

Introduction to MARPOL Annex VI ratification process

Dick Brus
REMPEC Consultant

Regional Workshop on the consistent implementation of IMO 2020 under MARPOL Annex VI and the 0.10% sulphur limit in the Med SOx ECA (Malta, 22-23 May 2024)



Mediterranean
Action Plan
Barcelona
Convention



INTERNATIONAL
MARITIME
ORGANIZATION

Argentina becomes 100th State Party to MARPOL Annex VI regulations for the prevention of air pollution from ships.

Argentina has become the 100th Contracting State to the mandatory International Maritime Organization (IMO) regulations on cutting air pollution from shipping.

The regulations in Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL) address air pollution from ships and include energy efficiency and fuel quality requirements designed to reduce harmful emissions from shipping.

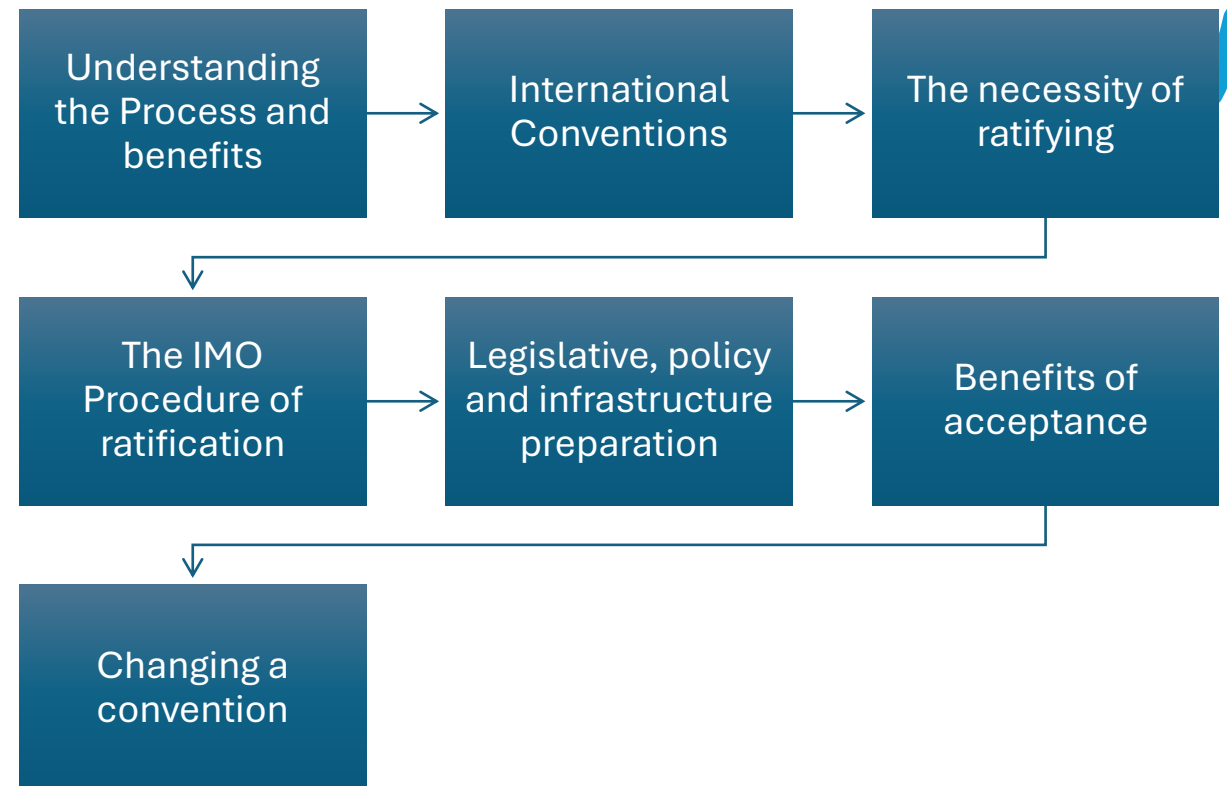
With Argentina's ratification, the regulations now apply to 96.65% of world merchant shipping by tonnage.

IMO Secretary-General Kitack Lim welcomed the latest ratification. "The Annex VI regulations limit air pollutants from shipping and improve energy efficiency, helping to combat climate change by reducing CO₂ emissions from shipping. I am pleased that we now have 100 Contracting States and encourage others who have not yet done so, to become a party to this important treaty," Mr Lim said.



His Excellency Mr. Javier Esteban Figueroa, Ambassador Extraordinary and Plenipotentiary of Argentina deposited the instrument of accession with Mr. Lim on Tuesday, 8 June.

Ratification: ensuring environmental protection in the Mediterranean



A treaty or convention is an agreement between countries (convention, treaty).

- The treaty or convention is the primary instrument for establishing detailed agreements between states.
- It has an impact on individuals through rights and obligations.
- Conventions between member states of the United Nations must be public, so that states cannot form secret alliances.
- A convention is an agreement between states, not between states and international organizations.
- Rules for signing, ratifying, and coming into force of a convention



There are more than 50 IMO conventions

MARPOL Annex VI is a treaty of 105 states

CP and IMO:

For a consistent implementation of the 0.10% m/m sulphur limit under MARPOL Annex VI in the Med SOX ECA, it is essential that all Mediterranean coastal States become a Party to MARPOL Annex VI.



- The CPs decided in the COP 22 Decision IG.25/14 to: “Urge the Contracting Parties to ratify and effectively implement MARPOL Annex VI, as soon as possible, if they have not yet done so, at least by the date of entering into force of the Med SOX ECA, to the extent possible”.
- MEPC 79 approved Resolution MEPC.361(79) with the invitation: “Invites coastal States of the Mediterranean Sea Emission Control Area for Sulphur Oxides and Particulate Matter to ratify and effectively implement MARPOL Annex VI, as soon as possible, if they have not yet done so, at least by the date of entry into force of the said amendments”

Party to MARPOL Annex VI

Albania

Croatia

Cyprus

France

Greece

Italy

Malta

Monaco

Montenegro

Morocco

Slovenia

Spain

The Syrian Arab Republic

Tunisia

Türkiye

In the process of Ratification

Algeria

Bosnia and Herzegovina

Egypt

Israel

Lebanon

Libya

IMO procedure

MARPOL Annex VI is a separate instrument under MARPOL. You have to be a party to MARPOL to accede to MARPOL Annex VI.



MARPOL 73/78 consists of six separate Annexes, each set out regulations covering the various sources of ship-generated pollution.



Annexes I (prevention oil) and II Noxious Liquid Substances) are mandatory for all signatory nations to MARPOL



Annexes III (Packaged goods) IV (sewage), V Garbage)and VI (air pollution) are optional.

THE IMO PROCEDURE FOR RATIFICATION



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4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

PMP.7/Circ.75
8 June 2021

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

Accession by Argentina

The Secretary-General of the International Maritime Organization has the honour to refer to the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and to state that accession by the Republic of Argentina was effected by the deposit of an instrument on 8 June 2021, in accordance with article 5(2) of the Protocol.

The Protocol will enter into force for Argentina on 8 September 2021, in accordance with article 6(2) of the Protocol.

There are, at present, 100 Contracting States to the Protocol, representing approximately 96.65%* of the gross tonnage of the world's merchant shipping.

Official acceptance
by a country to
become a party

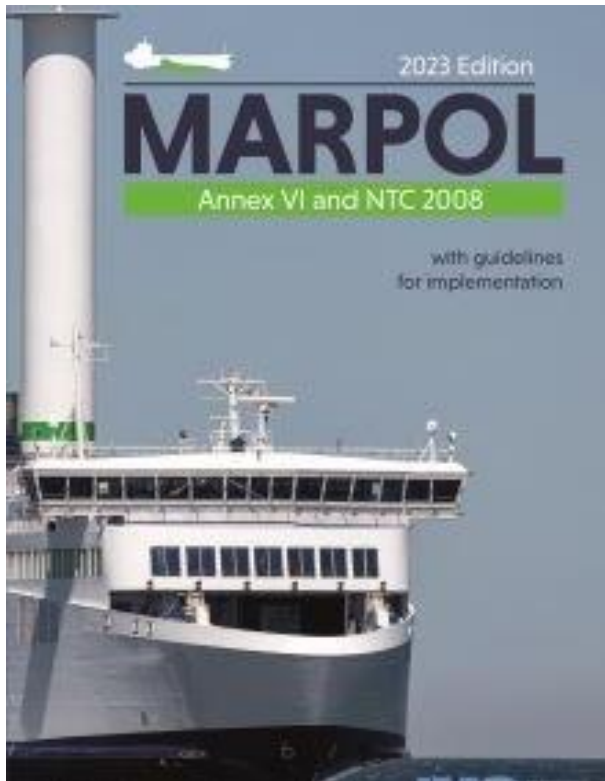
The IMO secretary
general is the
depository of
MARPOL

Ratification shall be
effected by a
instrument to that
effect by the secretary
general

The Secretary General
checks if all
conditions for
ratification have been
met

The Secretary General
informs all IMO
member States which
are party of the
convention

ENTRY INTO FORCE



The Secretary General confirms that the ratification is accepted

The entry into force is three months after the date of deposit of the ratification

CONVENTION IS BINDING

After a ship caused damage, a party argued that its national insurer was not obligated to pay compensation as the terms of the convention were not implemented yet in national law.

Legal experts confirmed in favor of the convention obligations, asserting that international commitments supersede domestic status



Rules of international law:
convention is binding



MARPOL: parties shall give effect
to the provisions of the convention
by which they are bound

LEGISLATIVE, POLICY AND INFRASTRUCTURE PREPARATION



Ports infrastructure to support implementation

Reception facilities
Equipment for sampling and testing
Possibly installation of shore power facilities



Incorporation of MARPOL Annex VI in national law



Designation of enforcement authorities

FLAG STATE OBLIGATIONS

Ensure that its ships of 400 gross tonnes and above are issued with

- an International Air Pollution Prevention (IAPP) certificate
- International Energy Efficiency (IEE) certificate
- Ship Energy Efficiency Management Plan (SEEMP) (regulation 22)

New ships will be obliged to meet the prescribed Energy Efficiency Design Index (EEDI).



BENEFITS OF ACCEPTANCE OF MARPOL ANNEX VI

Becoming a Party to MARPOL Annex VI demonstrates a commitment to protecting the marine environment and reducing air pollution from ships

- **Limiting emissions**
 - **sulphur oxides (SO_x),**
 - **particulate matter**
 - **nitrogen oxides (NO_x)**
 - **ozone depleting substances**
- **Volatile organic compounds**
- **Shipboard incineration**
- **Energy efficiency for ships**

REPUTATION

- Adhering to international agreements to maritime environmental protection
- Responsible member of the global maritime community
- It fosters positive relationships with other states and international organisations
- Better access to international funding and assistance
- Potentially attracting investment



MARPOL Annex VI development

- MARPOL Annex VI is evolving in time, according to wishes of the parties to the convention to protect against air pollution and environmental problems.
- MARPOL: accepted by two third of the parties of Annex VI, with not less than 50% of the world gross tonnage world fleet
- Entry into force 6 months after acceptance





Which IMO body decides on amending MARPOL Annex VI

- Maritime Safety Committee?
- Maritime Environment Protection Committee?
- IMO Council
- IMO Assembly



105 parties have ratified MARPOL Annex VI . Which seagoing vessels, making an international voyage, must comply with the regulations of MARPOL Annex VI?

- a) Ships under the flag of these 105 countries
- b) Ships visiting these 105 countries
- c) Ships under the flag of these 105 countries and ships visiting these 105 countries
- d) All ships of countries that are members of the IMO“
- E) All ships world wide

CALL TO ACTION

- Can we expedite the ratification process?
- How can the possible stumbling blocks be addressed?

