

MARINE ENVIRONMENT PROTECTION
COMMITTEE
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Agenda item 18

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**REPORT OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE
ON ITS SEVENTY-FIFTH SESSION**

Attached are annexes 1 to 16 to the report of the Marine Environment Protection Committee on its seventy-fifth session (MEPC 75/18).

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ANNEX 1

**RESOLUTION MEPC.324(75)
(adopted on 20 November 2020)**

**AMENDMENTS TO THE ANNEX OF THE 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**

Amendments to MARPOL Annex VI

**(Procedures for sampling and verification of the sulphur content of fuel oil and
the Energy Efficiency Design Index (EEDI))**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

RECALLING ALSO article 16 of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocols of 1978 and 1997 relating thereto (MARPOL), which specifies the amendment procedure and confers upon the appropriate body of the Organization the function of considering amendments thereto for adoption by the Parties,

RECALLING FURTHER that MEPC.1/Circ.882 had requested the Parties to apply the amendments to appendix VI of MARPOL Annex VI related to the verification procedure for a MARPOL Annex VI fuel oil sample (regulation 18.8.2 or regulation 14.8) in advance of their entry into force,

HAVING CONSIDERED, at its seventy-fifth session, proposed amendments to MARPOL Annex VI concerning procedures for sampling and verification of the sulphur content of fuel oil and the Energy Efficiency Design Index (EEDI), which were circulated in accordance with article 16(2)(a) of MARPOL,

1 ADOPTS, in accordance with article 16(2)(d) of MARPOL, amendments to MARPOL Annex VI, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article 16(2)(f)(iii) of MARPOL, that the amendments shall be deemed to have been accepted on 1 October 2021 unless prior to that date, not less than one third of the Parties or Parties the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objection to the amendments;

3 INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of MARPOL, the said amendments shall enter into force on 1 April 2022 upon their acceptance in accordance with paragraph 2 above;

4 INVITES ALSO the Parties to consider the early application of the annexed amendments;

5 REQUESTS the Secretary-General, for the purposes of article 16(2)(e) of MARPOL, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Parties to MARPOL;

6 REQUESTS ALSO the Secretary-General to transmit copies of the present resolution and its annex to Members of the Organization which are not Parties to MARPOL.

ANNEX

AMENDMENTS TO MARPOL ANNEX VI

(Procedures for sampling and verification of the sulphur content of fuel oil and the Energy Efficiency Design Index (EEDI))

Regulation 1

Application

- 1 The full text of regulation 1 is replaced by the following:

"The provisions of this Annex shall apply to all ships, except where expressly provided otherwise."

Regulation 2

Definitions

- 2 New paragraphs 52 to 56 are inserted after paragraph 51, as follows:

"52 *Sulphur content of fuel oil* means the concentration of sulphur in a fuel oil, measured in % m/m as tested in accordance with a standard acceptable to the Organization.¹

53 *Low-flashpoint fuel* means gaseous or liquid fuel oil having a flashpoint lower than otherwise permitted under paragraph 2.1.1 of regulation 4 of chapter II-2 of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended.

54 *MARPOL delivered sample* means the sample of fuel oil delivered in accordance with regulation 18.8.1 of this Annex.

55 *In-use sample* means a sample of fuel oil in use on a ship.

56 *On board sample* means a sample of fuel oil intended to be used or carried for use on board that ship."

Regulation 14

Sulphur oxides (SO_x) and particulate matter

- 3 New paragraphs 8 to 13 and associated headings are inserted after existing paragraph 7 as follows:

"In-use and onboard fuel oil sampling and testing

8 If the competent authority of a Party requires the in-use or onboard sample to be analysed, it shall be done in accordance with the verification procedure set forth in appendix VI to this Annex to determine whether the fuel oil being used or carried for use on board meets the requirements in paragraph 1 or paragraph 4 of this regulation. The in-use sample shall be drawn taking into account the guidelines

¹ Refer to ISO 8754:2003 Petroleum products – Determination of sulphur content – Energy-dispersive X-ray fluorescence spectrometry.

developed by the Organization.² The onboard sample shall be drawn taking into account the guidelines developed by the Organization.³

9 The sample shall be sealed by the representative of the competent authority with a unique means of identification installed in the presence of the ship's representative. The ship shall be given the option of retaining a duplicate sample.

In-use fuel oil sampling point

10 For each ship subject to regulations 5 and 6 of this Annex, sampling point(s) shall be fitted or designated for the purpose of taking representative samples of the fuel oil being used on board the ship taking into account the guidelines developed by the Organization.²

11 For a ship constructed before 1 April 2022, the sampling point(s) referred to in paragraph 10 shall be fitted or designated not later than the first renewal survey as identified in regulation 5.1.2 of this Annex on or after 1 April 2023.

12 The requirements of paragraphs 10 and 11 above are not applicable to a fuel oil service system for a low-flashpoint fuel for combustion purposes for propulsion or operation on board the ship.

13 The competent authority of a Party shall, as appropriate, utilize the sampling point(s) which is(are) fitted or designated for the purpose of taking representative sample(s) of the fuel oil being used on board in order to verify that the fuel oil complies with this regulation. Taking fuel oil samples by the competent authority of the Party shall be performed as expeditiously as possible without causing the ship to be unduly delayed."

Regulation 18

Fuel oil availability and quality

4 Paragraph 8.2 is replaced by the following:

"8.2 If a Party requires the representative sample to be analysed, it shall be done in accordance with the verification procedure set forth in appendix VI to this Annex to determine whether the fuel oil meets the requirements of this Annex."

Regulation 20

Attained Energy Efficiency Design Index (attained EEDI)

5 A new paragraph 3 is added after existing paragraph 2, as follows:

"3 For each ship subject to regulation 21 of this Annex, the Administration or any organization duly authorized by it shall report to the Organization the required and attained EEDI values and relevant information, taking into account the guidelines developed by the Organization,⁴ via electronic communication:

² Refer to the *2019 Guidelines for on board sampling for the verification of the sulphur content of the fuel oil used on board ships* (MEPC.1/Circ.864/Rev.1).

³ Refer to the *2020 Guidelines for on board sampling of fuel oil intended to be used or carried for use on board a ship* (MEPC.1/Circ.889).

⁴ Refer to the *2018 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships* (resolution MEPC.308(73)), as amended by the Organization.

- .1 within 7 months of completing the survey required under regulation 5.4 of this Annex; or
- .2 within 7 months following 1 April 2022 for a ship delivered prior to 1 April 2022."

Regulation 21
Required EEDI

6 The existing table 1 (Reduction factors (in percentage) for the EEDI relative to the EEDI reference line) and the associated footnotes are replaced by the following:

"

Ship Type	Size	Phase 0	Phase 1	Phase 2	Phase 2	Phase 3	Phase 3
		1 Jan 2013 – 31 Dec 2014	1 Jan 2015 – 31 Dec 2019	1 Jan 2020 – 31 Mar 2022	1 Jan 2020 – 31 Dec 2024	1 Apr 2022 and onwards	1 Jan 2025 and onwards
Bulk carrier	20,000 DWT and above	0	10		20		30
	10,000 and above but less than 20,000 DWT	n/a	0-10*		0-20*		0-30*
Gas carrier	15,000 DWT and above	0	10	20		30	
	10,000 and above but less than 15,000 DWT	0	10		20		30
	2,000 and above but less than 10,000 DWT	n/a	0-10*		0-20*		0-30*
Tanker	20,000 DWT and above	0	10		20		30
	4,000 and above but less than 20,000 DWT	n/a	0-10*		0-20*		0-30*
Containership	200,000 DWT and above	0	10	20		50	
	120,000 and above but less than 200,000 DWT	0	10	20		45	
	80,000 and above but less than 120,000 DWT	0	10	20		40	
	40,000 and above but less than 80,000 DWT	0	10	20		35	
	15,000 and above but less than 40,000 DWT	0	10	20		30	

Ship Type	Size	Phase 0 1 Jan 2013 – 31 Dec 2014	Phase 1 1 Jan 2015 – 31 Dec 2019	Phase 2 1 Jan 2020 – 31 Mar 2022	Phase 2 1 Jan 2020 – 31 Dec 2024	Phase 3 1 Apr 2022 and onwards	Phase 3 1 Jan 2025 and onwards
	10,000 and above but less than 15,000 DWT	n/a	0-10*	0-20*		15-30*	
General Cargo ships	15,000 DWT and above	0	10	15		30	
	3,000 and above but less than 15,000 DWT	n/a	0-10*	0-15*		0-30*	
Refrigerated cargo carrier	5,000 DWT and above	0	10		15		30
	3,000 and above but less than 5,000 DWT	n/a	0-10*		0-15*		0-30*
Combination carrier	20,000 DWT and above	0	10		20		30
	4,000 and above but less than 20,000 DWT	n/a	0-10*		0-20*		0-30*
LNG carrier***	10,000 DWT and above	n/a	10**	20		30	
Ro-ro cargo ship (vehicle carrier)***	10,000 DWT and above	n/a	5**		15		30
Ro-ro cargo ship***	2,000 DWT and above	n/a	5**		20		30
	1,000 and above but less than 2,000 DWT	n/a	0-5*, **		0-20*		0-30*
Ro-ro passenger ship***	1,000 DWT and above	n/a	5**		20		30
	250 and above but less than 1,000 DWT	n/a	0-5*, **		0-20*		0-30*
Cruise passenger ship*** having non-conventional propulsion	85,000 GT and above	n/a	5**	20		30	
	25,000 and above but less than 85,000 GT	n/a	0-5*, **	0-20*		0-30*	

* Reduction factor to be linearly interpolated between the two values dependent upon ship size. The lower value of the reduction factor is to be applied to the smaller ship size.

** Phase 1 commences for those ships on 1 September 2015.

*** Reduction factor applies to those ships delivered on or after 1 September 2019, as defined in paragraph 43 of regulation 2.

Note: n/a means that no required EEDI applies."

7 In table 2 (Parameters for determination of reference values for the different ship types), the first row corresponding to Ship type defined in regulation 2.25 is replaced by the following:

"2.25 Bulk carrier	961.79	DWT of the ship where DWT ≤ 279,000 279,000 where DWT > 279,000	0.477"
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Appendix I

Form of International Air Pollution Prevention (IAPP) Certificate (Regulation 8)

Supplement to International Air Pollution Prevention Certificate (IAPP Certificate) Record of construction and equipment

8 New paragraphs 2.3.4 and 2.3.5 are inserted after paragraph 2.3.3 as follows:

"2.3.4 The ship is fitted with designated sampling point(s) in accordance with regulation 14.10 or 14.11.....

2.3.5 In accordance with regulation 14.12, the requirement for fitting or designating sampling point(s) in accordance with regulation 14.10 or 14.11 is not applicable for a fuel oil service system for a low-flashpoint fuel for combustion purposes for propulsion or operation on board the ship
.....

Appendix VI

Fuel verification procedure for MARPOL Annex VI fuel oil samples (regulation 18.8.2)

9 The full text of appendix VI is replaced by the following:

"Verification procedures for a MARPOL Annex VI fuel oil sample (regulation 18.8.2 or regulation 14.8)

The following relevant verification procedure shall be used to determine whether the fuel oil delivered to, in use or carried for use on board a ship has met the applicable sulphur limit of regulation 14 of this Annex.

This appendix refers to the following representative MARPOL Annex VI fuel oil samples:

Part 1 – sample of fuel oil delivered⁵ in accordance with regulation 18.8.1, hereafter referred to as the "MARPOL delivered sample" as defined in regulation 2.54.

⁵ Samples taken in accordance with the 2009 Guidelines for the sampling of fuel oil for determination of compliance with the revised MARPOL Annex VI (resolution MEPC.182(59)).

Part 2 – sample of fuel oil in use,⁶ intended to be used or carried for use on board in accordance with regulation 14.8, hereafter referred to as the "in-use sample" as defined in regulation 2.55 and "onboard sample"⁷ as defined in regulation 2.56.

Part 1 – MARPOL delivered sample

1 General Requirements

1.1 The representative sample of the fuel oil, which is required by regulation 18.8.1 (the MARPOL delivered sample) shall be used to verify the sulphur content of the fuel oil delivered to a ship.

1.2 A Party, through its competent authority, shall manage the verification procedure.

1.3 A laboratory undertaking the sulphur testing procedure given in this appendix shall have valid accreditation⁸ in respect of the test method to be used.

2 Verification Procedure Part 1

2.1 The MARPOL delivered sample shall be conveyed by the competent authority to the laboratory.

2.2 The laboratory shall:

- .1 record the details of the seal number and the sample label on the test record;
- .2 record the condition of the seal of the sample as received on the test record; and
- .3 reject any sample where the seal has been broken prior to receipt and record that rejection on the test record.

2.3 If the seal of the sample as received has not been broken, the laboratory shall proceed with the verification procedure and shall:

- .1 unseal the sample;
- .2 ensure that the sample is thoroughly homogenized;
- .3 draw two subsamples from the sample; and
- .4 reseal the sample and record the new reseal details on the test record.

⁶ Samples taken in accordance with the *2019 Guidelines for on board sampling for the verification of the sulphur content of the fuel oil used on board ships* (MEPC.1/Circ.864/Rev.1).

⁷ Refer to the *2020 Guidelines for on board sampling of fuel oil intended to be used or carried for use on board a ship* (MEPC.1/Circ.889).

⁸ The laboratory is to be accredited to ISO/IEC 17025:2017 or an equivalent standard for the performance of the given sulphur content test ISO 8754:2003.

2.4 The two subsamples shall be tested in succession, in accordance with the specified test method referred to in regulation 2.52 of this Annex. For the purposes of this Part 1 verification procedure, the results of the test analysis shall be referred to as '1A' and '1B':

- .1 results '1A' and '1B' shall be recorded on the test record in accordance with the requirements of the test method; and
- .2 if the results of '1A' and '1B' are within the repeatability (r)⁹ of the test method, the results shall be considered valid; or
- .3 if the results '1A' and '1B' are not within the repeatability (r) of the test method, both results shall be rejected and two new subsamples shall be taken by the laboratory and tested. The sample bottle shall be resealed in accordance with paragraph 2.3.4 after the new subsamples have been taken.
- .4 in the case of two failures to achieve repeatability between '1A' and '1B', the cause of that failure shall be investigated by the laboratory and resolved before further testing of the sample is undertaken. On resolution of that repeatability issue, two new subsamples shall be taken in accordance with paragraph 2.3. The sample shall be resealed in accordance with paragraph 2.3.4 after the new subsamples have been taken.

2.5 If the test results of '1A' and '1B' are valid, an average of these two results shall be calculated. The average value shall be referred to as 'X' and shall be recorded on the test record:

- .1 if the result 'X' is equal to or less than the applicable limit required by regulation 14, the fuel oil shall be considered to have met the requirement; or
- .2 if the result 'X' is greater than the applicable limit required by regulation 14, the fuel oil shall be considered to have not met the requirement.

Table 1: Summary of Part 1 MARPOL delivered sample procedure

On the basis of the test method referred to in regulation 2.52 of this Annex		
Applicable limit % m/m: V	Result 2.5.1: $X \leq V$	Result 2.5.2: $X > V$
0.10	Met the requirement	Not met the requirement
0.50		
Result 'X' reported to 2 decimal places		

2.6 The final results obtained from this verification procedure shall be evaluated by the competent authority.

⁹ Repeatability (r) calculation in accordance with ISO 4259:2017-2 and as defined in the test method used.

2.7 The laboratory shall provide a copy of the test record to the competent authority managing the verification procedure.

Part 2 – In-use and onboard samples

3 General Requirements

3.1 The in-use or onboard sample, as appropriate, shall be used to verify the sulphur content of the fuel oil as represented by that sample of fuel oil at the point of sampling.

3.2 A Party, through its competent authority, shall manage the verification procedure.

3.3 A laboratory undertaking the sulphur testing procedure given in this appendix shall have valid accreditation¹⁰ in respect of the test method to be used.

4 Verification Procedure Part 2

4.1 The in-use or onboard sample shall be conveyed by the competent authority to the laboratory.

4.2 The laboratory shall:

- .1 record the details of the seal number and the sample label on the test record;
- .2 record the condition of the seal of the sample as received on the test record; and
- .3 reject any sample where the seal has been broken prior to receipt and record that rejection on the test record.

4.3 If the seal of the sample as received has not been broken, the laboratory shall proceed with the verification procedure and shall:

- .1 unseal the sample;
- .2 ensure that the sample is thoroughly homogenized;
- .3 draw two subsamples from the sample; and
- .4 reseal the sample and record the new reseal details on the test record.

4.4 The two subsamples shall be tested in succession, in accordance with the specified test method referred to in regulation 2.52 of this Annex. For the purposes of this Part 2 verification procedure, the results obtained shall be referred to as '2A' and '2B':

¹⁰ The laboratory is to be accredited to ISO/IEC 17025:2017 or an equivalent standard for the performance of the given sulphur content test ISO 8754:2003.

- .1 results '2A' and '2B' shall be recorded on the test record in accordance with requirements of the test method; and
 - .2 if the results of '2A' and '2B' are within the repeatability (r)¹¹ of the test method, the results shall be considered valid; or
 - .3 if the results of '2A' and '2B' are not within the repeatability (r) of the test method, both results shall be rejected and two new subsamples shall be taken by the laboratory and tested. The sample bottle shall be resealed in accordance with paragraph 4.3.4 after the new subsamples have been taken; and
 - .4 in the case of two failures to achieve repeatability between '2A' and '2B', the cause of that failure shall be investigated by the laboratory and resolved before further testing of the sample is undertaken. On resolution of that repeatability issue, two new subsamples shall be taken in accordance with paragraph 4.3. The sample shall be resealed in accordance with paragraph 4.3.4 after the new subsamples have been taken.
- 4.5 If the test results of '2A' and '2B' are valid, an average of these two results shall be calculated. That average value shall be referred to as 'Z' and shall be recorded on the test record:
- .1 if 'Z' is equal to or less than the applicable limit required by regulation 14, the sulphur content of the fuel oil as represented by the tested sample shall be considered to have met the requirement;
 - .2 if 'Z' is greater than the applicable limit required by regulation 14 but less than or equal to that applicable limit + 0.59R (where R is the reproducibility of the test method),¹² the sulphur content of the fuel oil as represented by the tested sample shall be considered to have met the requirement; or
 - .3 if 'Z' is greater than the applicable limit required by regulation 14 + 0.59R, the sulphur content of the fuel oil as represented by the tested sample shall be considered to have not met the requirement.

Table 2: Summary of in-use or onboard sample procedure¹³

On the basis of the test method referred to in regulation 2.52 of this Annex				
Applicable limit %m/m: V	Test margin value: W	Result 4.5.1: $Z \leq V$	Result 4.5.2: $V < Z \leq W$	Result 4.5.3: $Z > W$
0.10	0.11	Met the requirement	Met the requirement	Not met the requirement
0.50	0.53			
Result 'Z' reported to 2 decimal places				

¹¹ Repeatability (r) calculation in accordance with ISO 4259:2017-2 and as defined in the test method used.

¹² Reproducibility (R) calculation in accordance with ISO 4259:2017-2 and as defined in the test method used.

¹³ Results of testing undertaken by the Company or other entities are outside the MARPOL process and hence should be considered within the approach given by ISO 4259:2017-2 regarding recipient drawn samples.

4.6 The final results obtained from this verification procedure shall be evaluated by the competent authority.

4.7 The laboratory shall provide a copy of the test record to the competent authority managing the verification procedure."

ANNEX 2

**RESOLUTION MEPC.325(75)
(adopted on 20 November 2020)**

**AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE CONTROL AND
MANAGEMENT OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**

Amendments to regulation E-1 and appendix I

**(Commissioning testing of ballast water management systems and
form of the International Ballast Water Management Certificate)**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

RECALLING ALSO article 19 of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (the BWM Convention), which specifies the amendment procedure and confers upon the Marine Environment Protection Committee of the Organization the function of considering amendments thereto for adoption by the Parties,

HAVING CONSIDERED, at its seventy-fifth session, proposed amendments to the BWM Convention regarding commissioning testing of ballast water management systems and the form of the International Ballast Water Management Certificate,

1 ADOPTS, in accordance with article 19(2)(c) of the BWM Convention, amendments to regulation E-1 and appendix I;

2 DETERMINES, in accordance with article 19(2)(e)(ii) of the BWM Convention, that the amendments shall be deemed to have been accepted on 1 December 2021 unless, prior to that date, more than one third of the Parties have notified the Secretary-General that they object to the amendments;

3 INVITES the Parties to note that, in accordance with article 19(2)(f)(ii) of the BWM Convention, the said amendments shall enter into force on 1 June 2022 upon their acceptance in accordance with paragraph 2 above;

4 INVITES ALSO the Parties to consider the application of the amendments to regulation E-1 with regard to commissioning testing as soon as possible to ships entitled to fly their flag, taking into account the *Guidance for the commissioning testing of ballast water management systems* (BWM.2/Circ.70/Rev.1), as may be amended;

5 RESOLVES that the analysis undertaken in the context of commissioning testing should be indicative;

6 REQUESTS the Secretary-General, for the purposes of article 19(2)(d) of the BWM Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Parties to the BWM Convention;

7 REQUESTS ALSO the Secretary-General to transmit copies of the present resolution and its annex to Members of the Organization which are not Parties to the BWM Convention;

8 REQUESTS FURTHER the Secretary-General to prepare a consolidated certified text of the BWM Convention.

ANNEX

**AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE CONTROL AND
MANAGEMENT OF SHIPS' BALLAST WATER AND SEDIMENTS**

Regulation E-1

Surveys

1 Paragraph 1.1 is replaced by the following:

"1 An initial survey before the ship is put in service or before the Certificate required under regulation E-2 or E-3 is issued for the first time. This survey shall verify that the ballast water management plan required by regulation B-1 and any associated structure, equipment, systems, fitting, arrangements and material or processes comply fully with the requirements of this Convention. This survey shall confirm that a commissioning test has been conducted to validate the installation of any ballast water management system by demonstrating that its mechanical, physical, chemical and biological processes are working properly, taking into account the guidelines developed by the Organization.*"

2 Paragraph 1.5 is replaced by the following:

".5 An additional survey, either general or partial, according to the circumstances, shall be made after a change, replacement, or significant repair of the structure, equipment, systems, fittings, arrangements and material necessary to achieve full compliance with this Convention. The survey shall be such as to ensure that any such change, replacement or significant repair has been effectively made, so that the ship complies with the requirements of this Convention. When an additional survey is undertaken for the installation of any ballast water management system, this survey shall confirm that a commissioning test has been conducted to validate the installation of the system by demonstrating that its mechanical, physical, chemical and biological processes are working properly, taking into account the guidelines developed by the Organization.*"

* Refer to the *2020 Guidance for the commissioning testing of ballast water management systems (BWM.2/Circ.70/Rev.1)*, as may be amended.

Appendix I

Form of International Ballast Water Management Certificate

3 The footnote of "IMO Number" under the item "Particulars of ship" is replaced by the following:

"IMO Ship Identification Number Scheme adopted by the Organization by resolution A.1117(30), as may be amended."

4 The text under the title "Details of ballast water management method(s) used" is replaced by the following:

"Method of ballast water management used
Date installed (if applicable) (dd/mm/yyyy)
Name of manufacturer (if applicable)"

The principal ballast water management method(s) employed on this ship is/are:

- in accordance with regulation D-1
- in accordance with regulation D-2
(describe)
- the ship is subject to regulation D-4
- other approach in accordance with regulation"

ANNEX 3

**RESOLUTION MEPC.326(75)
(adopted on 20 November 2020)**

**2020 GUIDELINES FOR MONITORING THE WORLDWIDE AVERAGE SULPHUR
CONTENT OF FUEL OILS SUPPLIED FOR USE ON BOARD SHIPS**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee (hereafter "the Committee") conferred upon it by international conventions for the prevention and control of marine pollution from ships,

RECALLING ALSO that at its sixty-first session, the Committee adopted the *2010 Guidelines for monitoring the worldwide average sulphur content of fuel oils supplied for use on board ships* by resolution MEPC.192(61), which were subsequently amended by resolution MEPC.273(69),

RECALLING FURTHER that, at its seventieth session, the Committee adopted resolution MEPC.280(70), *Effective date of implementation of the fuel oil standard in regulation 14.1.3 of MARPOL Annex VI*, confirming "1 January 2020" as the effective date of implementation for ships to comply with global 0.50% m/m sulphur content of fuel oil requirement,

RECOGNIZING the need to revise the *2010 Guidelines for monitoring the worldwide average sulphur content of fuel oils supplied for use on board ships* resulting from the entry into force of the 0.50% m/m sulphur content limit on 1 January 2020 and the potential types of fuel oils which would be used to comply with this limit,

NOTING that regulation 14.2 of MARPOL Annex VI requires that the worldwide average sulphur content of residual fuel oil supplied for use on board ships shall be monitored taking into account guidelines developed by the Organization,

HAVING CONSIDERED, at its seventy-fifth session, the recommendation made by the Secretariat,

- 1 ADOPTS the *2020 Guidelines for monitoring the worldwide average sulphur content of fuel oils supplied for use on board ships*, as set out in the annex to the present resolution;
- 2 URGES Member Governments and interested organizations to make available the resources and expertise necessary for the implementation of the Guidelines;
- 3 INSTRUCTS the Secretariat to use the method set out in these Guidelines when monitoring the annual worldwide average sulphur content of fuel oils supplied for use on board ships; and
- 4 REVOKES the Guidelines adopted by resolution MEPC.192(61) as amended, as from this date.

ANNEX

2020 GUIDELINES FOR MONITORING THE WORLDWIDE AVERAGE SULPHUR CONTENT OF FUEL OILS SUPPLIED FOR USE ON BOARD SHIPS

Preface

1 The primary objective of the Guidelines is to establish an agreed method to monitor the average sulphur contents of fuel oils supplied for use on board ships taking into account the sulphur limit as required by regulation 14 of MARPOL Annex VI.

Introduction

2 The basis for these Guidelines is provided in regulation 14.2 of MARPOL Annex VI. While regulation 14.2 of MARPOL Annex VI only refers to residual fuel, it was agreed to also monitor the average sulphur content of distillate fuel.

3 Following the entry into force of the 0.50% m/m sulphur content limit on 1 January 2020, MEPC 74 recognized that some of the compliant fuel oils may fall within the residual fuel category whereas other compliant fuel oils may fall within the distillate fuel category, thus agreed that the worldwide average sulphur content should be monitored as a consequence of the sulphur limits required by regulation 14 of MARPOL Annex VI.

4 In view of the above, the three following categories should be used for monitoring the worldwide average sulphur contents of fuel oil:

- .1 fuel oil not exceeding 0.10%;
- .2 fuel oil not exceeding 0.50%, but above 0.10%; and
- .3 fuel oil exceeding 0.50%.

Definitions

5 For the purpose of these Guidelines the following definitions should apply:

.1 *Residual fuel:*

Fuel oil for combustion purposes delivered to and used on board ships with a kinematic viscosity at 40°C greater than 11.00 centistokes¹ (mm²/s).

.2 *Distillate fuel:*

Fuel oil for combustion purposes delivered to and used on board ships with a kinematic viscosity at 40°C lower than or equal to 11.00 centistokes¹ (mm²/s).

.3 *Provider of sampling and testing services:*

A company that, on a commercial basis, provides testing and sampling services of bunker fuels delivered to ships for the purpose of assessing quality parameters of these fuels, including the sulphur content.

.4 *Reference value A_{ws_ECA} :*

¹ Reference is made to ISO 8217:2012.

The value of the worldwide average sulphur content for the total fuel oil (distillate and residual) with a sulphur content not exceeding 0.10% supplied for use on board ships, based on the first 3 years of data collected and as determined on the basis of paragraphs 6 to 12 of these Guidelines.

.5 *Reference value $A_{ws_Non-ECA}$:*

The value of the worldwide average sulphur content for the total fuel oil (distillate and residual) with a sulphur content not exceeding 0.50%, but above 0.10%, supplied for use on board ships, based on the first 3 years of data collected and as determined on the basis of paragraphs 6 to 12 of these Guidelines.

.6 *Reference value $A_{ws_regulation4}$:*

The value of the worldwide average sulphur content for the total fuel oil (distillate and residual) with a sulphur content exceeding 0.50% supplied for use on board ships, based on the first 3 years of data collected and as determined on the basis of paragraphs 6 to 12 of these Guidelines.

Monitoring and calculation of yearly and 3-year rolling averages

Monitoring

6 Monitoring should be based on calculation of average sulphur content of combined residual and distillate fuels on the basis of sampling and testing by independent testing services. Restarting for year 2020 the average sulphur content of the three categories given in paragraph 4 should be calculated. After 3 years the reference values for monitoring will be set as described in paragraph 12.

Calculation of yearly averages

7 The basis of monitoring is the calculation, on an annual basis, of the average sulphur content of residual fuel and distillate fuel in each of the three categories in paragraph 4.

8 The calculation of the average sulphur content is executed as follows:

For a certain calendar year, the sulphur contents of the samples analysed² (one sample for each delivery of which the sulphur content is determined by fuel oil analysis) are recorded. The sulphur contents of the fuel oil samples analysed are multiplied by their corresponding mass, then summed, and then divided by the total mass of fuel oil analysed within each category as given in paragraph 4.

9 The mathematical formula for the method of calculation described is given in the appendix to these Guidelines.

10 As a basis for well-informed decisions, a graphical representation of the distribution of the global sulphur content plotted against the quantity of fuel oils associated with each incremental sulphur content range should be made available each year:

- .1 residual and distillate fuels for sulphur content below or equal to 1.00%: in terms of the % sulphur in increments of 0.10%; and

² Reference is made to ISO 8754:2003.

- .2 residual and distillate fuels for sulphur content above 1.00%: in terms of the % sulphur in increments of 0.50%.

Three-year rolling average

- 11 The 3-year rolling averages should be calculated as follows:

$$A_{cr} = (A_{c1} + A_{c2} + A_{c3})/3$$

in which:

A_{cr} = rolling average S-content of all deliveries tested over a 3-year period

A_{c1}, A_{c2}, A_{c3} = individual average S-contents of all deliveries tested for each year under consideration

A_{cr} is to be recalculated each year by adding the latest figure for A_c and deleting the oldest.

For the calculation of yearly average, all fuel oils less than 0.05% of sulphur should be calculated as 0.03%.

Setting of the reference values

- 12 The reference values of the worldwide average sulphur content for each category of fuel oil given in paragraph 4 supplied for use on board ships should be A_{wx} , where $x = ws_ECA, ws_Non-ECA, ws_regulation4$ and $A_{wx} = A_{cr}$ as calculated in January of the year following the first 3 years in which data were collected on the basis of these Guidelines. A_w should be expressed as a percentage.

Providers of sampling and testing services

- 13 There are presently three providers of sampling and testing services under these Guidelines.

- 14 Any additional providers of sampling and testing services will be approved by MEPC in accordance with the following criteria:

- .1 be subject to the approval of MEPC, which should apply these criteria;
- .2 be provided with a technical and managerial staff of qualified professionals providing adequate geographical coverage and local representation to ensure quality services in a timely manner;
- .3 provide services governed by a documented Code of Ethics;
- .4 be independent as regards commercial interest in the outcome of monitoring;
- .5 implement and maintain an internationally recognized quality system, certified by an independent auditing body, which ensures reproducibility and repeatability of services which are internally audited, monitored and carried out under controlled conditions; and

- .6 take a significant number of samples on an annual basis for the purpose of globally monitoring average sulphur content of residual and distillate fuels.

Standardized method of calculation

15 Each of the providers of sampling and testing services should, before 31 January of the following year, provide the necessary information for the calculation of the average sulphur content of the residual and distillate fuels to the Secretariat of IMO or another agreed third party on the basis of a mutually agreed format, approved by MEPC. This party will process the information and will provide the outcome in the agreed format to MEPC. From the viewpoint of competitive positions, the information involved should be considered sensitive.

APPENDIX

CALCULATION OF AVERAGE SULPHUR CONTENT BASED ON QUANTITY

Note: wherever "all deliveries" are mentioned, this is meant to refer to all deliveries sampled and tested for sulphur and being taken into account for the purpose of monitoring.

Calculation weighted for quantity

$$A_{cj} = \frac{\sum_{i=1}^{i=N_j} a_i \cdot m_i}{\sum_{i=1}^{i=N_j} m_i}$$

in which:

A_{cj} = the average sulphur content of all deliveries sampled worldwide in year j

a_i = the sulphur content of individual sample for delivery i

N_j = total number of samples taken in year j

m_i = the mass of fuel oils with a sulphur content of a_i .

ANNEX 4

**RESOLUTION MEPC.327(75)
(adopted on 20 November 2020)**

**ENCOURAGEMENT OF MEMBER STATES TO DEVELOP AND SUBMIT VOLUNTARY
NATIONAL ACTION PLANS TO ADDRESS GHG EMISSIONS FROM SHIPS**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization (the Organization) concerning the functions of the Marine Environment Protection Committee (the Committee) conferred upon it by international conventions for the prevention and control of marine pollution from ships,

HAVING ADOPTED resolution MEPC.304(72) on *Initial IMO Strategy on reduction of GHG emissions from ships* (the Initial Strategy),

NOTING that the Initial Strategy includes, inter alia, a candidate short-term measure to encourage the development and update of national action plans to develop policies and strategies to address GHG emissions from international shipping in accordance with guidelines to be developed by the Organization, taking into account the need to avoid regional or unilateral measures,

NOTING ALSO the role of Member States in extending the emission reduction efforts to all shipping-related sectors which are not necessarily covered by the Organization's conventions,

NOTING FURTHER resolution MEPC.323(74) on *Invitation to Member States to encourage voluntary cooperation between the port and shipping sectors to contribute to reducing GHG emissions from ships*,

RECOGNIZING that many Member States are already taking actions at national level to facilitate the reduction of GHG emissions from ships,

COMMENDS those Member States that have already prepared National Actions Plans and encourages them to share their experiences with the Organization,

RECOGNIZING that IMO has, in 2015, launched the Global Maritime Energy Efficiency Partnership (GloMEEP) Project, with 10 developing countries as Lead Pilot Countries (LPCs). Under the project, by offering several generic guide documents, the Organization has successfully assisted LPCs to develop national strategies to address emissions from ships,

RECOGNIZING ALSO the value of mobilizing national resources, promoting experience and information sharing and cooperation for all national stakeholders,

HAVING CONSIDERED the recommendation of the sixth session of the Intersessional Meeting of the Working Group on Reduction of GHG emissions from ships (ISWG-GHG 6),

1 INVITES Member States to voluntarily submit their National Action Plans to the Organization, outlining respective policies and actions, as soon as possible, and provide updates, as relevant, thereafter;

2 SUGGESTS the National Action Plans could include but are not limited to: (a) improving domestic institutional and legislative arrangements for the effective implementation of existing IMO instruments, (b) developing activities to further enhance the energy efficiency of ships, (c) initiating research and advancing the uptake of alternative low-carbon and zero-carbon fuels, (d) accelerating port emission reduction activities, consistent with resolution MEPC.323(74), (e) fostering capacity-building, awareness-raising and regional cooperation and (f) facilitating the development of infrastructure for green shipping;

3 INVITES ALSO Member States to elaborate on those arrangements (legal, policy, institutional, etc.) that they put in place or plan to do so to support emission reduction from ships, in accordance with their national conditions, circumstances and priorities;

4 ENCOURAGES those Member States to initiate early actions to facilitate the reduction of GHG emissions from ships without awaiting the entry into force of measures in the IMO context;

5 REQUESTS the Secretariat to continue to provide guidance and any further action which may be taken (e.g. through the GloMEEP, GMN and Green Voyage 2050 projects) to assist Member States including developing countries, in particular SIDS and LDCs, for the development of National Action Plans;

6 REQUESTS ALSO the Secretariat to facilitate the sharing of relevant information provided in the submitted National Action Plans;

7 REQUESTS FURTHER the Member States to bring this resolution to the attention of all stakeholders on a national scale, including Administrations, ports, ship designers, engine manufacturers, fuel suppliers, seafarers and other interested groups.

ANNEX 5

DRAFT AMENDMENTS TO MARPOL ANNEX VI

(Mandatory goal-based technical and operational measures to reduce carbon intensity of international shipping)

CHAPTER 1 – GENERAL

Regulation 2

Definitions

- 1 Sub-paragraph 5 of paragraph 24 is replaced by the following:
 - "5 which substantially alters the energy efficiency of the ship and includes any modifications that could cause the ship to exceed the applicable required EEDI as set out in regulation 21 or applicable required EEXI as set out in regulation 21A of this Annex."
- 2 New paragraphs 58 to 61 are added after paragraph 57, as follows:
 - "58 *Attained EEXI* is the EEXI value achieved by an individual ship in accordance with regulation 20A of this Annex.
 - 59 *Attained annual operational CII* is the operational carbon intensity indicator value achieved by an individual ship in accordance with regulations 22 and 22B of this Annex.
 - 60 *Required EEXI* is the maximum value of attained EEXI that is allowed by regulation 21A of this Annex for the specific ship type and size.
 - 61 *Required annual operational CII* is the target value of attained annual operational CII in accordance with regulations 22 and 22B of this Annex for the specific ship type and size."

CHAPTER 2 – SURVEY, CERTIFICATION AND MEANS OF CONTROL

Regulation 5

Surveys

- 3 The chapeau of paragraph 4 is replaced by the following:
 - "4 Ships to which chapter 4 of this Annex applies shall also be subject to the surveys specified below, taking into account guidelines adopted by the Organization:¹"

¹ Refer to the *2014 Guidelines on survey and certification of the Energy Efficiency Design Index* (resolution MEPC.254(67), as amended by resolutions MEPC.261(68) and MEPC.309(73); consolidated text: MEPC.1/Circ.855/Rev.2), as may be further amended.

- 4 New sub-paragraphs 6, 7 and 8 are inserted at the end of paragraph 4, as follows:
- .6 The Administration shall ensure that for each ship to which regulation 22B applies, the SEEMP complies with regulation 22.3 of this Annex. This shall be done prior to 1 January 2023. Confirmation of compliance shall be provided to and retained on board the ship.
 - .7 The verification that the ship's attained EEXI is in accordance with the requirements in regulations 20A and 21A of this Annex shall take place at the first annual, intermediate or renewal survey identified in paragraph 1 of this regulation or the initial survey identified in paragraphs 4.1 and 4.3 of this regulation, whichever is the first, on or after [date of entry into force].
 - .8 Notwithstanding paragraph 4.7 of this regulation, a general or partial survey, according to the circumstances, after a major conversion of a ship to which regulation 20A applies. The survey shall ensure that the attained EEXI is recalculated as necessary and meets the requirement of regulation 21A of this Annex."

Regulation 6

Issue or endorsement of Certificates and Statements of Compliance related to fuel oil consumption reporting

- 5 The title of regulation 6 is replaced by the following:
- "Issue or endorsement of Certificates and Statements of Compliance related to fuel oil consumption reporting and operational carbon intensity rating".*
- 6 Paragraphs 6 and 7 and their associated title are replaced by the following:
- "Statement of Compliance related to fuel oil consumption reporting and operational carbon intensity rating*
- 6 Upon receipt of reported data pursuant to regulation 22A.3 of this Annex and attained annual operational CII pursuant to regulation 22B.2 of this Annex, the Administration or any organization duly authorized by it shall:
- .1 determine whether the data has been reported in accordance with regulation 22A of this Annex;
 - .2 verify the attained annual operational CII reported is based on the data submitted in accordance with regulation 22A of this Annex;
 - .3 based on the verified attained annual operational CII, determine the operational carbon intensity rating of the ship in accordance with regulation 22B.6; and
 - .4 issue a Statement of Compliance related to fuel oil consumption reporting and annual operational carbon intensity rating to the ship no later than 5 months from the beginning of the calendar year. In every case, the Administration assumes full responsibility for this Statement of Compliance.

7 Upon receipt of reported data pursuant to regulations 22A.4, 22A.5 or 22A.6 of this Annex, the Administration or any organization duly authorized by it² shall promptly determine whether the data has been reported in accordance with regulation 22A and, if so, issue a Statement of Compliance related to fuel oil consumption reporting and annual operational carbon intensity rating CII to the ship. In every case, the Administration assumes full responsibility for this Statement of Compliance."

7 New paragraph 8 is inserted after paragraph 7, as follows:

"8 Notwithstanding paragraphs 6 and 7 of this regulation, a ship rated as D for 3 consecutive years or rated as E in accordance with regulation 22B of this Annex shall not be issued a Statement of Compliance unless a plan of corrective actions is duly developed and reflected in the SEEMP, and verified by the Administration or any organization duly authorized by it in accordance with regulation 22B.7 of this Annex. The plan of corrective actions shall be submitted to the Administration, or any organization duly authorized by it for verification within 1 month after reporting of the attained annual operational CII."

Regulation 8

Form of Certificates and Statements of Compliance related to fuel oil consumption reporting

8 The title of regulation 8 is replaced by the following:

"Form of Certificates and Statements of Compliance related to fuel oil consumption reporting and operational carbon intensity rating".

9 The title of paragraph 3 is replaced by the following:

"Statement of Compliance related to fuel oil Consumption Reporting and operational carbon intensity rating".

Regulation 9

Duration and Validity of Certificates and Statements of Compliance related to fuel oil consumption reporting

10 The title of regulation 9 is replaced by the following:

"Duration and Validity of Certificates and Statements of Compliance-related to fuel oil consumption reporting and operational carbon intensity rating".

11 A new sub-paragraph 3 is inserted at the end of paragraph 11, as follows:

".3 if the ship's equipment, systems, fittings, arrangements, or material covered by the survey was changed without the express approval of the Administration in accordance with regulation 5.5 of this Annex, unless regulation 3 of this Annex applies."

² Refer to the Code for recognized organizations (RO Code) (resolution MEPC.237(65), as may be amended).

- 12 Paragraph 12 and its associated title are replaced by the following:

"Statement of Compliance related to fuel oil consumption reporting and operational carbon intensity rating

12 The Statement of Compliance pursuant to regulation 6.6 of this Annex shall be valid for the calendar year in which it is issued and for the first 5 months of the following calendar year. The Statement of Compliance pursuant to regulation 6.7 of this Annex shall be valid for the calendar year in which it is issued, for the following calendar year, and for the first 5 months of the subsequent calendar year. All Statements of Compliance shall be kept on board for at least 5 years."

Regulation 10

Port State control on operational requirements

- 13 Paragraph 5 is replaced by the following:

"5 In relation to chapter 4 of this Annex, any port State inspection may verify, when appropriate, that there is a valid Statement of Compliance related to fuel oil consumption reporting and operational carbon intensity rating, an International Energy Efficiency Certificate and Ship Energy Efficiency Management Plan on board, in accordance with article 5 of the Convention."

- 14 New paragraph 6 is added after paragraph 5, as follows:

"6 Notwithstanding the requirements in paragraph 5 of this regulation, any port State inspection may inspect whether the Ship Energy Efficiency Management Plan is duly implemented by the ship in accordance with regulation 22B of this Annex."

CHAPTER 4 – REGULATIONS ON ENERGY EFFICIENCY FOR SHIPS

- 15 The title of chapter 4 is replaced by the following:

"CHAPTER 4 – REGULATIONS ON THE CARBON INTENSITY OF INTERNATIONAL SHIPPING"

Regulation 19

Application

- 16 Paragraph 3 is replaced by the following:

"3 Regulations 20, 20A, 21 and 21A of this Annex shall not apply to ships which have non-conventional propulsion, except that regulations 20 and 21 shall apply to cruise passenger ships having non-conventional propulsion and LNG carriers having conventional or non-conventional propulsion, delivered on or after 1 September 2019, as defined in paragraph 43 of regulation 2 and regulations 20A and 21A shall apply to cruise passenger ships having non-conventional propulsion and LNG carriers having conventional or non-conventional propulsion. Regulations 20, 20A, 21, 21A and 22B shall not apply to category A ships as defined in the Polar Code."

17 New regulations 19A and 19B are inserted after existing regulation 19 and before existing regulation 20, as follows:

"Regulation 19A

Goal

The goal of this chapter is to reduce the carbon intensity of international shipping, working towards the levels of ambition set out in the *Initial IMO Strategy on reduction of GHG emissions from ships*.³

Regulation 19B

Functional requirements

In order to achieve the goal set out in regulation 19A of this Annex, a ship to which this chapter applies shall comply, as applicable, with the following functional requirements to reduce its carbon intensity:

- .1 the technical carbon intensity requirements in accordance with regulations 20, 20A, 21 and 21A of this Annex; and
- .2 the operational carbon intensity requirements in accordance with regulations 22, 22A and 22B of this Annex."

18 New regulation 20A is inserted after existing regulation 20 and before existing regulation 21, as follows:

"Regulation 20A

Attained Energy Efficiency Existing Ship Index (EEXI)

1 The attained EEXI shall be calculated for:

- .1 each ship; and
- .2 each ship which has undergone a major conversion,

which falls into one or more of the categories in regulations 2.25 to 2.31, 2.33 to 2.35, 2.38 and 2.39 of this Annex. The attained EEXI shall be specific to each ship and shall indicate the estimated performance of the ship in terms of energy efficiency, and be accompanied by the EEXI technical file that contains the information necessary for the calculation of the attained EEXI and that shows the process of the calculation. The attained EEXI shall be verified, based on the EEXI technical file, either by the Administration or by any organization duly authorized by it.⁴

2 The attained EEXI shall be calculated taking into account guidelines⁵ developed by the Organization.

3 Notwithstanding regulation 20A.1, for each ship to which regulation 20 of this Annex applies, the attained EEDI verified by the Administration or by any organization

³ Resolution MEPC.304(72).

⁴ Refer to the Code for recognized organizations (RO Code) (resolution MEPC.237(65), as may be amended).

⁵ Guidelines on the method of calculation of the Energy Efficiency Existing Ship Index to be developed by the Organization.

duly authorized by it in accordance with regulation 20.1 of this Annex may be taken as the attained EEXI if the value of the attained EEDI is equal to or less than that of the required EEXI required by regulation 21A of this Annex. In this case, the attained EEXI shall be verified based on the EEDI Technical File."

19 New regulation 21A is inserted after existing regulation 21 and before existing regulation 22, as follows:

"Regulation 21A
Required EEXI

1 For:

- .1 each ship; and
- .2 each ship which has undergone a major conversion,

which falls into one of the categories in regulations 2.25 to 2.31, 2.33 to 2.35, 2.38 and 2.39 and to which this chapter is applicable, the attained EEXI shall be as follows:

$$\text{Attained EEXI} \leq \text{Required EEXI} = (1 - Y/100) \times \text{EEDI Reference line value}$$

where Y is the reduction factor specified in Table 3 for the required EEXI compared to the EEDI reference line.

Table 3. Reduction factors (in percentage) for the EEXI relative to the EEDI reference line

Ship type	Size	Reduction factor
Bulk carrier	200,000 DWT and above	15
	20,000 and above but less than 200,000 DWT	20
	10,000 and above but less than 20,000 DWT	0-20*
Gas carrier	15,000 DWT and above	30
	10,000 and above but less than 15,000 DWT	20
	2,000 and above but less than 10,000 DWT	0-20*
Tanker	200,000 DWT and above	15
	20,000 and above but less than 200,000 DWT	20
	4,000 and above but less than 20,000 DWT	0-20*
Containership	200,000 DWT and above	50
	120,000 and above but less than 200,000 DWT	45
	80,000 and above but less than 120,000 DWT	35

Ship type	Size	Reduction factor
	40,000 and above but less than 80,000 DWT	30
	15,000 and above but less than 40,000 DWT	20
	10,000 and above but less than 15,000 DWT	0-20*
General cargo ship	15,000 DWT and above	30
	3,000 and above but less than 15,000 DWT	0-30*
Refrigerated cargo carrier	5,000 DWT and above	15
	3,000 and above but less than 5,000 DWT	0-15*
Combination carrier	20,000 DWT and above	20
	4,000 and above but less than 20,000 DWT	0-20*
LNG carrier	10,000 DWT and above	30
Ro-ro cargo ship (vehicle carrier)	10,000 DWT and above	15
Ro-ro cargo ship	2,000 DWT and above	5
	1,000 and above but less than 2,000 DWT	0-5*
Ro-ro passenger ship	1,000 DWT and above	5
	250 and above but less than 1,000 DWT	0-5*
Cruise passenger ship having non-conventional propulsion	85,000 GT and above	30
	25,000 and above but less than 85,000 GT	0-30*

* Reduction factor to be linearly interpolated between the two values dependent upon ship size. The lower value of the reduction factor is to be applied to the smaller ship size.

2 The EEDI reference line values shall be calculated in accordance with regulations 21.3 and 21.4 of this Annex. For ro-ro cargo ships and ro-ro passenger ships, the reference line value to be used from phase 2 and thereafter under regulation 21.3 of this Annex shall be referred.

3 A review shall be completed by 1 January 2026 by the Organization to assess the effectiveness of this regulation taking into account any Guidelines developed by the Organization. If, based on the review, the Parties decide to adopt amendments to this regulation, such amendments shall be adopted and enter into force in accordance with the procedures contained in article 16 of the present Convention."

20 Regulation 22 is replaced by the following:

"Regulation 22
Ship Energy Efficiency Management Plan (SEEMP)

1 Each ship shall keep on board a ship specific Ship Energy Efficiency Management Plan (SEEMP). This may form part of the ship's Safety Management System (SMS). The SEEMP shall be developed and reviewed, taking into account Guidelines adopted by the Organization.

2 On or before 31 December 2018, in the case of a ship of 5,000 gross tonnage and above, SEEMP shall include a description of the methodology that will be used to collect the data required by regulation 22A.1 of this Annex and the processes that will be used to report the data to the ship's Administration.

3 On or before 1 January 2023, in case of a ship of 5,000 gross tonnage and above, the SEEMP shall include:

- .1 a description of the methodology that will be used to calculate the ship's attained annual operational CII required by regulation 22B of this Annex and the processes that will be used to report this value to the ship's Administration;
- .2 required annual operational CII for the next 3 years, as specified in regulation 22B of this Annex;
- .3 an implementation plan documenting how the required annual operational CII will be achieved during the next 3 years; and
- .4 a procedure for self-evaluation and improvement.

4 For ships rated as D for 3 consecutive years or rated as E in accordance with regulation 22B of this Annex, the SEEMP shall be reviewed to include a plan of corrective actions to achieve the required annual operational CII in accordance with regulation 22B.8 of this Annex.

5 The SEEMP shall be subject to verification and company audits taking into account Guidelines adopted by the Organization."

21 New regulation 22B is inserted after existing regulation 22A and before existing regulation 23, as follows:

"Regulation 22B

Operational carbon intensity

Attained annual operational carbon intensity indicator (CII)

1 After the end of each calendar year, each ship of 5,000 gross tonnage and above, which falls into one or more of the categories in regulations 2.25 to 2.31, 2.33 to 2.35, 2.38 and 2.39 of this Annex, shall calculate the attained annual operational CII over a 12-month period from 1 January to 31 December in that calendar year, using the data collected in accordance with regulation 22A of this Annex, taking into account guidelines developed by the Organization.⁶

2 Within 3 months after the end of each calendar year, the ship shall report to its

⁶ Refer to the 2016 Guidelines for the development of a Ship Energy Efficiency Management Plan (SEEMP) (resolution MEPC.282(70), as may be amended).

Administration or any organization duly authorized by it, the attained annual operational CII, via electronic communication and using a standardized format to be developed by the Organization.

3 In the event of any transfer of a ship addressed in regulations 22A.4, 22A.5 or 22A.6 completed after 1 January 2023, the annual operational carbon intensity rating of the ship for the reporting period immediately preceding the transfer and verified in accordance with regulation 6.6 of this Annex shall be taken as the annual operational carbon intensity rating of the ship after transfer and until the next verification of the attained annual carbon intensity indicator of the ship required by regulation 6.6 of this Annex. Nothing in regulation relieves any Company of their reporting obligations under regulation 22A or 22B of this Annex.

Required annual operational carbon intensity indicator (CII)

4 For each ship of 5,000 gross tonnage and above, which falls into one or more of the categories in regulations 2.25 to 2.31, 2.33 to 2.35, 2.38 and 2.39 of this Annex, the required annual operational CII shall be determined as follows:

$$\text{Required annual operational CII} = (1-Z/100) \times \text{CII}_R$$

where,

Z is the annual reduction factor to ensure continuous improvement of the ship's operational carbon intensity within a specific rating level; and

CII_R is the reference value.

5 The annual reduction factor Z⁷ and the reference value CII_R shall be the values defined taking into account the guidelines to be developed by the Organization.

Operational carbon intensity rating

6 *Attained annual operational CII* shall be documented and verified against the required annual operational CII to determine operational carbon intensity rating A, B, C, D or E, indicating a major superior, minor superior, moderate, minor inferior, or inferior performance level, either by the Administration or by any organization duly authorized by it, taking into account guidelines developed by the Organization. The middle point of rating level C shall be the value equivalent to the required annual operational CII set out in paragraph 4 of this regulation.

Corrective actions and incentives

7 A ship rated D for 3 consecutive years or rated as E, shall develop a plan of corrective actions to achieve the required annual operational CII.

8 The SEEMP shall be reviewed to include the plan of corrective actions accordingly, taking into account guidelines developed by the Organization. The revised SEEMP shall be submitted to the Administration or any organization duly authorized by it for verification within 1 month after reporting the attained annual operational CII in accordance with paragraph 2 of this regulation.

⁷ The annual reduction factor is specific to each category of ship and is a function of the size of the ship. This factor is defined to increase progressively to meet the objectives of the Initial IMO Strategy.

9 A ship rated as D for 3 consecutive years or rated as E shall duly undertake the planned corrective actions in accordance with the updated SEEMP.

10 Administrations, port authorities and other stakeholders as appropriate, are encouraged to provide incentives to ships rated as A or B.

Review

11 A review shall be completed by 1 January 2026 by the Organization to assess:

- .1 the effectiveness of this regulation in reducing the carbon intensity of international shipping;
- .2 the need for reinforced corrective actions or other means of remedy, including possible additional EEXI requirements;
- .3 the need for enhancement of the enforcement mechanism;
- .4 the need for enhancement of the data collection system; and
- .5 revision of the Z factor and CII_R values.

If based on the review, the Parties decide to adopt amendments to this regulation, such amendments shall be adopted and enter into force in accordance with the procedures contained in article 16 of the present Convention."

Appendices

22 Existing appendix VIII is replaced by the following:

APPENDIX VIII

Form of International Energy Efficiency (IEE) Certificate

INTERNATIONAL ENERGY EFFICIENCY CERTIFICATE

Issued under the provisions of the Protocol of 1997, as amended, to amend the International Convention for the Prevention of Pollution by Ships, 1973, as modified by the Protocol of 1978 related thereto (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the Party)

by
*(full designation of the competent person or organization
authorized under the provisions of the Convention)*

Particulars of ship⁸

Name of ship

Distinctive number or letters

Port of registry

Gross tonnage

IMO Number⁹

THIS IS TO CERTIFY:

- 1 That the ship has been surveyed in accordance with regulation 5.4 of Annex VI of the Convention; and
- 2 That the survey shows that the ship complies with the applicable requirements in regulation 20, regulation 20A, regulation 21, regulation 21A and regulation 22.

Completion date of survey on which this Certificate is based: (dd/mm/yyyy)

Issued at
(place of issue of Certificate)

(dd/mm/yyyy):
(date of issue)
*(signature of duly authorized official
issuing the Certificate)*

(seal or stamp of the authority, as appropriate)

⁸ Alternatively, the particulars of the ship may be placed horizontally in boxes.

⁹ In accordance with the *IMO Ship Identification Number Scheme* (resolution A.1117(30)).

**Supplement to the International Energy Efficiency Certificate
(IEE Certificate)**

**RECORD OF CONSTRUCTION RELATING TO ENERGY
EFFICIENCY**

- Notes:
- 1 This Record shall be permanently attached to the IEE Certificate. The IEE Certificate shall be available on board the ship at all times.
 - 2 The Record shall be at least in English, French or Spanish. If an official language of the issuing Party is also used, this shall prevail in case of a dispute or discrepancy.
 - 3 Entries in boxes shall be made by inserting either: a cross (x) for the answers "yes" and "applicable"; or a dash (-) for the answers "no" and "not applicable", as appropriate.
 - 4 Unless otherwise stated, regulations mentioned in this Record refer to regulations in Annex VI of the Convention, and resolutions or circulars refer to those adopted by the International Maritime Organization.

1 Particulars of ship

- 1.1 Name of ship
- 1.2 IMO number
- 1.3 Date of building contract
- 1.4 Gross tonnage
- 1.5 Deadweight
- 1.6 Type of ship¹⁰

2 Propulsion system

- 2.1 Diesel propulsion
- 2.2 Diesel-electric propulsion
- 2.3 Turbine propulsion
- 2.4 Hybrid propulsion
- 2.5 Propulsion system other than any of the above

¹⁰ Insert ship type in accordance with definitions specified in regulation 2. Ships falling into more than one of the ship types defined in regulation 2 should be considered as being the ship type with the most stringent (the lowest) required EEDI. If ship does not fall into the ship types defined in regulation 2, insert "Ship other than any of the ship type defined in regulation 2".

3 Attained Energy Efficiency Design Index (EEDI)

3.1 The attained EEDI in accordance with regulation 20.1 is calculated based on the information contained in the EEDI technical file which also shows the process of calculating the attained EEDI.....

The attained EEDI is: grams-CO₂/tonne-mile

3.2 The attained EEDI is not calculated as:

3.2.1 the ship is exempt under regulation 20.1 as it is not a new ship as defined in regulation 2.23

3.2.2 the type of propulsion system is exempt in accordance with regulation 19.3

3.2.3 the requirement of regulation 20 is waived by the ship's Administration in accordance with regulation 19.4

3.2.4 the type of ship is exempt in accordance with regulation 20.1

4 Required EEDI

4.1 Required EEDI is: grams-CO₂/tonne-mile

4.2 The required EEDI is not applicable as:

4.2.1 the ship is exempt under regulation 21.1 as it is not a new ship as defined in regulation 2.23

4.2.2 the type of propulsion system is exempt in accordance with regulation 19.3.....

4.2.3 the requirement of regulation 21 is waived by the ship's Administration in accordance with regulation 19.4

4.2.4 the type of ship is exempt in accordance with regulation 21.1

4.2.5 the ship's capacity is below the minimum capacity threshold in table 1 of regulation 21.2.....

5 Attained Energy Efficiency Existing Ship Index (EEXI)

5.1 The attained EEXI in accordance with regulation 20A.1 is calculated taking into account guidelines¹¹ developed by the Organization.....

The attained EEXI is:.....grams-CO₂/tonne-mile

5.2 The attained EEXI is not calculated as:

5.2.1 the type of propulsion system is exempt in accordance with regulation 19.3.....

5.2.2 the type of ship is exempt in accordance with regulation 20A.1.....

¹¹ Guidelines on the method of calculation of the Energy Efficiency Existing Ship Index to be developed by the Organization.

6 Required EEXI

6.1 Required EEXI is:.....grams-CO₂/tonne-mile in accordance with regulation 21A

6.2 The required EEXI is not applicable as:

6.2.1 the type of propulsion system is exempt in accordance with regulation 19.3.....

6.2.2 the type of ship is exempt in accordance with regulation 21A.1.....

6.2.3 the ship's capacity is below the minimum capacity threshold in table 3 of regulation 21A.1.....

7 Ship Energy Efficiency Management Plan

7.1 The ship is provided with a Ship Energy Efficiency Management Plan (SEEMP) in compliance with regulation 22.....

8 EEDI technical file

8.1 The IEE Certificate is accompanied by the EEDI technical file in compliance with regulation 20.1.....

8.1.1 The EEDI technical file identification/verification number.....

8.1.2 The EEDI technical file verification date.....

9 EEXI technical file

9.1 The IEE Certificate is accompanied by the EEXI technical file in compliance with regulation 20A.1.....

9.1.1 The EEXI technical file identification/verification number.....

9.1.2 The EEXI technical file verification date.....

9.2 The IEE Certificate is not accompanied by the EEXI technical file as the attained EEDI is used as an alternative to the attained EEXI.....

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued at
(place of issue of the Record)

(dd/mm/yyyy):
(date of issue)

.....
*(signature of duly authorized official
issuing the Record)*

(seal or stamp of the authority, as appropriate)

23 Existing appendix X is replaced by the following:

" APPENDIX X

Form of Statement of Compliance – Fuel Oil Consumption Reporting and Operational Carbon Intensity rating

STATEMENT OF COMPLIANCE – FUEL OIL CONSUMPTION REPORTING AND OPERATIONAL CARBON INTENSITY RATING

Issued under the provisions of the Protocol of 1997, as amended, to amend the International Convention for the Prevention of Pollution by Ships, 1973, as modified by the Protocol of 1978 related thereto (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the Party)

by.....
(full designation of the competent person or organization authorized under the provisions of the Convention)

Particulars of ship¹²

Name of ship.....

Distinctive number or letters.....

IMO Number¹³.....

Port of registry.....

Gross tonnage.....

Deadweight.....

Type of ship.....

THIS IS TO DECLARE:

- 1 That the ship has submitted to this Administration the data required by regulation 22A of Annex VI of the Convention, covering ship operations from (dd/mm/yyyy) through (dd/mm/yyyy);
- 2 The data was collected and reported in accordance with the methodology and processes set out in the ship's SEEMP that was in effect over the period from (dd/mm/yyyy) through (dd/mm/yyyy);
- 3 The attained annual operational CII of the ship from (dd/mm/yyyy) through (dd/mm/yyyy) was:

¹² Alternatively, the particulars of the ship may be placed horizontally in boxes.

¹³ In accordance with the *IMO Ship Identification Number Scheme* (resolution A.1117(30)).

- 4 The operational carbon intensity of the ship in this period is rated as
A B C D E,
in accordance with regulation 22B of Annex VI of the Convention, for ships to which
regulation 22B applies; and
- 5 A corrective action plan has been developed and included in the SEEMP (for ships to
which regulation 22B applies, rated as D for 3 consecutive years or rated as E).

This Statement of Compliance is valid until (dd/mm/yyyy)

Issued at.....
(place of issue of the Statement)

(dd/mm/yyyy):
(date of issue)

.....
*(signature of duly authorized official
issuing the Statement)*

(seal or stamp of the authority, as appropriate)"

ANNEX 6

TERMS OF REFERENCE AND ARRANGEMENTS FOR THE CONDUCT OF A COMPREHENSIVE IMPACT ASSESSMENT OF THE SHORT-TERM MEASURE BEFORE MEPC 76

1 In accordance with the *Initial IMO Strategy on reduction of GHG emissions from ships* (resolution MEPC.304(72)), the impacts on States of a measure should be assessed and taken into account as appropriate before adoption of the measure. A comprehensive impact assessment of the short-term measure should be conducted as set out in the *Procedure for assessing impacts on States of candidate measures* (MEPC.1/Circ.885).

2 The comprehensive impact assessment should assess the impacts on States of the short-term measure, including developing countries, in particular on least developed countries (LDCs) and small island developing States (SIDS), and take into account, as appropriate:

- .1 initial and detailed impacts assessments of individual elements forming part of the proposed combined measure including a detailed description of the method and sources of data utilized;¹
- .2 relevant available information from the IMO ship fuel oil consumption database and the *Fourth IMO GHG Study 2020*;
- .3 documents submitted to ISWG-GHG 7 on assessing the impacts on States, in particular documents ISWG-GHG 7/2/10 (Mexico, Solomon Islands and Tonga) (ISWG-GHG 7/2/11 (Solomon Islands and Tonga); ISWG-GHG 7/2/34 (Argentina et al.), ISWG-GHG 7/2/36 (Secretariat), the Review of the comprehensiveness of the impact assessments submitted to the seventh session of the International Maritime Organization's Intersessional Working Group on the Reduction of GHG Emissions from Ships and any other relevant document submitted to ISWG-GHG 7; and
- .4 any relevant information for assessing the impacts on States provided by interested Member States and international organizations.²

3 The comprehensive impact assessment of the short-term measure should be commensurate to its complexity and nature, and include the elements identified in MEPC.1/Circ.885, in particular paragraphs 8 and 15, and take into account the following:

- .1 a review of peer-reviewed literature, including ex-post analysis;
- .2 a statistically relevant number of case studies, to be possibly complemented by a number of illustrative case studies representative of broader trade conditions that might be shared across developing countries, including SIDS, LDCs and countries remote from their import/export markets;
- .3 to the extent already possible, the disproportionate impacts on States, including developing countries, in particular LDCs and SIDS, of the measure, in the context of the COVID-19 pandemic, and consider potential additional impacts of the measure on projected economic scenarios;

¹ Whenever such disclosure is possible.

² Member States and international organizations are invited to submit relevant information to the Secretariat (ghg@imo.org) at their earliest convenience; a deadline will be set up by the Steering Committee at its first meeting.

- .4 the identification of areas of missing data;
- .5 an assessment of possible impacts on States arising from the resulting changes and performance of the global fleet as indicated in paragraph 4.11 of the Initial Strategy;³
- .6 any basic stakeholder analysis (SHA) undertaken by Member States to understand the amount of speed reduction-based delay acceptable to various commodities to avoid any disproportionately negative impacts; and
- .7 an assessment of whether the measure is likely to result in disproportionately negative impacts on States, including developing countries, in particular on LDCs and SIDs.

4 The comprehensive impact assessment should be policy neutral.

Steering Committee

5 In line with the practice for the conduct of IMO GHG studies, a Steering Committee of Member States should be established following an agreement by the Committee at its seventy-fifth session. The Steering Committee should be geographically balanced (e.g. with reference to the five United Nations regions), and appropriately represent developing and developed countries. Relevant stakeholders should also be represented.

6 The Steering Committee should be of a manageable size. Taking into account the importance of the comprehensive impact assessment and the need for the Steering Committee to be established in a transparent, open and fair manner, the Secretary-General should as soon as possible invite nominations from all Member States by issuance of a circular letter. Depending on the number of nominations to be received, the size and members of the Steering Committee should be decided and announced by the Secretary-General accordingly. The Steering Committee should be coordinated by the Vice-Chair of the Marine Environment Protection Committee, in line with the practice for the Ad hoc Capacity-building Needs Analysis Group (ACAG).

7 The Steering Committee should:

- .1 act as a focal point for the Committee;
- .2 consider and agree on the outline of the comprehensive impact assessment and associated timeline;
- .3 review and monitor the progress of the comprehensive impact assessment, including providing feedback on the main methods, databases and data sources to be used, in line with agreed timelines; and
- .4 confirm that the comprehensive impact assessment meets the terms of reference set out in paragraphs 2 to 4.

³ With the focus on ships' safety, operation and transport cost, as well as the extent to which ships will be able to meet the requirements of the short-term measure, retrofitting and commercial behaviour, substitution effects for a sample of relevant commodities and trade flows, additional administrative burden of implementation and cost-effectiveness of the measure and potential disproportionately negative impacts on States, including developing countries, in particular on SIDS and LDCs.

8 The Steering Committee should provide recommendations to the Committee. It should, as much as possible, work by consensus, make all efforts to ensure timely completion of the comprehensive impact assessment, aim at assisting the Committee to make evidence-based decisions, and undertake its work using modern communication methods, e.g. by email and teleconferencing.

Contract and implementation

9 The Secretariat will be responsible for initiating and facilitating the process of conducting the comprehensive impact assessment.

10 The Secretariat is invited to involve UNCTAD in the conduct of the comprehensive impact assessment. Other UN agencies, UN regional commissions and relevant stakeholders may be consulted.

11 The Secretariat should organize an expert workshop/webinar on the draft final comprehensive impact assessment ahead of MEPC 76.

12 Interested Member States and international organizations are invited to provide relevant information that may inform the comprehensive impact assessment through the Secretariat.

13 Member States and international organizations are invited to financially contribute to the comprehensive impact assessment by means of a donation to the GHG-TC Trust Fund.

Delivery of the comprehensive impact assessment

14 The final comprehensive impact assessment of the short-term measure should be submitted to the seventy-sixth session of the Marine Environment Protection Committee to be held in spring 2021 for its consideration and analysis of measures to be implemented to address, as appropriate, any identified disproportionate impacts on developing States, including SIDS, LDCs and countries remote from their export markets.

15 On the basis of the comprehensive impact assessment, a framework for reviewing impacts on States including developing countries, in particular on LDCs and SIDS and countries remote from their export markets of the measure adopted, and addressing disproportionately negative impacts on States, as appropriate, should be considered.

16 The Committee will consider experience gained from the impact assessment in the development of future comprehensive impact assessments, as well as in preparing for the review of the measure, to be completed by 1 January 2026.

ANNEX 7

DRAFT AMENDMENTS TO THE AFS CONVENTION (ANNEXES 1 AND 4)

**Annex 1
Controls on anti-fouling systems**

1 The following rows are added to the table in Annex 1 to the AFS Convention:

Anti-fouling system	Control measures	Application	Effective date
Cybutryne CAS No. 28159-98-0	Ships shall not apply or reapply anti-fouling systems containing this substance	All ships	1 January 2023
Cybutryne CAS No. 28159-98-0	Ships bearing an anti-fouling system that contains this substance in the external coating layer of their hulls or external parts or surfaces on 1 January 2023 shall either: (1) remove the anti-fouling system; or (2) apply a coating that forms a barrier to this substance leaching from the underlying non-compliant anti-fouling system	All ships (except: (1) fixed and floating platforms, FSUs, and FPSOs that have been constructed prior to 1 January 2023 and that have not been in dry-dock on or after 1 January 2023; (2) ships not engaged in international voyages; and (3) ships of less than 400 gross tonnage engaged in international voyages, if accepted by the coastal State(s))	At the next scheduled renewal of the anti-fouling system after 1 January 2023, but no later than 60 months following the last application to the ship of an anti-fouling system containing cybutryne

Annex 4
Surveys and certification requirements for anti-fouling systems

2 Regulation 2(3) is replaced by the following:

"(3) For ships bearing an anti-fouling system controlled under Annex 1 that was applied before the date of entry into force of a control for such a system, the Administration shall issue a Certificate in accordance with paragraphs (1) and (2) of this regulation not later than 2 years after entry into force of that control. This paragraph shall not affect any requirement for ships to comply with Annex 1."

Appendix 1 to Annex 4
Model form of International Anti-fouling System Certificate

3 The section of the model form of the International Anti-fouling System Certificate (appendix 1) listing the compliance options for controlled anti-fouling systems on the ship is replaced by the following:

"An anti-fouling system controlled under Annex 1 containing:

	has not been applied during or after construction of this ship	has been applied on this ship previously, but has been removed by	has been applied on this ship previously, but has been covered with a sealer coat applied by	was applied on this ship prior to
organotin compounds which act as biocides	<input type="checkbox"/> <i>(insert name of the facility)</i> on <i>(date)</i> <i>(insert name of the facility)</i> on <i>(date)</i>	No longer applicable
cybutryne	<input type="checkbox"/> <i>(insert name of the facility)</i> on <i>(date)</i> <i>(insert name of the facility)</i> on <i>(date)</i>	1 January 2023, but must be removed or covered with a sealer coat prior to

"

ANNEX 8

DRAFT AMENDMENTS TO MARPOL ANNEX I

(Prohibition on the use and carriage for use as fuel of heavy fuel oil by ships in Arctic waters)

1 The title of chapter 9 is amended as follows:

"Chapter 9 – Special requirements for the use or carriage of oils in polar waters"

2 A new regulation 43A is added in chapter 9 after existing regulation 43, as follows:

"Regulation 43A

Special requirements for the use and carriage of oils as fuel in Arctic waters

1 With the exception of ships engaged in securing the safety of ships or in search and rescue operations, and ships dedicated to oil spill preparedness and response, the use and carriage of oils identified in paragraph 1.2 of regulation 43 as fuel by ships shall be prohibited in Arctic waters, as defined in regulation 46.2 of this Annex, on and after 1 July 2024.

2 Notwithstanding the provisions of paragraph 1 of this regulation, for ships to which regulation 12A of this Annex or regulation 1.2.1 of chapter 1 of part II-A of the Polar Code apply, the use and carriage of oils identified in paragraph 1.2 of regulation 43 as fuel by ships shall be prohibited in Arctic waters, on and after 1 July 2029.

3 When prior operations have included the use and carriage of oils listed in paragraph 1.2 of regulation 43 as fuel, the cleaning or flushing of tanks or pipelines is not required.

4 Notwithstanding the provisions of paragraphs 1 and 2 of this regulation, the Administration of a Party to the present Convention, the coastline of which borders on Arctic waters, may temporarily waive the requirements of paragraph 1 of this regulation for ships flying the flag of the Party while operating in waters subject to the sovereignty or jurisdiction of that Party, taking into account the guidelines to be developed by the Organization. No waivers issued under this paragraph shall apply on and after 1 July 2029.

5 The Administration of a Party to the present Convention which allows application of paragraph 4 of this regulation shall communicate to the Organization for circulation to the Parties particulars thereof, for their information and appropriate action, if any."

ANNEX 9

DRAFT AMENDMENTS TO MARPOL ANNEXES I, IV AND VI

(Exemption of UNSP barges from survey and certification requirements)

MARPOL ANNEX I

REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

Regulation 1

Definitions

1 The following new paragraph 40 is added after the existing paragraph 39:

"40 *Unmanned non-self-propelled (UNSP) barge* means a barge that:

- .1 is not propelled by mechanical means;
- .2 carries no oil (as defined in regulation 1.1 of this Annex);
- .3 has no machinery fitted that may use oil or generate oil residues;
- .4 has no fuel oil tank, lubricating oil tank and bilge/oil residues tank;
and
- .5 has neither persons nor living animals on board."

Regulation 3

Exemption and waivers

2 The existing paragraph 2 is replaced with the following:

"2 Particulars of any such exemption, except those under paragraph 7 of this regulation, granted by the Administration shall be indicated in the Certificate referred to in regulation 7 of this Annex."

3 The following new paragraph 7 is added after the existing paragraph 6:

"7 The Administration may exempt an unmanned non-self-propelled (UNSP) barge¹ from the requirements of regulations 6.1 and 7.1 of this Annex, by an International Oil Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled Barges, for a period not exceeding 5 years provided that the barge has undergone a survey to confirm that conditions referred to in regulations 1.39.1 to 1.39.5 of this Annex are met."

¹ Refer to the *Guidelines for exemption of unmanned non-self-propelled barges from the survey and certification requirements under the MARPOL Convention* (MEPC.1/Circ.[...]).

Regulation 9

Form of certificate

4 The existing paragraph is numbered as paragraph 1 and the following new paragraph 2 is added after paragraph 1:

"2 The International Oil Pollution Exemption Certificate for Unmanned Non-self-propelled Barges shall be drawn up in the form corresponding to the model given in appendix IV to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in the event of a dispute or discrepancy."

Appendices

5 New appendix IV is added after the existing appendix III, as follows:

APPENDIX IV

Form of Exemption Certificate for UNSP Barges

**INTERNATIONAL OIL POLLUTION PREVENTION EXEMPTION CERTIFICATE FOR
UNMANNED NON-SELF-PROPELLED BARGES**

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the country)

by
*(full designation of the competent person or organization
authorized under the provisions of the Convention)*

Particulars of ship²

Name of ship
Distinctive number or letters
Port of registry
Gross tonnage

THIS IS TO CERTIFY:

- 1 that the unmanned non-self-propelled barge has been surveyed in accordance with regulation 3.7 of Annex I to the Convention;
- 2 that the survey shows that the unmanned non-self-propelled barge:
 - .1 is not propelled by mechanical means;
 - .2 carries no oil (as defined in regulation 1.1 of MARPOL Annex I);
 - .3 has no machinery fitted that may use oil or generate oil residues;
 - .4 has no fuel oil tank, lubricating oil tank and bilge/oil residues tank; and
 - .5 has neither persons nor living animals on board.
- 3 That the ship is exempted, under regulation 3.7 of Annex I to the Convention, from the certification and related survey requirements of regulations 6.1 and 7.1.

² Alternatively, the particulars of the ship may be placed horizontally in boxes.

This Certificate is valid until (dd/mm/yyyy).....

subject to the exemption conditions being maintained.

Completion date of the survey on which this certificate is based (dd/mm/yyyy).....

Issued at
(place of issue of Certificate)

(dd/mm/yyyy):
(date of issue)

.....
*(signature of duly authorized official
issuing the Certificate)*

(seal or stamp of the issuing authority, as appropriate)"

MARPOL ANNEX IV

REGULATIONS FOR THE PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS

Regulation 1

Definitions

6 The following new paragraph 16 is added after the existing paragraph 15:

- "16 *Unmanned non-self-propelled (UNSP) barge* means a barge that:
- .1 is not propelled by mechanical means;
 - .2 has neither persons nor living animals on board;
 - .3 is not used for holding sewage during transport; and
 - .4 has no arrangements that could produce sewage as defined in regulation 1.3."

Regulation 3

Exceptions

7 The title of the regulation is replaced by the following:

"Exceptions and Exemptions"

8 The following new paragraph 2 is added after the existing paragraph 1:

"2 The Administration may exempt an unmanned non-self-propelled (UNSP) barge³ from the requirements of regulations 4.1 and 5.1 of this Annex, by an International Sewage Prevention Exemption Certificate for Unmanned Non-self-propelled Barges, for a period not exceeding 5 years provided that the barge has undergone a survey to confirm that conditions referred to in regulations 1.16.1 to 1.16.4 of this Annex are met."

Regulation 7

Form of certificate

9 The existing paragraph is numbered as paragraph 1 and the following new paragraph 2 is added after paragraph 1:

"2 The International Sewage Prevention Exemption Certificate for Unmanned Non-self-propelled Barges shall be drawn up in the form corresponding to the model given in appendix II to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in the event of a dispute or discrepancy."

Appendices

10 The existing appendix is numbered as appendix I and a new appendix II is added after appendix I, as follows:

³ Refer to the *Guidelines for exemption of unmanned non-self-propelled barges from the survey and certification requirements under the MARPOL Convention* (MEPC.1/Circ.[...]).

APPENDIX II

Form of Exemption Certificate for UNSP Barges

**INTERNATIONAL SEWAGE POLLUTION PREVENTION EXEMPTION CERTIFICATE FOR
UNMANNED NON-SELF-PROPELLED BARGES**

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the country)

by
*(full designation of the competent person or organization
authorized under the provisions of the Convention)*

Particulars of ship⁴

Name of ship
Distinctive number or letters
Port of registry
Gross tonnage

THIS IS TO CERTIFY:

- 1 that the unmanned non-self-propelled barge has been surveyed in accordance with regulation 3.2 of Annex IV to the Convention;
- 2 that the survey shows that the unmanned non-self-propelled barge:
 - .1 is not propelled by mechanical means;
 - .2 has neither persons nor living animals on board;
 - .3 is not used for holding sewage during transport; and
 - .4 has no arrangements that could produce sewage as defined in regulation 1.3 of MARPOL Annex IV.
- 3 that the ship is exempted, under regulation 3.2 of Annex IV to the Convention, from the certification and related survey requirements of regulations 4.1 and 5.1.

⁴ Alternatively, the particulars of the ship may be placed horizontally in boxes.

This Certificate is valid until (dd/mm/yyyy).....

subject to the exemption conditions being maintained.

Completion date of the survey on which this certificate is based (dd/mm/yyyy).....

Issued at

(place of issue of Certificate)

(dd/mm/yyyy):

(date of issue)

.....

*(signature of duly authorized official
issuing the Certificate)*

(seal or stamp of the issuing authority, as appropriate)"

MARPOL ANNEX VI

REGULATIONS FOR THE PREVENTION OF AIR POLLUTION FROM SHIPS

Regulation 2

Definitions

1 New paragraphs 57 is added after existing paragraph 56, as follows:

"57 *Unmanned non-self-propelled (UNSP) barge* means a barge that:

- .1 is not propelled by mechanical means;
- .2 has no system, equipment and/or machinery fitted that may generate emissions regulated by this Annex; and
- .3 has neither persons nor living animals on board."

Regulation 3

Exceptions and Exemptions

2 New paragraph 4 is added after existing paragraph 3.2, as follows:

"Unmanned non-self-propelled (UNSP) barges

4 The Administration may exempt an unmanned, non-self-propelled (UNSP) barge⁵ from the requirements of regulations 5.1 and 6.1 of this Annex, by an International Air Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled Barges, for a period not exceeding 5 years provided that the barge has undergone a survey to confirm that conditions referred to in regulations 2.57.1 to 2.57.3 of this Annex are met."

Regulation 8

Form of Certificates and Statements of Compliance related to fuel oil consumption reporting

3 New paragraph 4 and associated title are added after paragraph 3, as follows:

"International Air Pollution Exemption Certificate for Unmanned Non-self-propelled Barges

4 In accordance with regulation 3.4 of this Annex, the International Air Pollution Exemption Certificate for Unmanned Non-self-propelled Barges shall be drawn up in the form corresponding to the model given in appendix XI to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in the event of a dispute or discrepancy."

⁵ Refer to the *Guidelines for exemption of unmanned non-self-propelled barges from the survey and certification requirements under the MARPOL Convention* (MEPC.1/Circ.[...]).

Appendices

4 New appendix XI is added after appendix X, as follows:

"

APPENDIX XI

Form of Exemption Certificate for UNSP Barges

**INTERNATIONAL AIR POLLUTION PREVENTION EXEMPTION CERTIFICATE FOR
UNMANNED NON-SELF-PROPELLED BARGES**

Issued under the provisions of the Protocol of 1997, as amended, to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the country)

by
*(full designation of the competent person or organization
authorized under the provisions of the Convention)*

Particulars of ship⁶

Name of ship.....
Distinctive number or letters
Port of registry
Gross tonnage

THIS IS TO CERTIFY:

- 1 that the unmanned non-self-propelled barge has been surveyed in accordance with regulation 3.4 of Annex VI of the Convention;
- 2 that the survey shows, the unmanned non-self-propelled:
 - .1 is not propelled by mechanical means;
 - .2 has no system, equipment and/or machinery fitted that may generate emissions controlled by MARPOL Annex VI; and
 - .3 has neither persons nor living animals on board;
- 3 that the ship is exempted, under regulation 3.4 of Annex VI of the Convention from the certification and related survey requirements of regulations 5.1 and 6.1.

⁶ Alternatively, the particulars of the ship may be placed horizontally in boxes.

This Certificate is valid until (dd/mm/yyyy)

subject to the exemption conditions being maintained.

Completion date of the survey on which this certificate is based (dd/mm/yyyy)

Issued at
(place of issue of Certificate)

(dd/mm/yyyy):
(date of issue)

.....
*(signature of duly authorized official
issuing the Certificate)*

(seal or stamp of the issuing authority, as appropriate)"

ANNEX 10

BIENNIAL STATUS REPORT OF THE PPR SUB-COMMITTEE

Reference to SD, if applicable	Output number	Description ¹	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
1. Improve implementation	1.3	Validated model training courses	Continuous	MSC / MEPC	III / PPR/ CCC / SDC / SSE / NCSR	HTW	No work requested		
1. Improve implementation	1.11	Measures to harmonize port State control (PSC) activities and procedures worldwide	Continuous	MSC / MEPC	HTW / PPR / NCSR	III	Ongoing		MEPC 74/18, paragraphs 5.118, 5.120 and annex 15; and PPR 7/22, section 21
1. Improve implementation	1.12	Review of the 2015 Guidelines for exhaust gas cleaning systems (resolution MEPC.259(68))	2020	MEPC	PPR		Postponed		MEPC 69/21, paragraphs 19.4 and 19.5; PPR 5/24, section 11; PPR 6/20, section 11; PPR 7/22, section 11; and MEPC 75/18, paragraphs 10.35 and 14.2.2
1. Improve implementation	1.14	Revised guidance on ballast water sampling and analysis	2021	MEPC	PPR		Complete		MEPC 68/21, paragraphs 7.14 and 17.26; MEPC 70/18, paragraph 4.47;

¹ Outputs printed in bold have been selected for the draft provisional agenda for PPR 8.

Reference to SD, if applicable	Output number	Description ¹	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
									MEPC 71/17, paragraph 4.45; PPR 6/20, section 4; MEPC 74/14, paragraph 4.36; PPR 7/22, section 4; and MEPC 75/18, paragraph 10.28
1. Improve implementation	1.15	Revised guidance on methodologies that may be used for enumerating viable organisms	2021	MEPC	PPR		In progress		MEPC 71/17, paragraph 4.54; PPR 5/24, section 6; PPR 6/20, section 5; PPR 7/22, section 5; and MEPC 75/18, paragraph 14.2.2
1. Improve implementation	1.17	Development of guidelines for onboard sampling of fuel oil not in use by the ship	2020	MEPC	PPR		Complete		MEPC 74/18, paragraphs 5.57 to 5.59; PPR 7/22, section 9; and MEPC 75/18, paragraph 10.24
1.Improve implementation	1.21	Review of the 2011 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species (resolution MEPC.207(62))	2021	MEPC	PPR		In progress		MEPC 72/17, para. 15.8; and PPR 7/22, section 7

Reference to SD, if applicable	Output number	Description ¹	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
1. Improve implementation	1.23	Evaluation and harmonization of rules and guidance on the discharge of liquid effluents from EGCS into waters, including conditions and areas	2021	MEPC	PPR		In progress		MEPC 74/18, paragraph 14.11; PPR 7/22, section 12; and MEPC 75/18, paragraphs 10.35 and 14.2.2
1. Improve implementation	1.26	Revision of MARPOL Annex IV and associated guidelines to introduce provisions for record-keeping and measures to confirm the lifetime performance of sewage treatment plants	2021	MEPC	III / HTW	PPR	In progress		MEPC 74/18, paras 14.2 to 14.7; and PPR 7/22, section 16
2. Integrate new and advancing technologies in the regulatory framework	2.3	Amendments to the IGF Code and development of guidelines for low-flashpoint fuels	Continuous	MSC	HTW / PPR / SDC / SSE	CCC	No work requested		MSC 94/21, paragraphs 18.5 and 18.6; MSC 96/25, paragraphs 10.1 to 10.3; and MSC 102/24, paragraph 21.4
2. Integrate new and advancing technologies in the regulatory framework	2.13	Review of the IBTS Guidelines and amendments to the IOPP Certificate and Oil Record Book	2020	MEPC	PPR		Postponed		MEPC 70/18, paragraph 15.12; PPR 5/24, section 12; PPR 6/20, section 13; PPR 7/22, section 15; and MEPC 75/18, paragraph 10.35

Reference to SD, if applicable	Output number	Description ¹	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
2. Integrate new and advancing technologies in the regulatory framework	2.15	Development of amendments to MARPOL Annex VI and the NO _x Technical Code on the use of multiple engine operational profiles for a marine diesel engine	2021	MEPC	PPR		In progress		MEPC 73/19, paragraph 15.18; PPR 7/22, section 13; and MEPC 75/18, paragraph 14.2.2
2. Integrate new and advancing technologies in the regulatory framework	2.18	Standards for shipboard gasification of waste systems and associated amendments to regulation 16 of MARPOL Annex VI	2020	MEPC	PPR		Extended		MEPC 70/17, paragraph 15.17; PPR 5/24, section 8; MEPC 72/17, paragraph 15.10; PPR 6/20, section 10; PPR 7/22, section 10; and MEPC 75/18, paragraphs 14.1 and 14.2.2
Note: The Sub-Committee requested MEPC to extend the target completion year of output 2.18 to 2021.									
2. Integrate new and advancing technologies in the regulatory framework	2.19	Amendment of Annex 1 to the AFS Convention to include controls on cybutryne, and consequential revision of relevant guidelines	2020	MEPC	PPR		Extended		MEPC 71/17, paragraph 14.3; PPR 5/24, section 19 and paragraph 24.2.25; MEPC 73/19, paragraphs 15.12 to 15.15; PPR 6/20, section 6; MEPC 74/18, paragraphs 10.19 and 10.20;

Reference to SD, if applicable	Output number	Description ¹	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
									PPR 7/22, section 6; and MEPC 75/18, paragraphs 14.1 and 14.2.2
<p>Note: The Sub-Committee requested MEPC to extend the target completion year of output 2.19 to 2022 and approve the change of title of the output to "Revision of guidelines associated with the AFS Convention as a consequence of the introduction of controls on cybutryne".</p>									
2. Integrate new and advancing technologies in the regulatory framework	2... ²	Development of an operational guide on the response to spills of Hazardous and Noxious Substances (HNS)	2022	MEPC	PPR		In progress		MEPC 74/18, paragraph 14.20; and MEPC 75/18, paragraphs 14.1 and 14.2.2
<p>Note: The Sub-Committee requested MEPC to note that this above output has been moved to the provisional agenda of PPR 8 and that the target completion year has been set to 2022, taking into account that the Committee agreed that two sessions would be required to complete the work. However, MEPC 75 approved a reduced provisional agenda for PPR 8, which does not include this output. Consequently, the Sub-Committee during PPR 8 will consider including the output in its provisional agenda for PPR 9 and adjust the target completion year accordingly.</p>									
3. Respond to climate change	3.3	Reduction of the impact on the Arctic of Black Carbon emissions from international shipping	2021	MEPC	PPR		In progress		MEPC 71/17, paragraph 5.3; PPR 5/24, section 7 and paragraph 24.2.7; MEPC 73/19, paragraph 5.3; PPR 6/20, section 7; MEPC 74/18, paragraph 5.67; PPR 7/22, section 8; and

² Included from the post-biennial agenda.

Reference to SD, if applicable	Output number	Description ¹	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
									MEPC 75/18, paragraph 10.35
4. Engage in ocean governance	4.3	Follow-up work emanating from the Action Plan to address marine plastic litter from ships	2021	MEPC	PPR / III / HTW		In progress		MEPC 72/17, paragraphs 15.2 to 15.6; MEPC 73/19, section 8 and annex 10; MEPC 74/18, paragraph 8.37.1; PPR 7/22, section 17; and MEPC 75/18, paragraph 10.35
6. Ensure regulatory effectiveness	6.1	Unified interpretation of provisions of IMO safety, security, and environment-related conventions	Continuous	MSC / MEPC	III / PPR / CCC / SDC / SSE / NCSR		Ongoing		PPR 7/22, section 18
6. Ensure regulatory effectiveness	6.3	Safety and pollution hazards of chemicals and preparation of consequential amendments to the IBC Code	Continuous	MEPC	PPR		Ongoing		PPR 7/22, section 3; and MEPC 75/18, paragraphs 10.3 to 10.12
6. Ensure regulatory effectiveness	6.11	Development of measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters	2020	MEPC	PPR		Extended		MEPC 71/17, paragraph 14.13; MEPC 72/17, section 11; MEPC 73/19, section 9; MEPC 74/18, paragraphs 10.22 to 10.25;

Reference to SD, if applicable	Output number	Description ¹	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
									PPR 7/22, section 14; and MEPC 75/18, paragraphs 10.29 to 10.33, 14.1 and 14.1.2
Note: The Sub-Committee requested MEPC to extend the target completion year of output 6.11 to 2021.									
6. Ensure regulatory effectiveness	6.15	Role of the human element	Continuous	MSC / MEPC	III / PPR / CCC / SDC / SSE / NCSR	HTW	No work requested		

ANNEX 11

PROVISIONAL AGENDA FOR PPR 8

- Opening of the session
- 1 Adoption of the agenda
 - 2 Decisions of other IMO bodies
 - 3 Safety and pollution hazards of chemicals and preparation of consequential amendments to the IBC Code (6.3)
 - 4 *Review of the 2011 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species (resolution MEPC.207(62)) (1.21)*
 - 5 Reduction of the impact on the Arctic of emissions of Black Carbon from international shipping (3.3)
 - 6 Development of measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters (6.11)
 - 7 Revision of MARPOL Annex IV and associated guidelines to introduce provisions for record-keeping and measures to confirm the lifetime performance of sewage treatment plants (1.26)
 - 8 Follow-up work emanating from the Action Plan to address marine plastic litter from ships (4.3)
 - 9 Biennial status report and provisional agenda for PPR 9
 - 10 Election of Chair and Vice-Chair for 2022
 - 11 Any other business
 - 12 Report to the Marine Environment Protection Committee

ANNEX 12

STATUS REPORT OF THE OUTPUTS OF MEPC FOR THE 2020-2021 BIENNIUM

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
1. Improve implementation	1.2	Input on identifying emerging needs of developing countries, in particular SIDS and LDCs, to be included in the ITCP	Continuous	TCC	MSC / MEPC / FAL / LEG		Ongoing		MEPC 75/18, section 12
1. Improve implementation	1.3	Validated model training courses	Continuous	MSC / MEPC	III / PPR / CCC / SDC / SSE / NCSR	HTW	Ongoing		MEPC 75/18, paras.11.3 to 11.5
1. Improve implementation	1.4	Analysis of consolidated audit summary reports	Annual	Assembly	MSC / MEPC / LEG / TCC / III	Council	Completed		MEPC 75/18, paras.11.15 to 11.17
1. Improve implementation	1.5	Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code)	Annual	MSC / MEPC	III		Completed		MEPC 75/18, para. 11.11
1. Improve implementation	1.7	Identify thematic priorities within the area of maritime safety and security, marine environmental protection, facilitation of maritime traffic and maritime legislation	Annual	TCC	MSC / MEPC / FAL / LEG		Completed		MEPC 75/18, section 12
1. Improve implementation	1.9	Report on activities within the ITCP related to the OPRC Convention and the OPRC-HNS Protocol	Annual	TCC	MEPC		Completed		MEPC 75/18, section 12

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
1. Improve implementation	1.11	Measures to harmonize port State control (PSC) activities and procedures worldwide	Continuous	MSC / MEPC	HTW / PPR / NCSR	III	Ongoing		MEPC 75/18, paras. 11.10 and 11.11
1. Improve implementation	1.12	Review of the 2015 Guidelines for exhaust gas cleaning systems (resolution MEPC.259(68))	2020	MEPC	PPR		Postponed		PPR 7/22, section 11; MEPC 75/18, para. 10.35
Note: PPR 7 had agreed the draft MEPC resolution and MEPC 75 agreed to defer the consideration of the draft MEPC resolution to MEPC 76 with a view to adoption, thus extending the TCY to 2021.									
1. Improve implementation	1.13	Review of mandatory requirements in the SOLAS, MARPOL and Load Line Conventions and the IBC and IGC Codes regarding watertight doors on cargo ships	2021	MSC / MEPC	CCC	SDC	In progress		MSC 102/24, para. 17.28
1. Improve implementation	1.14	Revised guidance on ballast water sampling and analysis	2021	MEPC	PPR		Completed		MEPC 74/18, para. 4.36; PPR 7/22, section 5; and MEPC 75/18, paras. 10.27 to 10.28
1. Improve implementation	1.15	Revised guidance on methodologies that may be used for enumerating viable organisms	2021	MEPC	PPR		In progress		MEPC 74/17, para. 14.25; PPR 7/22, section 5; and MEPC 75.18, para 14.2.2

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
1. Improve implementation	1.17	Development of guidelines for onboard sampling of fuel oil not in-use by the ship	2020	MEPC	PPR		Completed		MEPC 74/18, paras. 5.57 to 5.59; PPR 7/22, section 9; and MEPC 75/18, paras. 10.22 to 10.24
Note: PPR 7 agreed to change the title of the Guidelines to "Guidelines for onboard sampling of fuel oil intended to be used or carried for use on board a ship" (PPR 7/22, para. 9.8), which was further approved by MEPC 75.									
1. Improve implementation	1.18	Measures to ensure quality of fuel oil for use on board ships	2021	MEPC			In progress		MEPC 74/18, section 5; and MEPC 75/18, section 5
1. Improve implementation	1.21	Review of the 2011 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species (resolution MEPC.207(62))	2021	MEPC			In progress		MEPC 72/17, para. 15.8; and PPR 7/22, section 7
1. Improve implementation	1.23	Evaluation and harmonization of rules and guidance on the discharge of liquid effluents from EGCS into waters, including conditions and areas	2021	MEPC			In progress		MEPC 74/18, para. 14.11; PPR 7/22, section 12; and MEPC 75/18, para. 10.35
Note: PPR 7 agreed to revise the title to "Evaluation and harmonization of rules and guidance on the discharge of discharge water from EGCS into the aquatic environment", subject to approval by MEPC 76 (PPR 7/22, paras. 12.12 and 22.21).									

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
1. Improve implementation	1.24	Review of the BWM Convention based on data gathered in the experience-building phase	2023	MEPC			In progress		MEPC 74/18, paras. 4.2 to 4.6 and 4.52
1. Improve implementation	1.25	Urgent measures emanating from issues identified during the experience-building phase of the BWM Convention	2023	MEPC			In progress		MEPC 74/18, paras. 4.27 and 4.60; and MEPC 75/18, para. 4.19
1. Improve implementation	1.26	Revision of MARPOL Annex IV and associated guidelines to introduce provisions for record-keeping and measures to confirm the lifetime performance of sewage treatment plants	2021	MEPC	III / HTW	PPR	In progress		MEPC 74/18, paras 14.2 to 14.7; and PPR 7/22, section 16
1. Improve implementation	1.33	Development of training provisions for seafarers related to the BWM Convention	2021	MEPC	HTW		In progress		MEPC 73/19, para. 15.10.1
1. Improve implementation	1.35	Review the Model Agreement for the authorization of recognized organizations acting on behalf of the Administration	2021	MSC / MEPC	III		In progress		MSC 102/24, para. 14.8; and MEPC 75/18, paras. 11.12 and 11.14

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
1. Improve implementation	1...	Review of the Model Agreement for the authorization of recognized organizations acting on behalf of the Administration	2020	MSC / MEPC	III		Postponed		MSC 102/24, paras. 21.2 and 21.3
Note: The above output had the number OW 38. However, MSC 102 agreed to relocate it to Strategic Direction 1 and invited the Council to endorse this decision.									
2. Integrate new and advancing technologies in the regulatory framework	2.2	Approved ballast water management systems which make use of Active Substances, taking into account recommendations of GESAMP-BWWG	Annual	MEPC			Completed		MEPC 75/18, section 4
2. Integrate new and advancing technologies in the regulatory framework	2.13	Review of the IBTS Guidelines and amendments to the IOPP Certificate and Oil Record Book	2020	MEPC	PPR		Postponed		MEPC 74/18, par. 14.25; PPR 7/22, section 16; and MEPC 75/18, para. 10.35
Note: MEPC 75 agreed to defer consideration of the two draft MEPC circulars and the draft amendments (PPR 7/22/Add.1, annexes 13, 14 and 15) to MEPC 76, thus the TCY being extended to 2021.									
2. Integrate new and advancing technologies in the regulatory framework	2.14	Amendments to regulation 14 of MARPOL Annex VI to require a dedicated sampling point for fuel oil	2020	MEPC			Completed		MEPC 75/18, sections 3 and 5

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
2. Integrate new and advancing technologies in the regulatory framework	2.15	Development of amendments to MARPOL Annex VI and the NO _x Technical Code on the use of multiple engine operational profiles for a marine diesel engine	2021	MEPC	PPR		In progress		PPR 7/22, section 13; and MEPC 75/18, para 14.2.2
2. Integrate new and advancing technologies in the regulatory framework	2.17	Consideration of development of goal-based ship construction standards for all ship types	2021	MSC / MEPC			No work requested by MSC		MSC 102/24, section 7
2. Integrate new and advancing technologies in the regulatory framework	2.18	Standards for shipboard gasification of waste systems and associated amendments to regulation 16 of MARPOL Annex VI	2020	MEPC	PPR		Extended		MEPC 70/17, para. 15.17; PPR 5/24, section 8; MEPC 72/17, para. 15; PPR 7/22, section 10; and MEPC 75/18, para. 14.1
Note: MEPC 75 agreed to extend the TCY of output 2.18 to 2021, as requested by PPR 7.									
2. Integrate new and advancing technologies in the regulatory framework	2.19	Amendment of Annex 1 to the AFS Convention to include controls on cybutryne, and consequential revision of relevant guidelines	2020	MEPC	PPR		Extended		MEPC 71/17, paragraph 14.3; PPR 5/24, section 19 and para. 24.2.25; MEPC 73/19, paras. 15.12 to 15.15;

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
									PPR 6/20, section 6; MEPC 74/18, paras. 10.19 and 10.20; PPR 7/22, section 6; and MEPC 75/18, paras. 10.14 to 10.21 and 14.1
Note: MEPC 75 agreed to extend the target completion year of output 2.19 to 2022 and approve the change of title of the output to "Revision of guidelines associated with the AFS Convention as a consequence of the introduction of controls on cybutryne", as requested by PPR 7.									
2. Integrate new and advancing technologies in the regulatory framework	2...	Development of an operational guide on the response to spills of Hazardous and Noxious Substances (HNS)	2022	MEPC	PPR		In progress		MEPC 74/18, para. 14.20 and MEPC 75/18, paras. 14.1 and 14.2.2
Note: MEPC 75 agreed to move the above output from the post-biennial agenda of MEPC to the biennial agenda of PPR with a TCY of 2022, as requested by PPR 7. However, MEPC 75 approved a reduced provisional agenda for PPR 8, which does not include this output. Consequently, PPR 8 will consider including the output in its provisional agenda for PPR 9 and adjust the target completion year accordingly.									
3. Respond to climate change	3.1	Treatment of ozone-depleting substances used by ships	Annual	MEPC			Completed		MEPC 74/18, paras. 5.75 and 5.76
3. Respond to climate change	3.2	Further development of mechanisms needed to achieve the limitation or reduction of CO ₂ emissions from international shipping	Annual	MEPC			Completed		MEPC 74/18, sections 6 and 7; and MEPC 75/18, sections 6 and 7

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
3. Respond to climate change	3.3	Reduction of the impact on the Arctic of emissions of black carbon from international shipping	2021	MEPC	PPR		In progress		MEPC 71/17, paragraph 5.3; PPR 5/24, section 7 and para. 24.2.7; MEPC 73/19, paragraph 5.3; PPR 6/20, section 7; MEPC 74/18, para. 5.67; PPR 7/22, section 8; and MEPC 75/18, para. 10.35
3. Respond to climate change	3.4	Promotion of technical cooperation and transfer of technology relating to the improvement of energy efficiency of ships	2021	MEPC			In progress		MEPC 74/18, sections 7 and 12; and MEPC 75/18, sections 7 and 12
3. Respond to climate change	3.5	Revision of guidelines concerning EEDI and SEEMP	2021	MEPC			In progress		MEPC 75/18, sections 6 and 7
3. Respond to climate change	3.6	EEDI reviews required under regulation 21.6 of MARPOL Annex VI	2021	MEPC			In progress		MEPC 75/18, section 3 and para. 6.4
3. Respond to climate change	3.7	Further technical and operational measures for enhancing the energy efficiency of international shipping	2021	MEPC			In progress		MEPC 75/18, sections 3 and 6

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
4. Engage in ocean governance	4.1	Identification and protection of Special Areas, ECAs and PSSAs	Continuous	MEPC	NCSR		Ongoing		MEPC 75/18, section 9
4. Engage in ocean governance	4.2	Input to the ITCP on emerging issues relating to sustainable development and achievement of the SDGs	Continuous	TCC	MSC / MEPC / FAL / LEG		Ongoing		MEPC 75/18, section 12
4. Engage in ocean governance	4.3	Follow-up work emanating from the Action Plan to address marine plastic litter from ships	2021	MEPC	PPR / III / HTW		In progress		MEPC 72/17, paragraphs 15.2 to 15.6; MEPC 73/19, section 8 and annex 10; MEPC 74/18, paragraph 8.37.1; PPR 7/22, section 17; and MEPC 75/18, section 8
6. Ensure regulatory effectiveness	6.1	Unified interpretation of provisions of IMO safety, security, environment, facilitation, liability and compensation-related conventions	Continuous	MSC / MEPC / FAL / LEG	III / PPR / CCC / SDC / SSE / NCSR		Ongoing		PPR 7/22 section 18; and MEPC 75/18, paras. 10.34 and 10.35
6. Ensure regulatory effectiveness	6.3	Safety and pollution hazards of chemicals and preparation of consequential amendments to the IBC Code	Continuous	MEPC	PPR		Ongoing		PPR 7/22, section 3; and MEPC 75/18, paras. 10.3 to 10.12

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
6. Ensure regulatory effectiveness	6.4	Lessons learned and safety issues identified from the analysis of marine safety investigation reports	Annual	MSC / MEPC	III		Completed		III 6/15, section 4
6. Ensure regulatory effectiveness	6.5	Identified issues relating to the implementation of IMO instruments from the analysis of PSC data	Annual	MSC / MEPC	III		Completed		III 6/15, section 6
6. Ensure regulatory effectiveness	6.7	Consideration and analysis of reports on alleged inadequacy of port reception facilities	Annual	MEPC	III		Completed		III 6/15, section 3
6. Ensure regulatory effectiveness	6.8	Monitoring the worldwide average sulphur content of fuel oils supplied for use on board ships	Annual	MEPC			Completed		MEPC 74/18, paras. 5.52 to 5.56; and MEPC 75/18, paras. 5.1 to 5.5
6. Ensure regulatory effectiveness	6.11	Development of measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters	2020	PPR			Extended		MEPC 74/18, paragraphs 10.22 to 10.25; PPR 7/22, section 14; and MEPC 75/18, paras. 10.29 to 10.33 and 14.1
Note: MEPC 75 approved the draft amendments to MARPOL Annex I (prohibition on the use and carriage for use as fuel of heavy fuel oil by ships in Arctic waters), with a view to adoption by MEPC 76, and the extension of the TCY of this output to 2021.									
6. Ensure regulatory effectiveness	6.15	Role of the human element	Continuous	MSC / MEPC	III / PPR / CCC / SDC / SSE / NCSR	HTW	No work requested		

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
6. Ensure regulatory effectiveness	6.30	Updated Survey Guidelines under the Harmonized System of Survey and Certification (HSSC)	Annual	MSC / MEPC	III		Completed		III 6/15, section 8; and MEPC 75/18, paras. 10.26, 11.11 and 11.19
6. Ensure regulatory effectiveness	6.31	Consideration of reports of incidents involving dangerous goods or marine pollutants in packaged form on board ships or in port areas	Annual	MSC / MEPC	III	CCC	Completed		CCC 6/14, section 9
6. Ensure regulatory effectiveness	6...	Consideration of reports of incidents involving dangerous goods or marine pollutants in packaged form on board ships or in port areas	Annual	MSC / MEPC	III	CCC	No work requested		MSC 102/24, paras. 21.2 and 21.3
Note: The above output had the number OW 19. However, MSC 102 agreed to relocate it to strategic direction 7 and invited the Council to endorse this decision.									
7. Ensure organizational effectiveness	7.1	Endorsed proposals for the development, maintenance and enhancement of information systems and related guidance (GISIS, websites, etc.)	Continuous	Council	MSC / MEPC / FAL / LEG / TCC		Ongoing		MEPC 75/18, para. 16.7
7. Ensure organizational effectiveness	7.3	Analysis and consideration of reports on partnership arrangements for, and implementation of, environmental programmes	Annual	TCC	MEPC		Completed		MEPC 75/18, section 12
7. Ensure organizational effectiveness	7.9	Revised documents on organization and method of work, as appropriate	2021	Council	MSC / FAL / LEG / TCC / MEPC		In progress		MEPC 75/18, section 15

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)									
Reference to SD, if applicable	Output number	Description	Target completion year	Parent organ(s)	Associated organ(s)	Coordinating organ	Status of output for Year 1	Status of output for Year 2	References
OW. Other work	OW.13	Endorsed proposals for new outputs for the 2020-2021 biennium as accepted by the Committees	Annual	Council	MSC / MEPC / FAL / LEG / TCC		Postponed		MEPC 75/18, section 14.11
OW. Other work	OW.23	Cooperate with the United Nations on matters of mutual interest, as well as provide relevant input/guidance	2021	Assembly	MSC / MEPC / FAL / LEG / TCC	Council	In progress		MEPC 75/18, paras. 7.3, 7.4 and 8.1
OW. Other work	OW.24	Cooperate with other international bodies on matters of mutual interest, as well as provide relevant input/guidance	2021	Assembly	MSC / MEPC / FAL / LEG / TCC	Council	In progress		MEPC 75/18, sections 7 and 12

ANNEX 13

POST-BIENNIAL AGENDA OF MEPC

MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC)								
ACCEPTED POST-BIENNIAL OUTPUTS				Parent organ(s)	Associated organ(s)	Coordinating organ	Timescale	Reference
No.	Biennium*	Reference to strategic direction, if applicable	Description					
1	2016-2017	6. Ensure regulatory effectiveness	Development of amendments to regulation 19 of MARPOL Annex VI and development of an associated Exemption Certificate for the exemption of ships not normally engaged on international voyages	MEPC	III		2 sessions	MEPC 71/17, par.14.15
2	2018-2019	6. Ensure regulatory effectiveness	Development of necessary amendments to MARPOL Annexes I, II, IV, V and VI to allow States with ports in the Arctic region to enter into regional arrangements for port reception facilities (PRFs)	MEPC	PPR		2 sessions	MEPC 74/18, para. 14.18
3	2012-2013	Other work	Recommendations related to navigational sonar on crude oil tankers	MSC / MEPC	SDC		1 session	MSC 91/22, para. 19.23

* Biennium when the output was placed on the post-biennial agenda.

ANNEX 14

ITEMS TO BE INCLUDED IN THE AGENDA OF MEPC 76

No.*	Item
1	Adoption of the agenda
2	Decisions of other bodies
3	Consideration and adoption of amendments to mandatory instruments (DG)
4	Harmful aquatic organisms in ballast water
5	Air pollution prevention
6	Energy efficiency of ships
7	Reduction of GHG emissions from ships
8	Follow-up work emanating from the Action Plan to Address Marine Plastic Litter from Ships
9	Pollution prevention and response
10	Reports of other sub-committees
11	Technical cooperation activities for the protection of the marine environment
12	Work programme of the Committee and subsidiary bodies
13	Any other business
14	Consideration of the report of the Committee

* The numbering may not correspond to the number of the agenda item in the forthcoming session.

ANNEX 15

SECRETARY-GENERAL'S REMARKS ON THE FSO SAFER UNDER AGENDA ITEM 1 AND ON THE APPROVAL OF THE DRAFT AMENDMENTS TO MARPOL ANNEX VI UNDER AGENDA ITEM 7

ITEM 1

Secretary-General's remarks on the FSO SAFER

"Thank you, Mr. Chair,

With respect to FSO Safer, first of all, I would like to thank the distinguished delegates for their interventions and for highlighting the issue to this Committee. I will introduce briefly actions taken by IMO to date on the issue:

- 1) The Secretariat has been fully engaged in this issue since last year, focusing on contingency planning in case of a spill from **FSO SAFER**, while collaborating with other UN Agencies, the Authorities in Yemen, the Regional Organization for the Conservation of the Environment of the Red Sea & Gulf of Aden (PERSGA) and the neighbouring littoral Countries, regarding measures to prevent potential catastrophic environmental damage in the event of a spill or explosion from the FSO.
- 2) UN Secretary General Guterres, in August 2020, organized an Inter-agency strategic meeting on the issue, where all related elements including safety, oil pollution and communication were considered. I myself attended the meeting and expressed possible concerns and suggestions on specific matters related to safety and environmental protection.
- 3) In recognition of the importance of this issue, I have established an IMO Inter-Divisional Task Force that has been considering the full breadth of elements related to FSO SAFER, including safety, operations response, legal analysis and financial matters.
- 4) IMO also plans to organize a series of technical cooperation activities to support the relevant Authorities and personnel concerned.
- 5) I have listened to your interventions and requests, there are considerable issues to be further deliberated upon. As you might recognise, the **FSO Safer** situation is complex going beyond technical measures and there are key policy aspects including the scope of IMO's engagement within the UN system. I will make a separate comprehensive presentation on the issue in the near future and seek advice from you on further actions to be taken by this Organization.

Thank you."

ITEM 7

Secretary-General's remarks on the approval of the draft amendments to MARPOL Annex VI

"Thank you, Mr. Chair,

Allow me to congratulate the Committee on the approval of the short-term measures, which will ensure that IMO remains firmly on track with the implementation of our Initial IMO GHG Strategy, despite the considerable challenges posed by the COVID-19 pandemic.

The approval of these measures by the Committee represents your collective commitment to reducing carbon intensity of ships by at least 40% by 2030, compared to 2008, in line with the Initial Strategy.

The goal of the measures is clear, and the combination of the goal-based technical and operational approach allows for flexibility for Member States and ship owners to choose how they wish to achieve the carbon intensity reduction targets.

The EEXI will largely align the energy efficiency requirements for existing ships with the EEDI standards for new build ships, whilst the carbon intensity indicator with the rating mechanism is a promising new concept.

Considerable further work on the implementation of the short-term measure is still ahead of us, but I am confident that, as you have demonstrated IMO's spirit of cooperation during the past months, swift progress with the development of technical guidelines and a Carbon Intensity Code can be made. The essential further work on the comprehensive assessment of impacts of the measures on developing countries, SIDs and LDCs will also be carried out to complement the measures.

Distinguished delegates,

I understand that the set of amendments to MARPOL Annex VI approved today represents a compromise that was the outcome of long and challenging discussions.

But let us remain united in working towards a truly global regulatory framework that implements the Initial GHG Strategy. The approved amendments provide important building blocks. Without this, future discussions on mid- and long-term measures cannot be possible. We need collective efforts to decarbonize international maritime transport.

I am proud of the accomplishment of our IMO family. While international shipping emits about 2% of the global green-house gases, shipping carries more than 80% of goods globally, which makes shipping the most efficient transport mode. Today we approved mandatory measures to ensure a 40% reduction of carbon intensity by 2030, as we promised two years ago. Congratulations to us all.

Thank you."

ANNEX 16

STATEMENTS BY DELEGATIONS AND OBSERVERS*

ITEM 1

Statement by the delegation of France

"Chair,

France, Germany, the Netherlands, Saudi Arabia and the United Kingdom wish to make the following declaration:

The deteriorating condition of the FSO Safer oil storage and offloading unit, which has been anchored off Ras Issa, Yemen, since 2015 with a cargo of more than one million barrels of crude oil on board, is a threat to the environment, and to the health and livelihoods of millions of people in a country already suffering from a large-scale humanitarian disaster. The members of the United Nations Security Council expressed their unanimous concern on July 15. The dilapidated condition of the FSO Safer presents a risk of an oil spill on an unprecedented scale. Every effort should therefore be made to enable the deployment of the UN mandated inspection mission, which depends on the agreement of the Houthis, to avoid the ecological and humanitarian disaster feared by the current condition of the FSO Safer.

We therefore call on IMO member states to take action to prevent such a disaster. We also invite the Secretariat to use its expertise to advise the States and the various United Nations agencies involved in this matter. All useful means must be identified to assess the situation, secure the oil installation, and prepare the operations to eliminate this danger once and for all.

Thank you, Chair."

ITEM 3

Statement by the observer from IBIA

"IBIA has some observations and experiences to share with regards to the draft amendments to appendix VI on Verification procedures for a MARPOL Annex VI fuel oil sample which the committee is invited to consider and adopt this week.

The concept of test precision can be hard to grasp. Many find it hard to understand that a test result of 0.53% sulphur does not conclusively prove that the fuel fails to meet the 0.50% sulphur limit. However, all test methods have limitations with regards to their accuracy, with specific reproducibility and Repeatability values calculated in accordance with ISO 4259. For sulphur, the accuracy of the test method, known as 95% confidence, means that fuel oil with a true value of 0.50% sulphur may give a test result of up to 0.53% in a laboratory.

These statistically sound test precision principles have been taken into account for verifying if samples of fuel oil in use, and samples of fuel oil carried for use on board a ship, meet the relevant sulphur limits of regulation 14. This is reflected in the amendment to appendix VI under the Verification Procedure Part 2 for in-use and onboard samples. We support this

* Statements have been included in this annex as provided by delegations/observers, in the order in which they were given, sorted by agenda item, and in the language of submission (including translation into any other language if such translation was provided). Statements are accessible in all official languages on audio file at: <http://docs.imo.org/Meetings/Media.aspx>

wholeheartedly. We remain concerned, however, that the same principles are not recognised for the MARPOL delivered sample, which will significantly increase the risk that a fuel oil that is actually compliant with MARPOL sulphur limits can, on the basis of testing by one laboratory, be deemed as having failed to meet the requirement. These concerns were laid out in detail in MEPC 74/10/11 by IPIECA and IBIA.

We have always feared that the complexity in having different approaches to sulphur verification for MARPOL delivered samples versus in-use and onboard samples would cause unintended confusion and conflict. Experience so far suggests that this is indeed the case.

Since the 0.50% sulphur limit took effect, there have been cases of ships that have received a test result on their own bunker manifold inlet sample indicating a sulphur content above 0.50%, but not above 0.53%. Ships may have documented such test results as indicative of a potential non-compliance through a notification to its flag administration. Copies of the notification may also be sent to authorities at its next port of call, and the Administration under whose jurisdiction the bunker supplier is located, and to the bunker supplier.

We have heard from our members that some flag states have been advising ships to not use the fuel if the ship has a test result from its own sample indicating potential non-compliance, e.g. 0.51% to 0.53% sulphur. There are also fears that port State authorities will not take 95% confidence into account for in-use and on-board samples. This has created a lot of problems and uncertainty for the shipping and fuel oil supply industries, including demands to debunker fuels which have not been proven as non-compliant by the appropriate verification procedures stipulated under MARPOL Annex VI. Debunking is not a trivial matter. Apart from substantial financial costs, it also carries an environmental cost through extra CO₂ emissions, and represents safety and environmental risks.

IMO guidelines for consistent implementation of the 0.50% sulphur limit, and the revision of appendix VI of MARPOL Annex VI, make it absolutely clear that the 95% confidence principle for test precision should be applied to in-use and onboard samples. This principle was sufficiently important to prompt this committee to agree, at MEPC 74, to issue a circular, MEPC.1/Circ.882, inviting Member Governments to apply approved amendments to MARPOL Annex VI related to the verification procedure for a MARPOL Annex VI fuel oil sample in advance of their entry into force, in order to "ensure a consistent approach to verifying the sulphur limit of the fuel oil delivered to, in-use or carried for use on board a ship until the entry into force of the approved amendments."

A consistent approach does not appear to be happening. It really, really needs to happen.

Let me be very clear about the expectations on suppliers: no fuel should be put on the market if it has tested above the limit even by a fraction prior to delivery, and the blend target to meet the 0.50% sulphur limit during production should be no more than 0.47%, in line with best practice guidance.

However, when it comes to sulphur verification under appendix VI of MARPOL Annex VI, having two different procedures will inevitably cause confusion in how the regulation is understood and applied. The signals are confusing. We all know the meaning of green and red traffic lights, but yellow seems to mean "keep going" for one type of samples and "stop" for another.

We need to make sure everybody understands that as far as the ship is concerned, a yellow signal means "keep going". We believe this is enshrined in the amendments to appendix VI that are up for adoption and as such urge Member States to apply these amendments prior to entry into force.

Furthermore, we would recommend making the following principles clear: If an authority decides to test the MARPOL delivered sample, it will determine whether the fuel as delivered meets the relevant requirement. If the fuel tests above 0.50% sulphur and as such has not met the requirement as delivered, it should nevertheless be considered as having met the requirement for the ship to use, or carry for use, unless the test result exceeds 0.53% sulphur. This would be in line with the MARPOL Annex VI sulphur verification procedure for in-use and onboard samples.

We believe these issues needed to be brought to the Committee's attention, and that they demonstrate the need for further IMO guidance to bring clarity on how to determine compliance for all parties concerned."

ITEM 5

Statement by the observer from ICOMIA

"Document MEPC 75/INF.27 submitted by ICOMIA in January 2020, ahead of the originally planned MEPC 75 meeting, further highlights the engineering and development challenges faced by large yacht builders as they prepare for compliance with the NO_x Tier III limits for engines installed in models >24m load-line length, below 500 GT. Suitable engines which meet these limits continue to be unavailable for this recreational application and that, because of this delay, the necessary sea-trialling and testing needed for safety will make it unlikely for the full portfolio of engines and vessels to comply well beyond the January 2021 NO_x Tier III implementation date.

Document MEPC 75/INF.28 submitted by the United States further supplements this information paper and explains that despite steadfast progress by boat builders and engine manufacturers during the COVID-19 pandemic shut-downs, these issues are expected to remain obstacles to the manufacture of these vessels for the for a number of years past the implementation date. A 3-year extension of the current delay for yachts >24m load-line length, below 500 GT would allow for NO_x Tier III abatement technology to be fully tested and made available for all models and overcome any issues in a way that would optimize the physical and operational characteristics for use on recreational yachts.

Further actions that the large yacht industry is taking have been outlined in item 14 of document MEPC 75/INF.28.

ICOMIA believes it must be in the interest of legislators to come up with viable rules, which our research and every piece of input into IMO consistently done over the last years demonstrates yet has to be achieved. While it is in the nature of INF papers not to propose amendments to the regulations, we now have reached a case where a regulation is imminent with no standard product available to the marine leisure sector to comply.

Without suitable engines available in critical power bands, the matter is of particular time-sensitivity to us and we need the help of IMO to cross a period until the compliant product becomes available.

We therefore strongly request the matter to be discussed at this meeting."

ITEM 7

Statement by the delegation of Kenya

"Mr Chair, Distinguished Delegates,

This delegation thanks the Working Group for paper MEPC 75/7/2. We note the impressive progress made and register our satisfaction in this regard.

This delegation also notes the major contribution of MTCCs and the GMN network to the progress of the IMO initiatives and the work towards reducing GHG emission from ships. The MTCCs have already formed strong networks and are leading the development of technical expertise in and among the developing countries.

Through the activities and various workshops hosted by the various MTCCs as well as joint activities through the GMN, an increased awareness on the contribution of shipping to GHG emission, and the need for urgent actions towards the mitigation of the contribution, has been made possible among both Government officials as well as the general public.

Mr Chairman, Distinguished Delegates, The Global Maritime Network (GMN) is actually captured in the IMO GHG Strategy as an important initiative in accelerating the adoption of low-carbon technologies and promoting research in reduction of greenhouse gas emissions in the maritime and shipping industry.

We therefore hope that there will be a possibility for the MTCC and GMN project to be continued, to the benefit of the small Island developing states and developing states. The continuation of this very important initiative is crucial to ensure developing countries especially the least developing countries and the small island developing states build the capacity necessary to implement the measures identified in these meetings.

This delegation wishes to express its gratitude to the European Union for funding the GMN project. We further wish to encourage other donors and especially the EU to continue in funding a Phase 2 of the GMN/MTCC Project so as not to lose the momentum of the gains so far achieved in efforts to mitigate adverse impact of climate change from the maritime industry. Such support for a 2nd phase would help to put in place the necessary structures to achieve the end goal, through a tested GMN/MTCC framework.

As I conclude I wish to request that Kenya's statement in this regard be appended to the report. We shall be sending a copy of the same to the Secretariat.

Thank you, Mr Chair."

Statement by the delegation of Argentina

"Señor Presidente,

La Argentina reconoce al Presidente del Grupo de Trabajo sobre GHG, Sr. Sveinung Oftedal (Noruega) por su excelente conducción de la 7ª sesión, que conllevó enormes esfuerzos para lograr dar forma a la medida de corto plazo combinada que el Comité tiene hoy ante sí. También quisiéramos reconocer el esfuerzo de las delegaciones.

La Argentina apoya la aprobación del proyecto de media de corto plazo combinada como proyecto de enmienda al Anexo VI de MARPOL, porque continúa comprometida con los niveles de ambición de la Estrategia Inicial de la OMI. No es un acuerdo ideal por distintas razones, pero es el primer paso en un largo camino que debemos caminar juntos para asegurar la reducción de gases efecto invernadero.

El texto que el Comité tiene ante sí es el producto de flexibilidad constructiva y compromiso para alcanzar un objetivo común. Ese es el espíritu en el que varias delegaciones trabajaron

para producir una única propuesta (conocida como "documento 26") que combinaba las medidas técnicas y las operacionales. Ella fue la base de la medida combinada de corto plazo.

Esa propuesta fue presentada sin una evaluación de impacto inicial de parte de los proponentes, como parte de la propuesta, como correspondía conforme MEPC.1/Circ. 885. No obstante, ello, y con el fin de permitir la adopción de la medida de corto plazo, numerosos países, incluida la Argentina, aceptaron un enfoque creativo que ofreció una salida para poder adoptar la medida en el MEPC 76: que un tercero lleve a cabo una evaluación de impacto sobre los Estados, en particular los países en desarrollo. Para ello, también este Comité deberá adoptar los términos de referencia elaborados por el Grupo de Trabajo. Cabe ahora a UNCTAD una notable responsabilidad, pero confiamos en UNCTAD, en el el Comité de Conducción y en los Estados que aporten información relevante para que esa evaluación sea, verdaderamente, comprensiva. Ello es crucial para proteger los intereses de los Estados que están distantes de los grandes centros de producción y consumo, en particular los países en desarrollo, porque las medidas que adoptemos están, como indica la Estrategia Inicial, dentro del contexto de UNFCCC. Ello incluye los principios de UNFCCC, en particular el de responsabilidades comunes pero diferenciadas (art. 3.1) y el principio de que las medidas adoptadas para combatir el cambio climático no deben afectar el comercio internacional (art. 3.5).

Numerosos países que podrían verse afectados por la medida hemos sido particularmente constructivos respecto de los Términos de Referencia para la evaluación comprensiva de la medida de corto plazo. El Procedimiento para la Evaluación de los Impactos de las Posibles Medidas en los Estados (Circular MEPC.1/Circ. 885) dispone que de existir impactos negativos desproporcionados, éstos deben ser abordados antes de que se considere la adopción de la medida. La Argentina espera que, con los Términos de Referencia, los impactos negativos que sean identificados sean abordados para subsanarlos o mitigarlos, y entiende que esos impactos deben ser parte integrante de la revisión prevista para 2026, porque de éstos deberían también ser evitados, como dispone el párrafo 15.3 de dicha Circular. En ese sentido, cabe entender que la revisión prevista en la medida de corto debe incluir los impactos sobre los Estados conforme lo previsto en los Términos de Referencia, en la Estrategia Inicial y en la MEPC.1/Circ. 885.

Hay un aspecto específico de los Términos de Referencia al que mi delegación debe hacer mención. Se trata del párrafo 3.3. Dicho párrafo fue objeto de un ajuste "editorial" que, en realidad, modificó parcialmente su sentido. La Argentina desea dejar aclarado su entendido de que así como no se requerirá a UNCTAD llevar a cabo una evaluación específica sobre el impacto de la pandemia en los países, dicho impacto, que ha sido desproporcionadamente negativo en los países en desarrollo, será un elemento a tener en cuenta en la evaluación comprensiva del impacto de la medida.

Señor Presidente, la medida de corto plazo y los términos de referencia para la evaluación comprensiva de impacto fueron abordados como paquete en el Grupo de Trabajo y creemos que deben ser concebidas de la misma manera en este Comité, porque ello permitirá adoptar ambos, y dar el primer paso de la organización en el cumplimiento de nuestras metas de reducción de gases efecto invernadero de buques.

Muchas gracias."

Statement by the delegation of Cook Islands

"Kia Orana Chair,

We are grateful to SG for his opening address in which he recognised the need for, the importance of, and the subsequent addressing of Impact Assessments.

We thank all members of the ISWG GHG 7, the informal meeting that preceded it and the remarkable leadership of Mr Oftedal throughout this process for the extraordinary effort they put in; this is an effort that will not be wasted.

Impact assessments ahead of MEPC 76 are important as is the mitigation of any identified negative impact on the SIDS, Let us be clear if there are increased costs in transport, these are most likely to be significant in the poorest and most remote SIDS & LDCS, due to their distance from main trading routes, high dependency on imports, and clearly already disproportionate high per capita costs, and low ability to absorb increased prices without significant welfare impacts.

The current pandemic has further highlighted our existing vulnerabilities as a SIDS, in saying that we take comfort in the draft legal text with the 22b regulation and the taking into account of a review going forward which we believe was the game changer that enabled us all to come together in achieving consensus based on compromise and we thank all those that engaged in drafting this important review clause.

In saying that you will not be surprised to hear that the Cook Islands will endorse the approval of the text at this session, we commend it to fellow delegates to go forward to MEPC 76 for adoption.

Could it have been better we suspect it might have been, however would it have been possible and achieve consensus at this stage we do not believe it would have been. We do however believe it has been a good effort and that the goodwill shown by all is something we should be satisfied with.

The Organisation has the Cook Islands Commitment to continue to engage in a positive and constructive matter in the important work ahead of the entry into force of these amendments.

Chair, going forward this is the best deal on the table and we endorse it."

Statement by the delegation of France

"Monsieur le Président,

Nous souhaitons remercier l'ensemble des délégations qui ont participé activement à ces travaux durant ces dernières années. Nous souhaitons également remercier le président du groupe de travail dont la tâche était d'une extrême complexité.

La France s'est toujours beaucoup investie dans les négociations relatives à la réduction des émissions de gaz à effets de serre, avec l'objectif de parvenir à des résultats ambitieux.

Nous avons aujourd'hui un texte de compromis, résultat de très longues négociations. Une négociation nécessite des compromis. Sans compromis nous n'aurions aucun résultat. Sans résultat les émissions du transport maritime ne feront que croître.

Le rejet, la division ne sont pas nos ambitions.

Un rejet conduirait à l'absence de mesures obligatoires en 2023 et très certainement pour encore de très longues années. Nous ne devons pas oublier que nous avons échoué par le passé dans la mise en place de mesures réellement contraignantes pour les navires existants. La résolution A963(23), qui identifiait en 2004 les mécanismes requis pour obtenir la limitation

ou la réduction des émissions de GES, ne se limitait pas qu'aux navires neufs et à l'EEDI. Nous ne souhaitons pas revenir en arrière. Notre responsabilité est d'avancer pour réduire les émissions sans délai.

Ces amendements sont absolument indispensables car pour la première fois nous allons imposer des mesures techniques et opérationnelles contraignantes à tous les plus grands navires. Réduire les conclusions de notre travail aux mesures techniques relève de la désinformation.

La France a toujours été convaincue que ce sont les outils opérationnels, CII et système de notation, qui permettront d'atteindre notre ambition en ouvrant la voie à des mesures ou actions ultérieures.

L'EEXI est une excellente impulsion technique, mais notre expérience de l'EEDI a montré qu'il est difficile d'en prévoir l'effet réel. Les outils opérationnels seront là pour mesurer et corriger les faiblesses supposées de l'EEXI. Le CII et le système de notation sont des outils innovants constituant une première étape dans la transition énergétique de la flotte mondiale. Il faut reconnaître le chemin accompli depuis l'adoption de la Stratégie Initiale il y a à peine deux ans.

Bien sûr, nous reconnaissons des faiblesses à ce compromis. Pas dans le manque d'ambition supposée, pas dans le manque de mesures opérationnelles obligatoires, mais dans la faiblesse des moyens de coercition pour les navires ayant les plus mauvaises performances. La France avait défendu des mesures d'exécution beaucoup plus contraignantes. Nous ne les avons pas obtenus.

Cependant nous aurons demain un système mondial de notation des navires. Sur cette base nous devons prendre nos responsabilités, à tous les niveaux. Etat, Organisations régionales, acteurs économiques, consommateurs, nous aurons les outils pour sanctionner les navires qui ne prendront pas la voie de la décarbonation et nous aurons les moyens de récompenser les armateurs qui prennent des risques en faisant des choix innovants.

La France prend donc ses responsabilités en approuvant ce texte de compromis. Nous devons maintenant nous engager dans les travaux de rédaction des lignes directrices pour garantir une mise en œuvre harmonisée et conforme au niveau d'ambition de la Stratégie Initiale. Enfin nous travaillerons pour réfléchir aux moyens permettant un renforcement des mécanismes de coercition et d'incitation. La crédibilité de notre Organisation reste en jeu, nous aurons désormais une obligation de résultat dans la mise en œuvre et le renforcement ultérieur de cette mesure de court-terme.

Nous souhaiterions, monsieur le président, que ce texte soit annexé au rapport."

Statement by the delegation of Germany

"Thank you, Mr. Chair

We thank the co-sponsors for their submission.

Germany very much appreciates that the maritime sector is willing to take collective responsibility for decarbonising international shipping and therefore submitted a proposal to establish an International Maritime Research and Development Board.

The IMO Initial Strategy aims to phase out GHG emissions as soon as possible in this century and reduce emissions by at least 50% in 2050. We know operational efficiency of ships is a

very important aspect – that's exactly why we put a lot of efforts in the development of the STM, but it is clear that decarbonization of the shipping sector requires a transition from fossil fuels to sustainable carbon-neutral fuels or energy sources.

This industry-led initiative is a positive step forward to speed up research and development activities as provided by the IMO Strategy. We do support the need to initiate R&D activities. So we do welcome this initial discussion on the establishment of an IMRB, subject to further considerations, such as the need to avoid the duplication of research work and to separate the funding set-up from the Board.

In this regard, it is important to have a look at the bigger picture. By its nature, an IMRF can support the development of new technologies and their implementation. However, the IMRB cannot and does not provide the demand and pull instrument that is necessary for adoption of new technologies and sustainable fuels. We think that the Committee's priority should be to develop measures that can close the gap in competitiveness between fossil and sustainable alternative fuels to ensure the effective uptake of scalable sustainable alternative fuels and technology.

For that purpose, mid- and long-term measures are crucial. When these measures are in place, companies would probably also have the incentives to invest in R&D. In our view, we have to carefully cast our resources. In particular because we have heard many statements that now is the time to take the next steps. Also, the distinguished Secretary General reminded us that we have to be more proactive to foster the development of future alternative fuels and embark on discussing potential mid- and long-term measures as soon as possible.

Accordingly, we support that the Committee considers starting the discussion on the mid- and long-term measures and also on the revision of the IMO GHG Strategy without delay, as proposed e.g. in document MEPC 75/7/17 (Marshall Islands and Solomon Islands). The Initial Strategy already clearly specifies that certain mid- and long-term measures will require work to commence prior to 2023. And our workplan commits us to initiate the work of adjustments to the IMO Initial strategy in 2021. All the more it is important to establish appropriate working arrangements at MEPC 76 that reflect our daunting tasks – so that we are able to follow the agreed timeline – despite the difficulties caused by the COVID-19 pandemic. I really hope that this could be reflected in the report and that we can all agree on that. Again: Let us go this way together."

Statement by the delegation of the United States

"Thank you Chair.

The United States thanks the members of the Working Group for their effort under the excellent leadership of the Chair for the results that we are now considering.

The United States does not object at this time to the approval for circulation of the draft amendments to MARPOL Annex I concerning the reduction of carbon intensity for existing ships.

However, we have expressed concern throughout the process of developing these amendments that certain provisions – in particular the application of the EEXI standard to the global fleet – could have unanticipated impacts on the fleet, including potentially forcing ships prematurely and unnecessarily out of service. Impacts of the EEXI need to be further assessed, including whether ships in the current fleet will be able to meet the standard in a cost-effective manner. In addition to reviewing the comprehensive impact assessment, the United States will need to assess the impact on its own fleet and interests. The United States

will not be in a position to support the application of these regulations if we determine they disproportionately impact or remove ships from the U.S. fleet.

With regards to the Carbon Intensity Indicator (CII), the United States continues to have concerns over the rush to approve operational carbon intensity requirements before developing core aspects of the measure, including the basic metric to be used for measuring carbon intensity, and the associated reference lines and reduction factors. As work on these core elements of the proposed measure proceeds before MEPC-76, our final view on the measure will depend upon these elements being developed to again reassure ourselves that they do not disproportionately impact ships in the U.S. fleet.

With respect to the Terms of Reference for the impact assessment, we underscore that the impact assessment and the committee's consideration of it must consider impacts on all states, consistent with the Initial Strategy and the procedure adopted by this committee, and nothing in the Terms of Reference can be understood as limiting such consideration.

We look forward to work with everyone through the impact assessment and development of the very important guidelines."

Statement by the delegation of Vanuatu

"Chair, good day to everyone.

First of all, our most profound gratitude to the Chair of the GHG ISWG for his excellent work in this extremely difficult task to bring so many countries together on one of the most sensitive issue...our most sincere thanks to the Secretariat supportive staff of course.

For years, Vanuatu has pledged for an ambitious reduction of GHG emissions from international shipping while giving due consideration of the impacts on SIDS and LDCs specifically at the forefront of climate change but often also highly dependent on shipping if not fully dependent on shipping like most Pacific Island countries.

We are cognizant that the MARPOL Annex VI draft amendments presented for approval are not ambitious enough for many of us but it has the merit to be the final product of our work completed under severe time constraints despite the unprecedented COVID-19 pandemic that has seriously hampered our work.

International shipping is not only essential to the world with the carriage of 80 to 90% of the world trade but is also regulated by international conventions which link us all making the consensus even more difficult to achieve with 174 Member States and as many divergent views. We should not lose sight of this. We have taken part to every single GHG Working Group meetings and MEPC sessions for years and frankly, the debates made us pessimistic for any sort of outcomes.

The draft amendments to MARPOL Annex VI present a set of technical and operational short-term measures putting the international shipping sector on the path to decarbonisation regardless of where the ship is manufactured or operated, or which flag it is flying which by itself is already a tour de force... remembering our debates not so long ago on the CBDR principle. So, yes, we have made progress but if we are serious enough and honest we will all have to accept that this set of measures is NOT enough!

The enforcement provisions, the rating scheme, the plan of corrective actions – and the review clause in 2026 giving some comfort and hopefully certainty for more stringent measures – make this set of amendments acceptable at this stage – and I repeat at this stage – considering

that we are lacking of time and interactions to do better because sadly virtual meetings present serious burdens to our negotiations...

We understand there are many topics that need to be addressed before MEPC 76 to eventually have a robust regulatory framework and we will join forces to adequately address all of them because we are strongly committed that this framework enters into force by 2023. Time is of essence, the early we implement the earlier we will decide to strengthen the scheme to meet our 2030 targets.

No approval this week means no text for adoption next year and a complete new round of negotiations which sadly might not lead to a better outcome taking into account the different levels of ambition from Member States and their capacity to deliver on that ambition. As far as we are concerned, we take what we have on the understanding that 2026 will give us all the tools to deliver better.

Now, the Initial IMO GHG Strategy on reduction of GHG emissions from ships foresaw that the impacts on States of a measure should be assessed and taken into account as appropriate before adoption of the measure i.e. the amendments to MARPOL Annex VI. This assessment is meant to ascertain that there won't be any disproportionate impact on among others SIDS and LDCs.

This comprehensive impact assessment will be presented to MEPC 76 before the adoption of the proposed draft amendments to MARPOL Annex VI and It goes without saying that it would be difficult for us to agree to measures going forward without mitigating downstream implications if they are significant considering that international shipping is our lifeline.

No one seem to understand the state of our economy at the moment with the disastrous social and economic impacts of COVID-19 with business and job destructions, investments and revenues at the lowest which will take years to recover. Adding on top of that shipping costs increase would be simply unbearable unless mitigated."

Statement by the observer from SGMF

"In the interest of time, I refer to the contents of the document. I wish to address one important issue here: the study reported an 151% increase in methane emissions. This increase needs to be seen in its proper context: it is directly related to a large number of modern LNG carriers, using Boil Off Gas from their cargoes as fuel, entering service during 2012-2018.

Dual Fuel engines are nowadays the commonly used propulsion, compared with steam propulsion on older vessels. These Dual Fuel engines have higher methane slip than steam plants. The lower CO₂ emissions of these engines (due to higher efficiency and lower fuel consumption) far outweigh the higher methane slip.

SGMF wishes to draw 2 conclusions:

- .1 This 151% increase is not related to any vessels other than LNG carriers, these are not representative of the world deep sea fleet.
- .2 GHG emissions should be regarded as a total, as a CO₂ equivalence basis including methane.

Such a proposal was submitted to ISWG-GHG 7, together with information on methane slip from engines. We await its hearing.

SGMF (the Society for Gas as a Marine Fuel) stands ready to contribute to the ongoing process at IMO. We look forward to resuming discussions on this subject at ISWG-GHG 8 and expect to present a follow-up Life Cycle Assessment Well-to-Wake study of various candidate marine fuels."

Statement by the observer from CLIA

"Thank you Chair and greetings to everyone. CLIA would like to thank all of the authors of the Fourth IMO GHG Study for their contributions to this important work. CLIA sees this report as an important step forward providing the Committee with a critical tool to assist in the development of GHG reduction measures. This report should also be commended for its use of improved methods of data analysis which have resulted in more reliable and representative results.

Understanding that the Fourth IMO GHG Study will play an important role in setting baselines and standards for measures to be adopted by the Committee, the cruise industry would like to draw attention to some technical points that require further evaluation. The dataset for the cruise sector within the Study includes a large number of ships under 2,000 GT and under 10,000 GT. Many of these ships fall under the minimum size of applicability of 5,000 GT for Carbon Intensity Indicators, which was agreed upon at ISWG-GHG 7. Further emphasis should be put into ships in larger size brackets for the dataset to be more representative of the cruise industry.

The report uses four carbon intensity indicators to compare each shipping sector: EEOI, AER, DIST and TIME. CLIA supports the initiative of the report to develop these calculations but notes that discussions are still ongoing to develop appropriate proxies for transport work for specialized shipping sectors including cruise ships and indeed it is not clear what was used in the report. CLIA has drafted MEPC 74/6/1 which proposes Available Lower Berth capacity as an appropriate transport work proxy for cruise passenger ships. Consideration of this document is currently included in the draft terms of reference for the Correspondence Group on Air Pollution and Energy Efficiency. The cruise industry looks forward to more detailed consideration of these issues at the appropriate time."

Statement by the delegation of Cook Islands

"Chair,

The Fourth IMO GHG Study is in its scope and accuracy is a vast improvement on previous studies. The business-as-usual (BAU) scenarios is now projecting emissions of 90-130% of 2008 levels in 2050 rather than the alarming 50-250% of the Third IMO Study which had the effect of alarming civil society and resulted in the unwelcome demonizing of the shipping industry. To avoid the predicted level of temperature increase, it is stated necessary that an approximate halving of absolute GHG emissions is achieved across all sectors during this decade and that the global economy reaches zero emission by at least 2050.

As a SIDS in the front line of the impact of climate change responsible we would say that it is important firstly to place international shipping in its proper context, which is where it currently sits against other modes of transport – as opposed to the continual references to it as if it were a 'country', a comparison that is neither helpful nor appropriate. It is a false equivalency. After all, which other country maintains the world's economy, is fundamental in the delivery of the SDG's and crucially, delivers 80-90% of world trade?

Clearly shipping alone will not determine whether the globe will stay below 1.5% temperature rise, – Chair, it may well be better to see how well shipping is meeting its responsibilities as

a sector as compared to other industries and sectors, cement with emissions at 8%, IT development on a trajectory to 14% come to mind, and to ensure that emissions reductions are achieved in a coordinated and balanced way and as a package. The G20 countries, all of whom serve on the IMO Council, responsible for 78% of global emissions (this excluding shipping), have an important role here and must better take up the challenge. Otherwise we may see the risk that has already been identified, that companies seek to utilize other modes of transport and result in shifting the problem somewhere else.

Having said that the Cook Islands is pleased to lend support and approve this important GHG study.

Chair, I would now refer to the submission MEPC 75/7/17 from our Pacific friends, the Marshall Islands and the Solomons Islands. We thank them and indeed others who may have been involved in the preparation of this submission. However, we cannot support the notion of moving to a measure such as an MBM, identified in the Initial Strategy within a package of medium-term measures, ahead of the anticipated adoption at MEPC 76 of the short-term measures we only approved yesterday and to which we now await an impact assessment. Until we can determine whether or not the short term measures will have a negative impact on remote SIDS like ours and thereafter determine ways to mitigate against such impacts, including exemptions and/or compensatory mechanisms, we are not prepared to consider further measures such as MBM's, the costs of which will be passed down the supply chain, a further burden that our economy could not bear.

Chair, going forward the discussion must be focused on how to avoid the impact of any measures being inadvertently or indirectly passed to the countries most vulnerable to climate change and who like us, a SIDS with only .0001% of emissions, contributed the least to the problem.

Finally, at any stage of the process if there are negative impacts identified the discussion would need to move towards how we might consider mitigating against such impacts. The point here is that the SIDS/LDCS should not just be seen as a sound bite. This needs to be taken seriously by those countries who proclaim far and wide how much they care about the predicament the SIDS find themselves in with respect to the impacts of climate change. It cannot be right that SIDS should pay for any part of a future MBM scheme as costs are ultimately passed down the line for essential goods and services.

Thank you."

Statement by the delegation of Russian Federation

"В ИМО проводится очень важная и работа по поиску компромиссных решений, которые бы позволили эффективно реагировать на климатические изменения, не нарушая при этом работу международного судоходства, от которого, как мы знаем, зависит 90% мировой торговли.

В этой связи у нас есть озабоченность в отношении привязки климатических целей Парижского соглашения к амбициям в Стратегии ИМО, в варианте, как это предлагается коспонсорами в параграфе 10.

В-первых, нам не совсем понятно как можно технически привязать температурную цель Парижского соглашения и количественные показатели выбросов международного судоходства.

Во-вторых, уровень амбиций первоначальной стратегии по снижению углеродной интенсивности установлен в среднем для отрасли, а не для каждого судна.

Очевидно, что климатические цели Парижского соглашения также установлены для мировой экономики в целом. Это значит, что какие-то отрасли могут предпринимать больше усилий, другие отрасли, чья доля в общемировых выбросах незначительна, а роль в обеспечении работы мировой экономики огромна – как, например, судоходная отрасль, должны предпринимать усилия, насколько это возможно и целесообразно с практической точки зрения, без ущерба для эффективной работы отрасли и, как результат, - функционирования мировой торговли.

В противном случае мы рискуем сломать работающий экономический механизм, не добившись желаемого экологического результата.

Мы также не разделяем оценок коспонсоров относительно результатов 4-го исследования ИМО по парниковым газам. С нашей точки зрения исследование подтверждает, что ИМО движется правильным курсом, планомерно и последовательно разрабатывая финансово и технически обоснованные меры. Считаем необходимым сохранить этот подход, поскольку неоправданная гонка за завышенными амбициями может быть не только чревата серьезными экономическими последствиями для государств, но и подорвать переговорный процесс в ИМО.

Мы не поддерживаем предложение коспонсоров начать на данном этапе дискуссию о рыночных мерах. Какой-либо подобный разговор можно начинать тогда, когда существуют адекватные и доступные технические альтернативы технологиям, против которых направлены эти меры. Не случайно, что рыночные меры упомянуты в Стратегии ИМО как одна из возможных среднесрочных мер по снижению выбросов парниковых газов, не самостоятельно, а как часть инновационных способов снижения выбросов, которые сначала необходимо разработать и вывести на рынок"

English version of the statement by the delegation of the Russian Federation

"IMO is conducting a very important work to find compromise solutions that could allow to effectively react on climate change without distorting the work of international shipping on which 90% of world trade is dependent on, as we all know.

In that respect we do have concerns about alignment of Paris Agreement temperature goals to the ambitions of the IMO Strategy, as suggested by cosponsors in paragraph 10.

First of all it is not quite clear to us how the temperature goal of the Paris Agreement can be technically aligned with quantitative parameters of emissions reduction in the IMO Strategy. Secondly. The level of ambition in the initial IMO Strategy to reduce carbon intensity has been established as average across the sector and not for particular ship.

Clearly the temperature goals of the Paris Agreement are also set for the world economy as a whole. That means that some of the sectors, especially those with larger emissions, can and should do more efforts, while other sectors with very small share of world emissions, but huge role for the global economy – like shipping, should pursue efforts as much as possible and practically feasible, without undermining the work of the sector and as a result – the functioning of global trade.

Otherwise we are risking to break down the good working economic mechanism without achieving the expected environmental result.

We also do not share the assessment of the cosponsors of the results of 4th GHG Study. To our view the Study confirms that IMO is on the right track by developing in consistent and systemic manner the set of financially and technically justified measures. We consider that the approach should be preserved since a rush towards overestimated ambitions can not only result in negative economic consequences for States but also undermine the negotiation process in IMO.

We do not support the proposal by the cosponsors to initiate discussion on market-based measures at this stage. Any such discussion can be started when there are adequate and affordable technical alternatives to the technologies against which the MBM is directed. It is not accidentally that MBMs are mentioned in the IMO Strategy as one of the candidate medium-term measures to reduce GHG emissions and not mentioned as standalone measure but as part of new/innovative emission reduction mechanisms, that first need to be developed and put on the market"

Statement by the observer from ICS

"Thank you, Sir. We thank the team which undertook this latest IMO GHG study and welcome the confirmation provided that shipping emissions remain below 2008 levels and the emissions growth has successfully be decoupled from trade growth. Overall, we are satisfied that the CO2 inventory provided is acceptably accurate as an indication of the sectors emissions. We do however have some concerns. The study appears to move the baseline for emissions from 2008, as agreed in the initial strategy to 2012 to misrepresent the achievements of the sector in improving energy efficiency. We also note that inventories for other emissions such as Black Carbon are based on estimates derived from a literature review and assumptions, and as such cannot be accepted as being accurate. We also note the concerns expressed by SGMF with respect to LNG in document 74/7/16. While these concerns do not significantly affect the overall veracity of the report when considering the industry's CO2 inventory they do have very significant implications if it is intended to use the study to inform policy development on other GHG emissions and in terms of the pattern of emissions since 2008 and as such we urge the Committee to be cognisant of these limitations when using the report of the study in its future work."

Statement by the observer of CSC

"Thank you Chair, and indeed thank you to the authors of the 4th IMO GHG Study. The CSC joins the co-sponsors of 75/7/17 in welcoming this report, and like them are alarmed at its findings. An almost 10% growth of sector wide emissions over the study period clearly shows an industry heading in the wrong direction on climate action. This study's findings spell that out clearly in a number of ways:

- The increase of methane emissions by over 150%, a bad sign considering the preference expressed by some for more LNG powered ships;
- The first ever calculation of black carbon, which is particularly potent in the Arctic; and
- The sign that carbon intensity reduction has slowed since 2015.

Taken together, CSC believes it's clear that shipping is charting a course for climate disaster. There is no indication that, without further action, shipping's emissions will peak anytime soon, much less meet the other goals of the initial IMO GHG Strategy or keep warming below dangerous levels. And the short-term ship climate measure approved yesterday isn't going to help.

Much firmer signals and bolder measures are necessary and as a first step in this direction we fully support the suggestion that work should begin immediately on revising the initial Strategy to bring it fully and unequivocally in line with the Paris Agreement target of warming no greater than 1.5 Celsius. Climate vulnerable nations and peoples the world over will have viewed your approval yesterday of a business as usual short-term ship GHG measure with despair. Please now give them some hope by expediting the review of the IMO's GHG Strategy to bring it fully into line with keeping warming below 1.5 degrees and help set the stage for genuine ship climate action in the near future.

Thank you Chair."

Statement by the observer from CSC

"Thank you Chair.

Yesterday there was some talk of informal discussion. If these take place, we are keen to contribute and we hope that you and the IMO will ensure that all stakeholders that want to be involved in those discussions are involved.

We raise this point because civil society NGOs were deliberately excluded from the informal discussions on a short term GHG measure that took place prior to and during ISWG GHG7, which we believe seriously harmed the process, affecting the legitimacy of the outcome.

Where, as a result of restrictions placed on the process by the pandemic, informal processes are being used to cover ground that might otherwise have been covered in a working or correspondence group then it is especially important and entirely appropriate that NGOs should have the same right of meeting access as they do to those working and correspondence groups."

Statement by the delegation of Brazil

"Thank you, Mr. Chair.

We thank the proponents for document MEPC 75/7/4, as well as the commenting papers. Although we see value in the idea and understand the urgency in promoting research and development activities to achieve more sustainable fuels, Brazil is not in a position to support the establishment of an International Maritime Research and Development Board in the format proposed by ICS et al.

Brazil understands the idea behind the argument that the mandatory USD 2 levy to fund the IMRB may not be, in theory and in the proponents' intention, a market-based measure. However, it is our belief and concern that, in practice, this charge will act as a de facto carbon tax, thus penalising shipowners, especially those who operate in remote areas, far from their destination markets. We do not support the idea of having a mandatory contribution, especially one that resembles a market-based approach, which, according to the IMO's Initial Strategy, is supposed to be a medium-term candidate measure and, as such, be subject to an impact analysis before its adoption.

In this sense, Brazil welcomes the views provided by the OECD in document MEPC 75/7/14. It is our belief that the various elements brought by the OECD should be considered, especially those related to the concerns of potential market distortions that the introduction of a mandatory levy that resembles government subsidies under the IMO would create. Besides the additional burden and imbalances this measure could potentially create, there are also important issues related to governance, transparency in the distribution of resources and issues related to intellectual property and access to the outcomes of the research and development process to be funded that are not clear in this proposal.

Thank you."

Statement by the delegation of Chile

"Agradecemos la propuesta presentada al MEPC en materia de aplicar una contribución obligatoria de US\$ 2 por tonelada de combustible consumida para el desarrollo de una línea de trabajo de I+D (MEPC 75/7/4). Chile valora los aportes que la investigación y el desarrollo pueden realizar en esta temática. De hecho, consideramos que es un elemento que contribuirá a alcanzar los niveles de ambición de la Estrategia de OMI. No obstante ello, estimamos que una contribución obligatoria como la que se propone no es la manera de obtener fondos para realizar I+D; asimismo, es una medida que penalizaría a países distantes, simplemente por su condición geográfica, y que por ende requieren un mayor consumo de combustible. Además, el Grupo de Trabajo acaba de acordar metas técnicas y operacionales adicionales y debemos finalizar el trabajo en el desarrollo de las directrices.

Cabe indicar que las medidas de mercado se consideraron como candidatas durante la elaboración de la Estrategia; sin embargo, es relevante considerar la crisis económica que se ha generado producto de la pandemia. En efecto, un reciente estudio de UNCTAD señala que el comercio marítimo mundial disminuirá en un 4,1% en 2020 debido a la interrupción sin precedentes causada por Covid-19. Estos efectos debiesen contemplarse en el diseño de futuras medidas.

En síntesis, creemos que se deben focalizar los esfuerzos en trabajar en las medidas candidatas a corto plazo tales como el análisis de ciclo de vida del combustible, la disminución en las fugas de metano provenientes del GNL, entre otras."

Statement by the delegation of Germany

"The IMO Initial Strategy sent a clear signal to governments and industry that IMO was serious about decarbonisation. As a first important step for the implementation of the Strategy the Seventh Intersessional Working Group on Reduction of GHG emissions from ships, after a lot of informal work and one week of intense discussions, finally agreed to recommend to the Committee a package of short-term measures.

We have been very clear in the past and we will be very clear today: We are afraid that this outcome will not meet even the minimum levels of ambition that we jointly agreed upon only two years ago. This is hard for us to accept because we definitively aimed for more.

But at the same time, we acknowledge and we appreciate the comprehensive efforts and trustful cooperation established in the Working Group. And that these have enabled us to agree on a solid framework which we can build upon in the future. At least we now have the basis for a global standard for ship energy efficiency that can be applied worldwide. This is key to putting the international shipping sector on the path to decarbonisation.

We also acknowledge that at this point in time it has not yet been possible for everyone to take further decisive steps. There is an ancient proverb saying

"If you want to go fast, go alone. If you want to go far, go together".

Wise words – making it difficult for us. Because we have to go far, so we have to go this way together. But we also have to be fast. There is no time left, global shipping has to start on the path to decarbonisation immediately.

We support the approval of the draft amendments to MARPOL Annex VI and the development of the accompanying MEPC resolution, as set out respectively in ISWG-GHG 7 WP.3 at this session of the Committee in a spirit of cooperation, calling on all Member States to fulfil the promise we made to the international community in 2018 when agreeing on the Initial Strategy.

It must therefore be very clear to everyone that this carbon intensity framework will have to be strengthened to allow for a pathway in line with the Paris Agreement objectives and to ensure the fulfilment of the Initial IMO GHG strategy. During the entire discussion, we felt a broad understanding that the outcome of this intersessional meeting is only a starting point. We now have to continue our concerted efforts to ensure that the IMO delivers on its promise and international shipping makes its contribution to the global combat against climate change. This is all the more important with regard to the needs of climate vulnerable States.

Surely, we also agree to the need to do a comprehensive impact assessment in line with the Initial Strategy. Germany supports this process by a contribution of 80,000 euros to the IMO GHG-TC Trust Fund.

Further work is then required to implement these measures in a rigorous and ambitious manner, in terms of the accompanying guidelines and the development of a new Carbon Intensity Code. Of course, we support the establishment of a Correspondence Group on the agreed development of Technical Guidelines on carbon intensity reduction. This task is essential for us and we will actively contribute to the work of the Correspondence Group.

Right after the necessary technical preparations, including the elimination of legal obstacles, we then definitively need to raise the bar, so the measures are strengthened as soon as possible. To do so, it is indispensable to set up a robust and effective enforcement scheme. And we need further incentives for ships to go beyond the minimum performance required.

We are looking forward to work with all parties to improve the framework that we were able to achieve so far. Germany is firmly determined to further work on ambitious short-term measures and to start working on meaningful mid- and long-term measures as soon as possible. In this regard, we would again like to highlight the importance to finally establish solid working arrangements for our future work on the reduction of GHG emissions from international shipping.

Chair, distinguished delegates, colleagues and friends, at the risk of repeating myself - let us be cognizant that our work has only just started. We are still at the very beginning. The world is watching us, and our work so far does not catch up with the expectations. We have not yet sent the sign, that the world needs and that the public is waiting for. It is high time for us to proceed on our path. Let us go fast and far. Let us prove that we can go this path together."

Statement by the delegation of Malaysia

"Thank you Chair,

We wish to thank the submitters and co-sponsors for the paper. We appreciate that there is a glaring need to leapfrog R and D in several vital areas, namely:

- a. Alternative Fuel
- b. New Technology
- c. Enhancing existing vessel capability so that there will not be a chokehold on tonnage. The intent is both noble and very dynamic.

Sir, we appreciate the approach; however, there are several key issues which needs careful forethought.

We believe there is a legal dimension to the proposal. Certainly, as in any international convention, these are subject to national laws, we have been advised that are areas in the proposal which borders fiscal control. The dynamics of collection and distribution, as well as

oversight, needs to be articulated. We believe that despite the levy imposed is within the normal fluctuation of fuel prices having considered the bunker price movement in the past six months; we are concerned if there will be cascading price fluctuations. It should not impose any more economic strain on vulnerable states and geographically distant economies. We appreciate that in some routes or sectors bunker are paid by charterers, but the consumer and retail segments are still paying it as this cost is passed on. As a candidate measure, there will need to be an impact assessment on the effect on states as we believe the rules apply to all candidate measures. Thus, this proposal should be annexed with an appropriate impact assessment as prescribed under MEPC.1/Circ 885.

We look forward to discussing this proposal on the deployment and surveillance mechanism, especially on the rollout using port state control officers. In short, there is a concern with the proposal, and it will need to be discussed further as such we do not support the proposal in the current form.

Thank you."

Statement by the delegation of the United Arab Emirates

"The United Arab Emirates would like to thank all submitters under this agenda item. UAE also welcomes the submission by ICS et al. and Vanuatu to establish an International Maritime Research and Development Board (IMRB), as one of the candidate short-term measures which is categorized in the IMO initial strategy to coordinate and oversee R&D activities and efforts.

The proposed structure of IMRB, in ICS et al., is completely independent from IMO structure. A new NGO is likely to be formed for this purpose with limited oversighting and no involvement of IMO in decision-making in spite of the funding from its Member States.

Our delegation believes that IMRB as a board does not mean establishing an organization. The board could be formed by expertise in a form of a dedicated standing technical group or a new sub-committee or even as proposed by Vanuatu's that IMRB could form an integral part of the Organization with the establishment of a new IMO Maritime Research and Development Department (MRDD). UAE believes that this suggestion is more applicable and manageable and also in line with IMO Convention and the organization's method of work.

With regard to the funding mechanism via MARPOL Annex VI as proposed by ICS et al, it is clearly stated that this proposal is a Market-Based Measure (MBM) as identified in annex 2 as a measure with impact assessment. Therefore, any proposal related to MBM could be addressed when mid-term and long-term measures are introduced accordingly. On the other hand, Vanuatu's proposal focuses on the funding mechanism through the principle of Gross Tonnage which is, in our view, not a source that contributes directly to the emissions which is normally the fuel.

Another issue related to the Intellectual property rights and patents which considered to be a valuable source of income and could be seen in the earnings gained from the licensing of technology, this document did not indicate who would be benefited from such good source of income. Therefore, further discussion and considerations are needed in this regard.

As highlighted by OECD for their document MEPC 75/7/14 on the issue of clarity of objectives as highlighted in paragraph 6 of their document. UAE believes that the proposal lacks clear SMART strategy (Specific, Measurable, Achievable, Realistic or Relevant and Time-bound) towards the proposed projects. Without specific and clear objectives, goals could not be measured therefore could not be achieved. Some of the projects, such as hydrogen and

ammonia, would take several decades or even more to be brought to the market for commercial scale and make such technology affordable and accessible for the global market which we believe it would be beyond the envisaged life (10-15 years) of both IMRB and IMRF when both would be formally dissolved. Not to mention that some projects such as hydrogen has serious implications on safety of the fuel and ammonia with its toxicity and emissions as indicated in document MEPC 75/INF.5.

UAE also agree with Solomon Islands in document MEPC 75/7/13 that the proposal is not likely to either promote the interests of SIDS and LDCs in the rapid reduction in GHG emissions or alleviate detrimental effects of climate change on SIDS and LDCs. In addition, any oversight body established to determine priorities and allocation of funding for R&D must not be dominated by one group and must include representation from SIDS and LDCs. A percentage of funding should include SIDS and LDCs target the shipping needs of SIDS and LDCs and that funding may also be allocated to deployment, market-readiness and commercialization projects.

At this stage, our delegation can support the establishment of IMRB to form an integral part of the Organization and the establishment of a fund should be in a voluntary basis as per the IMO existing mechanism, taking into account, other initiatives and funds established such as the Green Climate Fund (GCF) which was set up by the United Nations Framework Convention on Climate Change (UNFCCC).

Finally, Mr. Chair, the United Arab Emirates has no doubt that IMRB and the associated Fund can provide the means to support the innovation process and meet the ambitious of the IMO initial Strategy. However, and before taking a decision on this matter, UAE would like to seek the legal advice from the Secretariat if IMO could establish such a mandatory fund via amendment of one of its instruments such as MARPOL Annex VI to establish and fund a Non-Governmental Organization (NGO)."

Statement by the delegation of the Cook Islands

"If nothing else this week has shown that this is not and cannot be seen as an acceptable way to deliberate on, develop, approve and adopt international legislation.

How the Council decided to only give us 5 x 3 hours virtual days when a normal face to face meeting has 5 x 5 hours days plus breaks to discuss, lobby & seek consensus is a mystery to us.

Clearly we need ISWG GHG 8 and MEPC 76, if virtual, to be at least 8 x 3 hours working days and we suggest in the strongest terms that the Committee calls, as a matter of the utmost urgency, upon the 124th Session, i.e. the next session, of the Council to approve such working arrangements."

ITEM 10

Statement by the observer from Pacific Environment

Ms. Mellisa Johnson: "Thank you, Chair.

Let me right from the start be absolutely clear with delegates. I am joining with Civil society organizations, represented here by the Friends of the Earth International, Greenpeace International, WWF, Pacific Environment, and the Clean Shipping Coalition, to say that we do not believe that the draft Arctic HFO language being considered here is a ban at all, and we cannot and will not support it.

If it goes ahead, it will be a massive missed opportunity to provide urgently needed protection for the Arctic and Indigenous Peoples who rely on those waters and it will inevitably cause widespread confusion, with the wider world assuming that a "ban" stops HFO being used in the Arctic when actually, what is happening at the IMO is only a modest and likely temporary reduction in its use for the first ten years.

I am introducing document MEPC 75/10/7, which comments on document MEPC 75/10/Add.1, paragraph 3.5, on the draft amendment to MARPOL Annex I to incorporate a prohibition on the use and carriage for use as fuel of heavy fuel oil by ships in Arctic waters.

Throughout 2020, the Arctic has been featured in the news on a regular basis – with substantial openings in the sea ice earlier than normal at the beginning of the summer season, the Northern Sea Route opened in July for the first time ever, and the summer sea ice reaching its 2nd lowest extent since records began over 40 years ago in September. The Arctic is changing rapidly and trade and shipping activity is increasing. According to the ICCT, over the last four years the use of HFO in the Arctic has increased 75% and black carbon emissions have grown 85%. We cannot wait ten years to stop HFO use in the Arctic. Let me say this again for clarity, ten years is simply too long to wait!

In MEPC 75/10/7, you will find the conclusions of a recent ICCT study into the effectiveness of the draft amendment, along with legal concerns such as the possibility of transboundary pollution resulting from the inclusion of a waiver clause. I will now pass the mic for a moment to Dr. Bryan Comer from the ICCT who will explain the more about the ICCT study and its findings:"

Dr Bryan Comer: "Thank you Mellisa.

My colleagues and I analysed how much HFO and black carbon emissions would decrease under the proposed ban, taking into account the exemptions and waivers. In the current text, ships with so-called "protected fuel tanks" would be exempt from the ban until July 2029. In addition, Arctic countries would be allowed to waive the requirements of the HFO ban for ships flying their flag while operating in their waters until July 2029. As a result of these exemptions and waivers, we found that the draft amendments will allow 74% of the HFO-fuelled fleet to keep using HFO in the Arctic. As a consequence, we found that the proposed amendments will only reduce HFO carriage by 30%, will lower HFO use by only 16%, and will decrease black carbon emissions by only 5%. Unfortunately, the regulation's effectiveness is expected to diminish over time. As newer ships built with protected fuel tanks enter the fleet, they will qualify for exemptions and be allowed to carry and use HFO until July 2029. Additionally, if ships reflag to Arctic States, more will qualify for waivers, further eroding the regulation's effectiveness. Ultimately, we concluded that exemptions and waivers should be eliminated or at least limited if the regulation is to actually ban HFO before the end of the decade.

Thank you, Chair."

Statement by the observer from WWF

"Arctic sea ice is melting at an unprecedented rate which means the potential for more and more vessels transiting through the Arctic. That increased traffic brings potential threats to marine life and ecosystems already under stress from a rapidly changing climate. All IMO members and especially Arctic States need to ensure the final HFO ban fulfils the original intent, and completely eliminates its use by 2024 to protect the food security and livelihoods of local and Indigenous communities from pollution and spills. Given the projected increase in shipping and impacts that that will likely bring, a full HFO ban without exemptions and waivers coming into effect in 2024 levels the playing field for Indigenous and local communities.

There is still time to get this right. If the text is left as is, this will be a ban in name only and will likely oversee an increase in HFO use and HFO carriage in the Arctic in the next 9 years. HFO is one of the world's dirtiest fuels, producing higher levels of air and climate pollutants than any other marine fuel. Effectively banning HFO in the Arctic is also an important step in the IMO fulfilling its commitment to a comprehensive greenhouse gas emissions reduction strategy. The shipping industry must do its part in achieving a net zero future, and protecting Indigenous and local communities in the Arctic. We urgently plead with IMO member states to fix the current text and remove all waivers and exemptions, and fully ban HFO by 2024.

Thank you."

Statement by the observer from CSC

"The Clean Shipping Coalition supports the comments made by our co-sponsors. We do not believe that the draft Arctic HFO language can be considered a ban at all. And we cannot and will not support it. If it goes ahead it will be a massive missed opportunity to provide urgently needed protection for the Arctic and it will inevitably cause widespread confusion, with the wider world assuming that a "ban" stops HFO being used in the Arctic when actually in the mouth of the IMO it only means a modest and likely temporary reduction in its use for the first ten years.

Mr Chair, a "ban" that affects just a quarter of ships is not a ban at all. And one of the reasons that it's not a ban is that it doesn't treat all flags equally. Arctic states will be free to allow all ships flying their flag to continue to use HFO out to the furthest reaches of their EEZs, regardless of ship type, size, or age, and regardless of whether or not they have protected fuel tanks. This rewards ships flying the flags of the five central Arctic coastal states by allowing them to continue to use heavy fuel oil while other ships must comply with the regulation. We are surprised that this isn't setting alarm bells ringing at IMO.

We are also concerned that issuing waivers will relax international environmental standards in the EEZs and territorial seas of Arctic coastal States. UNCLOS requires that flag States adopt regulations for their EEZs for the prevention, reduction, and control of pollution from ships flying their flags that must at least have the same effect as generally accepted international rules and standards. Because waivers would weaken protections of the marine environment in these areas, it raises important legal questions about whether waivers are even compatible with MARPOL or UNCLOS, especially because ships with waivers are at increased risk of spilling HFO, which could also result in transboundary pollution. More alarm bells surely!

The Arctic is changing rapidly and trade and shipping activity is increasing. According to the ICCT, over the last four years the use of HFO in the Arctic has increased 75% and black carbon emissions have grown 85%.

I will conclude by repeating Mr Chair that if the draft Arctic HFO ban is taken forward in its current form it will do so without the support of civil society and the organisations that have been at the forefront of the push to protect the Arctic from HFO. As my colleague with Pacific Environment said "Ten years is too long to wait"."

Statement by the observer from FOEI

"Thank you Chair,

First, I would like to offer Friends of the Earth International's sympathies to the people of Mauritius facing the challenges of dealing with the MV Wakashio HFO fuel spill – a spill that was not of their making. Secondly, we would like to congratulate Norway for showing leadership in consulting on eliminating the risk posed by the use of HFO in the Arctic – and we hope that their commitment leads to a successful outcome.

FOEI supports the comments made by our co-sponsors on Paper 75/10/7. We do not believe that the draft Arctic HFO language being considered here is a ban at all. If it goes ahead as currently drafted it will be a massive missed opportunity to provide urgently needed protection for the Arctic and our people.

An HFO spill in our Arctic waters, where our people have survived and depended on for thousands of years, would devastate our subsistence way of life. The sensitive marine wildlife we depend on for food, such as seals, whales, walrus, fish and birds, would be devastated.

In particular, we have a major concern about the risk of transboundary HFO pollution in the Bering Straits region where my family lives between Russia and Alaska USA. The UN Convention on the Law of the Sea requires states to take all measures necessary to ensure that activities under their jurisdiction or control do not cause damage through pollution to other States and their environment. We believe that the issuing of waivers for vessels to continue carrying and using HFO maintains the risk of an HFO spill in the Bering Strait and is not in keeping with the intent of the Law of the Sea Convention.

FOEI calls on all IMO Members to support Arctic States in strengthening the ban on HFO use and carriage as fuel in the Arctic and speeding up its entry into effect for the health and safety of Indigenous peoples."

Statement by the observer from Greenpeace International

"Thank you Chair,

First of all, Greenpeace would like to offer our sympathies to the people of Mauritius dealing with the aftermath of the **MV Wakashio** HFO spill in August and we wait to see what action will be taken by the IMO and others in order to prevent such incidents in the future.

As a co-sponsor of MEPC 75/10/7, Greenpeace would like to support the comments made by the co-sponsors of this submission. A ban that allows an increase in the use and carriage of HFO in the Arctic would be a perverse response to the urgent problem at hand.

The Arctic is one of the most fragile marine ecosystems in existence and the impact of an HFO spill here would be absolutely catastrophic for both the Indigenous Peoples who live across the Far North and the myriad species that call it home. Sea ice, gale force winds and stormy seas, months of perpetual twilight, extreme remoteness and an absence of deep water ports or other infrastructure would make any kind of response operation extremely challenging, to put it mildly. Prince William Sound in Alaska has still not fully recovered decades after the **Exxon Valdez** spill.

As the warming Arctic allows greater access to shipping, it would be an abject failure of leadership were the IMO to enact such weak regulations that serve only to increase the likelihood of oil spills in the Arctic in the future. For these reasons, Greenpeace does not

support the draft regulation as currently drafted and urges this committee to remove waivers and exceptions if IMO members are serious about protecting the fragile Arctic environment and its people from future oil spills.

Furthermore, it is vital to keep in mind that the Arctic sea ice has already lost two-thirds of its volume, that there has been a consistent decline in sea ice extent over the past decades and that the 2020 *Arctic sea ice* minimum was the second lowest on record. Ultimately, therefore, as both the climate emergency and recent oil spills have made clear, the industry must urgently transition away from fossil fuels, consistent with the goals of the Paris Agreement."

Statement by the delegation of the Russian Federation

"Российская Федерация благодарит участников переговоров на PPR7 за конструктивный подход и желание найти компромиссное решение. Результатом этого явилось именно компромиссное решение, которое, очевидно, не удовлетворит всех. Мы понимаем, что кто-то хочет применить запрет раньше или в большем объеме. Мы же, наоборот, на основе исследований и собственного опыта в Арктике убеждены, что запрет на тяжелое топливо нецелесообразен в принципе.

Российская Федерация твердо уверена, что запреты не всегда являются оптимальным способом решения экологических проблем. Вместо этого необходимо применять комплексный подход, разрабатывать и применять меры по снижению рисков на национальном, региональном или универсальном уровне, таким образом, чтобы обеспечить соблюдение высоких экологических стандартов без отрицательных последствий для экономики и социальной сферы.

Запреты, к сожалению, в большинстве случаев не гарантируют отсутствие таких отрицательных последствий. Они дают ложную уверенность в том, что угроза устранена раз и навсегда, и что нет больше необходимости принимать какие-то меры предупреждения и реагирования на эту угрозу.

Подводя итог, на данный момент мы считаем возможным одобрить проект поправок. Это конечно не означает, что сняты все наши озабоченности относительно технической проработки запрета и возможных социально-экономических последствий его введения. Но предложенные временные рамки и условия запрета, по нашему мнению, позволяют комплексно провести оценку ситуации и перспектив и заблаговременно проработать необходимые меры"

English version of the statement by the delegation of the Russian Federation

"The Russian Federation would like to thank the participants of the negotiations held at PPR7 for the constructive approach and willingness to find compromise solutions. The result is precisely a compromise that evidently would not satisfy all. We do understand that some may want to apply the ban earlier or to larger extent. On the contrary, we are convinced that HFO ban is not necessary at all on the basis of research and own experience in the Arctic.

The Russian Federation strongly believes that bans do not always represent the optimal way to solve environmental issues. The approach should instead be comprehensive, implying the development and implementation of measures to reduce the risks on national, regional or global level, to ensure the highest environmental standards without adverse consequences to the economy and social sector.

Bans unfortunately in most cases cannot guarantee the absence of such adverse consequences. Bans give false confidence that threat has been removed once and for all and that there is no need to take any precautionary and response measures anymore.

To sum up, at this point we consider it possible to approve the draft text of amendments. That does not mean of course that all our concerns regarding technical justification and social and economic consequences have been withdrawn. But the timeframe and conditions of the ban in our opinion allow to assess the situation and perspectives in comprehensive manner and to elaborate relevant measures in advance"
