Data Collection System (DCS).

**Proposals related to the 2050 level of ambition and the revision of the initial IMO GHG Strategy.** The Committee had for its consideration, a total of seven documents related to the 2050 level of ambition and revision of the strategy. In considering the related proposals, a vast number of delegations took the floor and espoused a correspondingly wide range of views on how such aspirations could/should be achieved. Following this, the Committee, in view of the urgency for all sectors to accelerate their efforts to reduce GHG emissions as emphasised in recent IPCC reports and the Glasgow Climate Pact, recognised the need to strengthen the ambition of the initial IMO GHG Strategy during its revision process. In this regard, it was agreed to initiate a Strategy revision with the following terms of reference:

‘Taking into account the progress made by the Organisation since the adoption of the Initial GHG Strategy, the “key stages” for the adoption of a Revised IMO GHG Strategy, as set out in section 6.2 of the Initial GHG Strategy, relevant data, and in accordance with the

timeline described in the *Programme of follow-up actions of the Initial Strategy on Reduction of GHG Emissions from Ships up to 2023*, conduct a revision of the Initial GHG Strategy with a final draft Revised IMO GHG Strategy to be considered by MEPC 80 (Spring 2023), with a view to adoption'. Towards this end, concrete proposals were invited for a revised IMO GHG Strategy to MEPC 78 where sufficient time will be allocated to ensure timely completion of the revision.

**Ninth meeting of the Intersessional Working Group on Reduction of GHG emissions from ships (ISWG-GHG 9).** The Committee approved the report of the WG in general and took action as follows:

- Noted that ISWG-GHG 9 had focussed on the development of draft stand-alone lifecycle GHG/carbon intensity guidelines for marine fuels (draft LCA guidelines);
- Identified priority areas for further work such as further development of the draft guidelines, also development of specific sections of the draft LCA guidelines, particularly identification of sustainability criteria and determination of criteria to identify appropriate fuel (pathway) certification schemes in the context of standalone voluntary LCA guidelines; and,
- Identified approaches for regular review of both upstream and downstream (default) emission values whereby the Secretariat will prepare a detailed overview of existing processes and establish how to determine (default) emission values of future fuels and their associated pathways, including fugitive emissions thereby identifying a possible mechanism for reviewing the emission values under the Guidelines.

Following consideration, the Committee requested the Secretariat to submit to ISWG-GHG 11 an overview of existing processes for review of substances and/or technologies by means of scientific expert groups. Member States and international organisations were also invited to involve expert advice on development of draft LCA guidelines and to submit proposals to ISWG-GHG 11 on further development of the guideline.

**Reduction of methane slip and emissions of Volatile Organic Compounds (VOCs).**

Discussions on the reduction of methane slip by ISWG-GHG 9 were noted, also that methane emissions will be further considered in the context of the lifecycle GHG/carbon intensity guidelines by ISWG-GHG 11. Following this, the Committee invited the provision of more information on technical opportunities to reduce VOC emissions from shipping and instructed the PPR Sub-Committee to investigate how the reduction of VOC could be further addressed.

**Tenth meeting of the Intersessional Working Group on Reduction of GHG Emissions from Ships and consideration of proposals for mid- and long-term measures submitted to this session.** Having considered the report of ISWG-GHG 10, and the additional information provided orally by the Chair of the Working Group, Mr Sveinung Oftedal (Norway), the Committee approved the report in general and took action as described.

**Interim report of the Correspondence Group (CG) on Carbon Intensity Reduction.**

The Committee noted the Group's discussion on the interim report of the CG on Carbon

Intensity Reduction and endorsed the Group's recommendations on issues arising from the report. The urgency was noted of adopting the outstanding guidelines associated with the implementation of the short-term measure at MEPC 78 to allow sufficient time for ships, Administrations and ROs for preparation and implementation of the measure when it enters into effect in November 2022. The deadline for submission of the final report of the CG on Carbon Intensity Reduction by the nine-week document deadline of MEPC 78 was relaxed by the Committee.

**Development of a mandatory carbon intensity code.** The Committee noted the Group's view that it is premature to conclude on the possible timing for initiating work on development of the code and its scope, and of the Group's intention to revisit the issue when initiating the process of developing the code. It was also noted that the Group had requested the Secretariat to identify options for a possible timeline for the development of a code and to review the content of guidelines from a technical/legal standpoint with a view to identifying a possible scope, for consideration by the ISWG-GHG at a future session.

**Consideration of concrete proposals on how to keep the impacts of the short-term measure under review.** Note was taken of the Group's discussion on how to keep the impacts under review and an invitation extended to submit relevant information to ISWG-GHG 11. Member States and international organisations were also invited to submit concrete proposals on how to address data gaps in conducting impact assessments.

**Consideration of concrete proposals on how to undertake a lessons-learned exercise of the comprehensive impact assessment of the short-term measure.** With regard to the lessons-learned exercise of the short-term measure, the Technical Cooperation Committee was invited to request Member States to provide resources and nominate experts for a roster in order to assist developing countries, in particular LDCs and SIDS, in order to conduct an initial impact assessment of proposals for a measure which they would put forward, as necessary. The Secretariat was invited to liaise with UNCTAD, as well as other international organisations, as appropriate, to consider the possibility of making relevant data and models available. With respect to the outcome of the lessons-learned exercise, the Committee endorsed the Group's recommendation that it should also serve as the outcome of the review of MEPC.1/Circ.885 and that the lessons-learned exercise of the short-term measure should be completed by MEPC 79 in order to apply the improved procedure from Phase II of the Work plan for the development of mid- and long-term measures.

**Consideration of mid-term GHG reduction measures in the context of Phase I of the Work plan for the development of mid- and long-term measures.** The Committee noted the Group's consideration of mid-term GHG reduction measures in the context of Phase I of the Work plan for the development of mid- and long-term measures. Next, the Secretariat was requested to prepare an information document for ISWG-GHG 12, summarising previous discussions on market-based measures which had taken place in the Organisation, including the report of the work undertaken by the Expert Group on Feasibility Study and Impact Assessment of Possible Market-based Measures as set out in document MEPC 61/INF.2, and the collation of views expressed at ISWG-GHG 10 on

proposed mid- and long-term measures in accordance with the key issues and elements listed in paragraph 7 of the Work plan.

The Committee then invited the proponents of concrete proposals for mid-term measures that had not yet done so, to prepare an initial impact assessment of their proposal in accordance with the *Procedure for assessing impacts on States of candidate measures* for consideration by ISWG-GHG 12. Proponents of candidate mid-term measures, as well as other delegations, were encouraged to further consider the development/refining of such measures for consideration during Phase I of the Work plan, whilst also taking into account the views expressed at ISWG-GHG 10.

In conjunction with consideration of the outcome of ISWG-GHG 10 on mid-term GHG reduction measures in the context of Phase I of the Work plan for the development of mid- and long-term measures, the Committee also considered seven documents submitted to this session providing proposals and comments related to specific candidate measures or to general principles on the development of mid- and long-term measures.

Many, many views were expressed and following consideration, the Chair in his summing up, stated:

- “His appreciation to all delegations for their constructive interventions and his satisfaction to note that, following the adoption of the short-term measure at the last session, the Committee has moved forward with the consideration of concrete proposals for mid-term measures in accordance with Phase I of the Work plan;
- The adoption of the Work plan has provided the Organisation with a structured path for assessing the different proposals for candidate short-term measures;
- Delegations had raised a point that the mid-term measures should be developed to ensure achieving the 2050 level of ambition set out in the Strategy, also underlining that the Organisation is ready to consider concrete measures to deliver on its agreed strategic commitments;
- There is a clear preference for keeping all proposals on the table, also in view of considering a possible basket of mid-term measures; possible approaches, i.e. technical or operational measures, or a combination thereof; and possible compatibility with existing regulations in MARPOL Annex VI;
- Delegations made reference to “guiding principles” for the development of mid-term measures, in particular for possible market-based measures, and how a discussion on those principles in the context of Phase I of the Work plan could support further consideration of concrete proposals for measures; and,
- The importance of initiating initial impact assessments of the various proposals although no single mid-term measure or combination thereof had yet been identified; and, as also discussed in the context of the lessons-learned exercise, the importance of assessing possible impacts of the various proposals, or in combination, in an early stage to facilitate future discussions.”

In conclusion, the Committee:

- Agreed to forward all documents considered under this part of the agenda item, including proposals for concrete measures and for guiding principles, to ISWG-GHG 12 for further consideration in the context of Phase I of the Work Plan;

- Invited all delegations to continue their constructive consideration of the proposals for mid-term GHG reduction measures, including technical and political elements, with a view to advancing Phase II of the Work Plan in Spring 2022 in accordance with the timelines set out in the Work Plan; and,
- Invited all proponents of measures to engage intersessionally in relation to the different proposals and approaches, and to further assess the possible impact on States in relation to their respective proposals, or a combination thereof.

**How to address the increasing workload on reduction of GHG emissions from ships and proposals for alternative working arrangements.** The Committee noted the Group's discussion contained in document ISWG-GHG 10/5/1 (Finland) which was intended to clarify some issues on alternative GHG working arrangements proposed in document MEPC 76/7/9 (Australia et al). There was support from a majority of delegations that took the floor on the proposal for a standing technical group (ST-GHG) to replace the ISWG-GHG in the future, whilst noting concerns raised by several delegations in this regard. Following the discussion that ensued, the Committee instructed ISWG-GHG to further consider the matter on how to address the increasing workload on reduction of GHG emissions from ships and possible working arrangements taking into account comments made at this session, and invited Member States and international organisations to submit further proposals to ISWG-GHG 12.

**Revised proposal for an International Maritime Research and Development Board (IMRB).** The Committee recalled that MEPC 75 had acknowledged the proposal by industry organisations to establish an IMRB and an associated Research Fund (IMRF), whilst noting diverging views and concerns on the proposals, in particular with regard to various operational, administrative, legal and governance aspects. MEPC 76 was unable to finish full consideration of the revised IMRB proposal due to time constraints and it was agreed that discussions would be resumed at this session. The Committee had for its consideration, six documents containing comments related to the revised proposal for an IMRB submitted to this session which sparked many different, and sometimes opposing, views. Following this, the Committee:

- Thanked the co-sponsors of the IMRB proposal and associated fund for their updated proposal, which also addressed a number of the concerns expressed by delegations during earlier considerations;
- Noted increased support for the proposal but also noted that while many delegations saw merit in the establishment in principle, many other delegations opposed the approval because of remaining concerns related to, inter alia, technology transfer, redistribution of funds, governance mechanism and access to R&D; and,
- Instructed ISWG-GHG 12 to further examine the proposal for an IMRB and associated fund as part of its consideration of proposals for mid-term measures under Phase 1 of the Work plan for development of mid- and long-term GHG reduction measures. In this regard, the Committee noted that ISWG-GHG, in accordance with the Initial Strategy, could also consider other submitted proposals for establishing an IMRB to coordinate and oversee IMO's research and development activities addressing marine propulsion, alternative low-carbon and

zero-carbon fuels, and innovative technologies to further enhance the energy efficiency of ships as a candidate short-term measure.

**Proposals for revision of the IMO Ship Fuel Oil consumption data collecting system.**

Two documents were submitted on this topic, one suggesting the inclusion of information on the ship's required and attained Energy Efficiency Existing Ship Index (EEXI) and Carbon Intensity Indicator (CII) values and rating in the IMO Data Collection System (DCS). The second document commented on the issue of public accessibility for a ship's CII and associated rating, proposing the creation of a new database.

Following discussion, the Committee instructed ISWG-GHG 11 to further consider the proposals with a view to advising MEPC 78 on a way forward.

**FOLLOW-UP WORK EMANATING FROM THE ACTION PLAN TO ADDRESS MARINE PLASTIC LITTER FROM SHIPS.**

**GESAMP Working Group on Sea-based Sources of Marine Litter.** The Committee noted the progress reports of the GESAMP WG on Sea-based Sources of Marine Litter (MEPC 76/8 and 75/8/5) and the information in the first interim report (MEPC 75/INF.23) and referred all three documents to the WG on Marine Plastic Litter.

**Establishment of the Working Group on Marine Plastic Litter.** The Committee recalled that the Correspondence Group (CG) established at MEPC 74 had submitted a report to MEPC 75 but for which consideration has been deferred until this session due to time constraints. Accordingly, the Committee established a Working Group on Marine Plastic Litter to scrutinise the CG's report and to develop a strategy for addressing the Litter problem.

**Matters considered in plenary.** During the virtual meeting, the Committee considered documents deferred from MEPC 75 and 76, addressing the following issues:

- Information and proposal regarding marking of fishing gear;
- A proposal making the Garbage Record Book mandatory for ships of 100 GT and above; and,
- Other matters related to marine plastic litter.

**Information and proposal regarding marking of fishing gear.** Following debate on this matter, the Committee agreed to forward four relevant documents to PPR 9 with instructions to further consider the potential regulatory (mandatory and recommendatory) options for promoting marking of fishing gear, taking into account the work of FAO, with a view on advising the Committee how best to proceed.

**Proposal regarding making the Garbage Record Book mandatory for ships of 100 GT and above.** The proposal in document MEPC 77/8 was given widespread support, thus the Committee instructed the PPR Sub-Committee to prepare draft amendments to MARPOL Annex V, using MEPC 77/8 as a basis, taking into account comments made at MEPC 77.

**Other matters related to marine plastic litter.** The most significant document submitted on this matter was MEPC 77/8/1 (FOEI, et al.) highlighting the need for further investigation into the prevalence and impact of microplastics from paints and anti-fouling coatings used by ships, since marine plastic pollution remains a grave threat to all marine environments. The Committee was urged to prioritise the matter within the *Action Plan to Address marine Plastic Litter from Ships* (resolution MEPC.310(73)) and it was agreed to refer the document to PPR 9 with instructions to further consider the proposals, including a request for input from the CCC Sub-Committee as appropriate, with a view to advising the Committee on how best to proceed.

**Report of the Working Group on Marine Plastic Litter.** Having considered the report of the WG on Marine Plastic Litter, the Committee approved it in general and in particular:

- Agreed that the Secretariat should engage a consultant, using financial contributions to date, to review the ToR of the IMO Study on Marine Plastic Litter, taking into consideration the outcomes of the GESAMP WG 43 report, and advise MEPC 78 on how the Study should progress, such that MEPC 78 could make any necessary adjustments to the ToR;
- Encouraged Member States and international organisations to make financial contributions to support the initiation of the IMO Study on Marine Plastic Litter;
- Adopted a draft resolution on the Strategy to address marine plastic litter from ships; and,
- Noted the updated status of each action contained in the *Action Plan to address marine plastic litter from ships* in the form of an annotated table and encouraged submissions to future sessions regarding those actions which require proposals to progress the work.

## **POLLUTION PREVENTION AND RESPONSE.**

**Reduction of the impact on the Arctic of Black Carbon emissions from international shipping.** The Committee recalled that MEPC 75 and subsequently MEPC 76 had deferred consideration of the action requested of it by PPR 7 (and PPR 8) in relation to reduction of the Black Carbon impact on the Arctic, along with a number of other documents, including two to this session.

The Committee noted the deliberations of PPR 7 in respect of reducing the impact on the Arctic of Black Carbon emissions from international shipping, in particular that PPR 7 had:

- Noted that BC emissions depended on many factors, inter alia, type of engine, fuel formulation, engine load and its maintenance, also that more information is required on fuel oils compliant with the 0.50% m/m sulphur limit;
- Requested ISO to provide an update to PPR 8 to consider whether it would be possible to add a further measure to the ISO 8217 standard with the view of providing an approximate indication as to whether a fuel oil is more aromatic or more paraffinic; and,
- Agreed to the draft ToRs for output 3.3 (Reduction of the Impact on the Arctic of Black Carbon emissions from international shipping).

The Committee also noted the subsequent deliberations of PPR 8 on this matter, in particular that it had:

- Noted the final results of a Black Carbon measurement campaign submitted by Finland and Germany;
- Invited reports of similar trials using different types of VLSFOs to collect fuel oil parameters such as aromatic content of Black Carbon emissions;
- Invited ISO to keep PPR and MEPC informed of its ongoing review of ISO 8217;
- Encouraged the undertaking of further studies enabling accurate and traceable (comparable) measurements of BC emissions;
- Welcomed the establishment by Canada of the International Technical Working Group (TWG) on the Development of a Standardised Sampling, Conditioning and Measurement Protocol for BC emissions from Marine Engines; and,
- Agreed to update the proposed ToRs for further work on the desired impact reduction.

With regard to a proposed MEPC resolution on Black Carbon calling for the voluntary use by ships operating in or near the Arctic of distillate fuel of low aromaticity or other cleaner alternative fuels or methods of propulsion, the Committee noted widespread support for the resolution. However, three delegations argued that data on BC emissions from international shipping was not reliable and therefore that adoption of the proposed resolution was premature. Notwithstanding these views, the Committee adopted the resolution although the term “low aromaticity” was omitted from the final text.

## **REPORTS OF OTHER SUB-COMMITTEES.**

**Outcome of III 7.** Actions requested of the Committee by III 7 were dealt with, and agreed, by correspondence, specifically:

- Draft Assembly resolutions;
- The draft Non-exhaustive list of obligations under instruments relevant to the III Code;
- The draft Model agreement for the authorisation of recognised organisations; and,
- The process of updating the HSSC.

**Draft Procedures for port State control, 2021.** Following a few minor amendments to the text and revocation of a 2018 version, the draft was approved. The III Sub-Committee was also authorised to review the *Guidelines of port State control under the BWM Convention*, with a view to it being added as a new appendix to the Procedures for port State control in its future version.

**Draft Survey Guidelines under the Harmonised System of Survey and Certification (HSSC), 2021.** The Committee approved the draft guidelines and the associated Assembly resolution for submission to the thirty-second session of the Assembly for adoption.

**Draft 2021 Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code).** Following a change to the third preambular paragraph of the draft resolution reaffirming the limited scope of IMSAS audits under the STCW Convention and Code, the Committee approved it in concurrence with MSC 104, for submission to A 32 and adoption.

**Model agreement for the authorisation of ROs acting on behalf of an Administration.** In concurrence with MSC 104, the Committee approved an MSC-MEPC.5/Circular on the Model Agreement. This followed an alignment of the Model RO Agreement with the scope of the “statutory certification and services” as defined in the RO Code.

**Watertight doors on cargo ships.** The Committee had for its consideration document MEPC 76/10 (Secretariat) setting out the actions requested of the Committee by SDC 7 and relevant decisions of MSC 102, which had been deferred by MEPC 76 to this session. SDC 7 had developed draft amendments to MARPOL Annex I, the 1988 LL Protocol, the IBC Code, and the IGC Code. Decisions made at MSC 102, 103 and 104 were noted and in light of these, the Committee approved draft amendments to the IBC Code having concurred with the decision of MSC 102 to apply them to all ships. In considering the corresponding draft amendments to MARPOL Annex I, the Committee agreed that they should apply to existing and new ships, in concurrence with the decision by MSC concerning related amendments to the 1988 LL Protocol, the IBC Code, and the IGC Code.

## **ANY OTHER BUSINESS.**

**Matters considered by correspondence prior to the virtual meeting.** The Committee considered by correspondence, prior to the virtual meeting, the following topics:

- Consideration of developing a data transfer mechanism for the Port Reception Facilities module of GISIS;
- An update on recent work between the Secretariat and other UN agencies;
- Proposed amendments to para 6.2.2 of the *Revised guidelines and specifications for pollution prevention equipment for machinery space bilges of ships*;
- Information on the outcome of the regulatory scoping exercise for the use of MASS carried out by MSC and the Legal Committee;
- Information on a report reviewing the contents and volumes of grey water from passenger ships and its management in Alaska;
- An invitation for the Committee to clarify the definition of UNSP barges in MARPOL Annex VI (2021 Revised) concerning exemption from survey and certification;
- Information on the calculation of recycling capacity for meeting the entry-into-force conditions of the Hong Kong Convention;
- Findings on improved prewash procedures for solidifying or high-viscosity substances (paraffin waxes);
- Information on the 2021 P4G Seoul Summit and Green Future in Oceans held in May 2021; and,
- Information on the regulation of the criteria for the maintenance of ships concerning hull clearing afloat for the prevention of biological pollution.

**Communication of information through the Port Reception Facilities module of GISIS.** The III Sub-Committee was instructed to consider document MEPC 77/14 (Austria et al.) and advise the Committee accordingly.

**Recent inter-agency activities.** The Committee noted the information contained in document MEPC 77/14/1 (Secretariat) on recent inter-agency facilities and invited the Secretariat to continue its cooperation with other UN agencies on issues related to the protection of the marine environment.

**Guidelines for machinery space bilges of ships.** The Committee instructed the PPR Sub-Committee to consider document MEPC 77/14/2 (China) and to advise the Committee accordingly. Meanwhile, the UK proposed that interested Member States and international organisations should be invited to submit proposals for a new output at a future session of the Committee.

**Maritime Autonomous Surface Ships.** Thanking the Russian Federation for the information in document MEPC 77/14/3, the Committee invited submission of comments and concrete proposals to a future session on how best to proceed with the work related to MASS, for example, proposals could address potential working arrangements and/or a draft work plan.

**Grey water from ships.** Noting the information in document MEPC 77/14/4 (FOEI et al.), the Committee felt that a proposal for a new output would need to be submitted should Member States wish to pursue the matter further.

**Definition of UNSP barges.** The Committee instructed the III Sub-Committee to consider document MEPC 77/14/5 (China) on this matter.

**Information on other matters.** The Committee noted the contents of Information documents relating to: the entry-into-force conditions of the Hong Kong Convention; improved prewash procedures for solidifying or high-viscosity substances; the 2021 P4G Seoul Summit; and, the work undertaken by the Maritime Authority of Colombia with regard to biofouling management.

**DATE OF NEXT MEETING.** The next meeting of the Marine Environment Protection Committee, MEPC 78, has been provisionally scheduled for 6–10 June 2022.

End

Captain Paddy McKnight