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From:	General Secretariat of the Council
To:	Delegations
Subject:	15th meeting of the Intersessional Working Group on Reduction on the Reduction of GHG Emissions from Ships (London, 26-30 June 2023) 80th session of the Marine Environment Protection Committee (London, 3-7 July 2023) – Non-paper from the Commission drafted to facilitate EU co-ordination

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (07.07.2023)

Delegations will find attached a non-paper from the Commission drafted to facilitate co-ordination between the EU Member States and the Commission in respect of the subject mentioned above.[1]

[1] It is the intention of the Presidency to ensure the necessary co-ordination of the Member States' positions on the spot on the basis of the discussion of this paper.

ANNEX

NON-PAPER
ON THE POSITION OF THE UNION FOR THE
80TH SESSION OF THE
IMO MARINE ENVIRONMENT PROTECTION COMMITTEE (MEPC 80)
(03 - 07 JULY 2023)
AND
THE 15TH SESSION OF THE INTERSESSIONAL WORKING GROUP ON
REDUCTION OF GHG EMISSIONS FROM SHIPS (ISWG-GHG 15)
(26 – 30 JUNE 2023)

The annotated agenda is presented to the Council with the view to establishing the EU positions on agenda items for the 80th session of the IMO Marine Environment Protection Committee (MEPC 80) as well as the preceding 15th session of the intersessional working group on the reduction of GHG emissions from ships (ISWG-GHG 15).

This document lists all received documents on issues of EU relevance[2].

The comments by the Commission are printed in *italics*. The proposed position of the Union is printed in ***bold italics*.**

Should Member States wish to express a position on matters not covered by the Union position, in accordance with the principle of loyal cooperation they shall refrain from any measure that may jeopardise the attainment of the Union's objectives.

[2] Based on documents received up to 2 June 2023.

Agenda item 1 – Adoption of the agenda

Docs: MEPC 80/1,MEPC 80/1/1

MEPC 80/1 (Secretariat): provides the provisional agenda for MEPC 80.

MEPC 80/1/1 (Secretariat): provides information on the action the Committee will be invited to take in relation to the items on the agenda of MEPC 80. Annotations to the provisional agenda are contained in annex 1 and the provisional timetable for the meeting is set out in annex 2.

In accordance with MEPC 80/1/1, the following working and drafting groups may be established at this session:

1. Working Group on Air Pollution and Energy Efficiency;
2. Working Group on Reduction of GHG Emissions from Ships;
3. Drafting Group on Amendments to Mandatory Instruments;
4. Technical Group on the Designation of PSSA and Special Areas; and
5. Ballast Water Review Group.

Agenda item 2 – Decisions of other bodies

Docs: MEPC 80/2, MEPC 80/2/1-3

MEPC 80/2 (Secretariat): reports on the outcomes of the forty-fourth Consultative Meeting of Contracting Parties to the London Convention 1972 and the seventeenth Meeting of Contracting Parties to the 1996 Protocol to the London Convention.

MEPC 80/2/1 (Secretariat): reports on the outcomes of TC 72, MSC 106 and C 128 on matters relevant to the work of the Committee.

MEPC 80/2/2 (Secretariat): provides information on the outcomes of FAL 47 relevant to the work of the Committee.

MEPC 80/2/3 (Secretariat): provides information on the outcome of LEG 110 relevant to the work of the Committee.

EU relevance

The Union has exclusive competence on the draft Guidelines on places of refuge for ships in need of assistance.

Article 20a of Regulation 2002/59/EC on plans for the accommodation of ships in need of assistance directly addresses this issue by requiring that such plans shall be prepared on the basis of IMO Resolutions A.949(23) on Guidelines on places of refuge for ships in need of assistance and A.950(23) on maritime assistance services (MAS).

Background

MSC 100 approved the request, made in document MSC 100/17/1 (+Corr.1) by the Union and concerned industry bodies, for a new output to update the current IMO resolution A.949(23) on Guidelines on places of refuge for ships in need of assistance. NCSR 7, which was entrusted to work on this issue, considered NCSR 7/13 submitted by the Union, supported by various shipping industry organisations, proposing draft amendments to the Guidelines on places of refuge, based on the common experience gained in developing the EU Operational Guidelines. NCSR 9 finalised the draft Assembly resolution on Guidelines on places of refuge for ships in need of assistance, and invited MSC to approve it. MSC 106 approved the draft Assembly resolution (document MSC 106/19, annex 20), and invited MEPC and the Legal Committee to concurrently approve it, with a view to adoption at A 33. LEG 110 approved the same draft Assembly resolution with some minor amendments which do not affect the operational content of the guidelines.

Consideration at MEPC 80

Therefore, in accordance with MEPC 80/2/1 and MEPC 80/2/3, this session is asked to concurrently with the MSC to approve the draft Assembly resolution on guidelines on places of refuge for ships in need of assistance. **DELETED**

Agenda item 5 – Air pollution prevention

Docs: MEPC 80/5, MEPC 80/5/1-7, MEPC 80/INF.4, 13 and 35

MEPC 80/5 (Norway): contains a comparative study of the exhaust gas emissions when using biodiesel and marine gas oil in two different laboratory diesel engines.

MEPC 80/5/1 (Canada): shares the findings of the Starcrest study and invites input from engine designers, Original Equipment Manufacturers (OEMs), EUROMOT, and regulators on its findings. Based on further research/data/real world information, potential test cycle for NOx Tier III may be established that better reflects real world ship operations within ECAs, including those near coastal regions and ports. Canada would also like to invite comments on this concept.

MEPC 80/5/2 (India): provides a proposal for interim guidelines for the use of biofuels and blends of biofuels as fuels.

MEPC 80/5/3 (Germany, Norway and IMarEST): responds to the invitation by MEPC 79 to resolve the inconsistency identified at that session regarding the reporting of flashpoint on the bunker delivery note resulting from the different terminologies used in SOLAS chapter II-2 and MARPOL Annex VI as they apply to low-flashpoint fuels and also the issue of the provision of MARPOL delivered samples in the case of such fuels. Additionally, a number of other ″fuel oil″ related issues have been identified by the co-sponsors. To address all these points a number of amendments and consequential amendments are proposed to MARPOL Annex VI.

MEPC 80/5/4 (Liberia, United Kingdom and IACS): proposes an amendment to regulation 18.4 of MARPOL Annex VI related to gaseous and low-flashpoint fuels.

MEPC 80/5/5 (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands (Kingdom of the), Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the European Commission): proposes draft regulatory amendments to MARPOL Annex VI for the consideration of the Committee, related to output 1.23 "Evaluation and harmonization of rules and guidance on the discharge of discharge water from equivalent compliant methods, including Exhaust Gas Cleaning Systems (EGCS), into the aquatic environment, including conditions and areas". It aims at facilitating the completion of remaining part 3 (regulatory matters) of output 1.23 based on course of action recalled by the Committee at its 78th session.

MEPC 80/5/6 (Japan): comments on document MEPC 80/5/5 (Austria et al.) on "evaluation and harmonization of rules and guidance on the discharge of discharge water from EGCS into the aquatic environment, including conditions and areas".

MEPC 80/5/7 (Japan): provides legal comments on document MEPC 80/5/5 on "evaluation and harmonization of rules and guidance on the discharge of discharge water from EGCS into the aquatic environment, including conditions and areas."

MEPC 80/INF.4 (Secretariat): summarizes relevant information reported to IMO related to the implementation of the global 0.50% sulphur limit (IMO 2020) and presents the results of the sulphur monitoring programme for 2022.

MEPC 80/INF.13 (India): provides information on the result of a survey conducted by India regarding the maintenance of fuel oil quality as required by Regulation 18.1 of MARPOL Annex VI for the fuel oil delivered in Indian ports by the licensed bunker suppliers in India in order to check that the fuel oil supplied by Indian bunker suppliers comply with the qualitative and quantitative requirements of MARPOL Annex VI. Further, based upon the result of the survey, India emphasizes the need for implementing the scheme for licensing of the bunker suppliers in order to improve transparency and to ensure uniform implementation by all members.

MEPC 80/INF.35 (Austria, Estonia, Finland, France, Iceland, Ireland, Luxembourg, Netherlands, Portugal, Spain, United Kingdom and the European Commission): provides information on the ongoing work regarding the possible designation of a North-East Atlantic Ocean Emission Control Area under MARPOL Annex VI.

a) *Energy Efficiency Design Index (EEDI)*

EU relevance

The Union has exclusive competence in the matter.

EEDI is linked to Regulation (EU) 2015/757 on the monitoring, reporting and verification of CO_2 emissions from maritime transport, as it is one of the parameters to be reported and published on a per-ship basis. The commitment by the EU and the relevant legal instruments and policies adopted to reduce GHG emissions, including from shipping, are further described under agenda item 7.

In addition, from a policy point of view, the Commission's Sustainable Blue Economy Communication notes that "A sustainable blue economy offers many solutions to achieve the European Green Deal objectives. Many of the current activities need to reduce their carbon footprint, while new, carbon-neutral activities need to take centre stage. The blue economy can contribute to carbon neutrality by developing offshore renewable energy and by greening maritime transport and ports."

Background

Note background information under Agenda item 6.

b) *Alternative fuels: Biofuels*

EU relevance

This issue falls under Union exclusive competence.

Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources establishes a common framework for the promotion of energy from renewable sources. It sets a binding Union target for the overall share of energy from renewable sources in the Union's gross final consumption of energy in 2030. It also establishes sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids and biomass fuels.

Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure establishes a common framework of measures for the deployment of alternative fuels infrastructure in the Union in order to minimise dependence on oil and to mitigate the environmental impact of transport.

In addition, the Union has adopted the following policy document: Communication from the Commission of 24 January 2013 entitled 'Clean Power for Transport: A European alternative fuels strategy', which identifies biofuels as one of the principal candidate alternative fuels. Considering the latest developments with respect to low carbon sustainable alternative fuels, the document is not entirely current, for example with respect to the use of ammonia as a shipping fuel, green methanol, electricity for ships and the use of natural gas as a fossil based fuel.

Background

MEPC 79 considered several documents, including those deferred from previous sessions, related to biofuels, including matters related to the NOx Technical Code, ISO 8217, sea trials, and Black Carbon.

In MEPC 78/5, India proposed the development of interim guidelines for use of crop-based biofuel blends on ships to promote the safe use of biofuels by ships as an interim solution to reduce GHG emissions until such time that more viable alternative fuels are made available for maritime use. In this regard, India shared its experience on 20% biodiesel blends tested on ships. **DELETED**

The Committee also considered the submission by India (MEPC 79/7/18) which while recognising that it would be important to finalize and approve the LCA guidelines before the use of biofuels could be promoted, it proposed that the Committee should prepare a resolution to be adopted at the same time as the approval of the LCA guidelines, stating that any biofuel manufactured from recycled sustainable biomass, seed oil from tree species that do not compete for food and fodder, and certified as a sustainable fuel as per the LCA guidelines, be assigned zero CO_2 equivalent value for use in IMO DCS and CII regulations. **DELETED**

Consideration at MEPC 80

India followed up its previous documents with a further two documents to this session: the first (MEPC 80/5/2) proposing interim guidelines for the use of biofuels and blends of biofuels as fuels; and the second (MEPC 80/7/9 together with Liberia, Norway, ICS, CLIA and IPIECA) proposing a draft MEPC resolution on biofuel that is certified to conform to the sustainability aspects in the LCA guidelines. **DELETED**

c) *Exhaust Gas Cleaning Systems (EGCS)*

EU relevance

This issue falls under Union exclusive competence.

Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels provides that emission abatement methods referred to in Article 8(4) shall comply at least with the criteria specified in Annex II of the Directive. As regards the criteria for the use of Exhaust Gas Cleaning Systems (EGCS), the Directive refers to IMO Resolution MEPC.184(59) 2009 on Guidelines for exhaust gas cleaning systems.

Background

The Union submission (MEPC 76/9/2) to MEPC 76 had proposed, inter alia, amendments to MARPOL Annex VI to include a specific reference to the ability of Member States to regulate EGCS discharges in ports, harbours, estuaries or other sea areas under their jurisdiction, taking into account the risk assessment guidelines to be developed by the IMO. However, due to time constraints this proposal was deferred to MEPC 77, which subsequently referred it to PPR 9. However, the Sub-Committee did not have the time to consider the proposed amendment to MARPOL Annex VI and agreed to postpone part 3 (Regulatory matters) to a future session of the Sub-Committee, but after PPR 10, subject to further proposals to the Committee on this part.

MEPC 78 had approved the 2022 Guidelines for risk and impact assessments of the discharge water from exhaust gas cleaning systems, as finalised by PPR 9. **DELETED** *The Committee agreed to refer both documents to PPR 11.*

Regarding MEPC 79/5/3 (FOEI et al.) arguing that EGCS which allowed water discharges from such systems to the seas were effectively transforming air pollution into marine pollution, and hence were inconsistent with UNCLOS which prohibited transferring one pollution to another type of pollution. **DELETED** *While some other delegations supported this view, others clearly stated that they did not agree to a ban on EGCS's discharge waters, as this would be contrary to the scope of the output which was established to develop guidelines on regional circumstances rather than regulatory prohibition of the discharge. In addition, shipowners had already invested in such technology complying with existing regulations although the return of investment for such transitional technology is very short, and there are, on the contrary many issues with the compliance of ships equipped with EGCS with the global sulphur cap. Finally, the Committee invited the Secretariat to provide a legal opinion for a future session, taking into account the existing study on Implications of UNCLOS for the IMO (LEG/MISC.8).*

DELETED *The Chair agreed with this proposal considering that the majority of those who spoke expressed the same view.*

Consideration at MEPC 80

Following up on the decision at MEPC 78, the Union submitted document MEPC 80/5/5 proposing that the PPR Sub-Committee, as part of the work on part 3 (regulatory matters) is tasked with considering draft regulatory amendments to MARPOL Annex VI under the output on "Evaluation and harmonization of rules and guidance on the discharge of discharge water from equivalent compliant methods, including Exhaust Gas Cleaning Systems (EGCS), into the aquatic environment, including conditions and areas". **DELETED**.

In MEPC 80/5/6 Japan comments on the Union submission MEPC 80/5/5. In particular, Japan does not agree with the regulatory text proposal in the Union submission as considers it misleading so as to encourage Parties to regulate discharges. **DELETED** *At the same time, in MEPC 80/5/6 Japan acknowledges the results of the studies mentioned in the Union submission although with some remarks.* **DELETED** *In MEPC 80/5/7 Japan further provides legal comments to the Union submission including a revised version of the new regulations proposed.* **DELETED**

Draft amendments to MARPOL Annex VI concerning flashpoint information

EU relevance

The proposed draft amendments to MARPOL Annex VI fall under Union exclusive competence.

These amendments would affect Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC, as well as Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels.

Member States are reminded not to act individually at the level of the IMO insofar on matters of Union exclusive competence as this would infringe article 3(2) TFEU and Member States' duty of sincere cooperation under article 4(3) TEU.

Background

DELETED *In MEPC 79/3/5, IMarEST rightly pointed out that the flashpoint requirements in SOLAS are to be applied to fuel oils not intended for the emergency generators or in auxiliary machines not located in category A machinery spaces. Also, the flashpoint definition in SOLAS already points to a closed cup test. As highlighted in MEPC 79/3/5, at MEPC 78 there was no opportunity to discuss the exact wording of the new element to be included in the information in the bunker delivery notes.*

While a number of delegations concurred with the issue raised by IMarEST, they could not agree to the proposed modifications to the text at this stage, and instead supported the recommendation by the Drafting Group with the Committee's understanding that the flashpoint requirements would not be applied to low-flashpoint fuels. Interested Member States and international organizations were invited to submit proposals to the next session, with specific reference made to establishing an exemption for low-flashpoint fuels in regulation 18.4 of MARPOL Annex VI.

Consideration at MEPC 80

Two documents were submitted to this session in response to the invitation by MEPC 79: MEPC 80/5/4 (Liberia et al.) and MEPC 80/5/5 (Germany et al.). Since the documents take a different approach and proposed different draft amendments to MARPOL Annex VI to address the issue related to low-flashpoint fuels, **DELETED**

d) Emission Control Areas

EU relevance

Controlling sulphur oxides emitted by ships in Emission Control Areas falls under Union exclusive competence.

Directive (EU) 2016/802 relating to a reduction in the sulphur content of certain liquid fuels[3] *stipulates the reduction of the emissions of sulphur dioxide resulting from the combustion of certain types of liquid fuels and thereby to reduce the harmful effects of such emissions on human health and the environment.*

Council Decision (EU) 2022/12 of 2 December 2021 established the position to be taken on behalf of the European Union at the 22nd meeting of the Contracting Parties (COP 22) to Barcelona Convention as regards the adoption of a decision to submit a proposal to designate the Mediterranean Sea as an emission control area for sulphur oxides (Med SOx ECA) pursuant to Annex VI to MARPOL Convention. This Council Decision required all EU Member States to support the submission to MEPC 78 to propose the designation of a Med SOx ECA and its further consideration. The proposal, set out in document MEPC 78/11 (Albania et al.)) was jointly submitted by all EU Member States, all the non-EU Mediterranean States as well as by the Commission, and was approved at MEPC 78.

In addition, Council Decision 2022/2078 of 24 October 2022 established the position to be taken on behalf of the European Union as regards the adoption of the proposed amendments to MARPOL Annex VI concerning Med SOx ECA which were approved by the Committee at MEPC 79 with 1 May 2025 as application date.

Background

Besides the designation of a Med SOx ECA, pursuant to Annex VI to MARPOL, the 22nd meeting of the Contracting Parties to the Barcelona Convention also decided, as appropriate, to start working in the biennium 2024-25 in the technical and socio-economic feasibility of an ECA controlling Nitrogen Oxides. **DELETED**

[3] OJ L 132, 21.5.2016, p. 58

Consideration at MEPC 80

DELETED

Agenda item 6 – Energy efficiency of ships

Docs: MEPC 80/6, MEPC 80/6/1-13, MEPC 80/INF.3, 5, 20, 28 and 34

MEPC 80/6 (India): The 2021 Guidelines on the Shaft/Engine Power Limitation System to comply with the EEXI requirements and use of a power reserve (resolution MEPC.335(76)), require to maintain a record of any use of a power reserve (paragraph 3.2) and reporting by the Administration

on annual basis of these records to IMO (paragraph 3.4). However, current guidelines do not provide the format of reporting, clarity on "annual basis" of reporting, on submission of supporting evidence, due date for reporting EPL/ShaPoLi override activation and use of a power reserve and reactivation of EPL/ShaPoLi. To provide a uniform and effective implementation, this document proposes amendments to the 2021 EPL/ShaPoLi Guidelines to include the format and clarity on evidence, period and deadline for reporting uses of a power reserve to the Organization.

MEPC 80/6/1 (IACS): seeks clarification of definition of the term "filling rate for gas fuel tanks" used in paragraph 2.2.1 for fDFgas of the 2022 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships (resolution MEPC.364(79)). Noting that the footnote in the table of paragraph 4.2.3.2 of the 2022 Guidelines on the survey and certification of the Energy Efficiency Design Index (EEDI) (resolution MEPC.365(79)) leaves room for interpretation, this document proposes a revision of the footnote.

MEPC 80/6/2 (United States): considers the use of an overridable shaft/engine power limitation as a strategy to improve ship energy efficiency and proposes modifications to the EEDI calculation methodology to incorporate this concept. This proposal is consistent with the methodology recently adopted for use in the EEXI calculation guidelines.

MEPC 80/6/3 (Liberia): outlines significant operational details of self-unloading bulk carriers performing transloading and transhipment operations, and why the calculation of the attained CII for these self-unloading bulk carriers needs to take all these differences into account. The document provides evidence that transloading and transhipment operations reduce carbon emissions compared to standard bulk carrier operations and suggests how to account for these highly variable, but significant, energy demands that occur on those self-unloading bulk carrier types when calculating their attained CII and ratings.

MEPC 80/6/4 (China): proposes amendments and improvements to the 2022 Guidelines for the development and management of the IMO Ship Fuel Oil Consumption Database and the GISIS Ship Fuel Oil Consumption Database Module based on the problems experienced by China in submitting data in the past three years, to improve the reliability and accuracy of data reporting in the GISIS Ship Fuel Oil Consumption Database Module and reduce the administrative burden on competent authorities.

MEPC 80/6/5 (India): seeks clarification for specific cases regarding the application of the correction factors as provided in resolution MEPC.355(78) on the 2022 Interim Guidelines on correction factors and voyage adjustments for CII calculations (CII Guidelines, G5).

MEPC 80/6/6 (India): proposes amendments to regulation 19.3 of MARPOL Annex VI to clarify the non-applicability of requirements of SEEMP under regulation 26.3 for category A ships as defined in the Polar Code

MEPC 80/6/7 (Secretariat): provides the Secretariat′s considerations on how the review of the short-term measure could be conducted in an effective and efficient way for consideration by the Committee.

MEPC 80/6/8 (IACS): proposes an amendment to the sample format for the Confirmation of compliance – SEEMP part II (MEPC.1/Circ.876) to update the reference to regulation 26.2 of MARPOL Annex VI in view of the revision adopted by resolution MEPC.328(76). It also proposes the change of the reference to the 2022 Guidelines for the development of a Ship Energy Efficiency Management Plan adopted by resolution MEPC.346(78) instead of the 2016 Guidelines for the development of a Ship Energy Efficiency Management Plan (SEEMP) adopted by resolution MEPC.282(70).

MEPC 80/6/9 (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands (Kingdom of the), Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the European Commission): further develops the proposal initially provided in document ISWG-GHG 13/7 on anonymization and accessibility of data reported to the IMO Data Collection System (DCS). It proposes new draft amendments to MARPOL Annex VI reflecting an updated compromise proposal aiming at widening the accessibility of IMO DCS data in support of IMO's work on GHG reduction of ships while at the same time taking into account the concerns expressed by some delegations in the previous discussion.

MEPC 80/6/10 (Germany): discusses the further development of the Shaft Power Limitation (ShaPoLi) concept focusing on areas identified during MEPC 79 by the Working Group on Air Pollution and Energy Efficiency. Special attention is paid to the first experiences with ShaPoLi systems in the context of the EEXI certification.

MEPC 80/6/11 (BIMCO): proposes to transfer "Information to be submitted to the IMO Ship Fuel Oil Consumption Database" unamended from appendix IX of MARPOL Annex VI to new guidelines as a matter of priority to support an effective and efficient review of the CII regulations and associated guidelines.

MEPC 80/6/12 (Brazil): presents comments on documents MEPC 80/WP.6 and ISWG-GHG 14/4 and reiterates a number of methodological difficulties encountered by the study contained in document MEPC.69/INF.28 (Brazil), related to the adoption of a rule establishing compulsory information by ships on loads and their weights to the DCS (data collection system).

MEPC 80/6/13 (World Shipping Council): comments on proposals to amend the IMO Data Collection System (DCS) and provides further information to support the use of TEU-miles as the sole metric to quantify cargo carried by containerships.

MEPC 80/INF.3 (Secretariat): provides the thirteenth summary of data and graphical representations of the information in the EEDI database.

MEPC 80/INF.5 (IACS): contains, in the annex, a copy of the 2022 Industry guidelines for calculation and verification of the Energy Efficiency Design Index (EEDI) and the role of the verifier in conducting the verification of EEDI.

MEPC 80/INF.20 (IACS): informs of the publication of IACS Recommendation No.175 on "SEEMP/CII implementation guidelines".

MEPC 80/INF.28 (Republic of Korea): presents the results of an analysis that compares the attained CII values calculated based on the DWT as a transport work proxy in accordance with the current IMO CII Guidelines and the values calculated based on the actual cargo carried using EU-MRV data set. The analysis also provides CII calculation and rating analysis by ship types according to EU-MRV, as well as an analysis of CII rating trends by major ship types up to 2030. The analysis provided concludes that future data collection must be based on actual cargo carried to apply IMO CII criteria more precisely, intuitively and consistently.

MEPC 80/INF.34 (CLIA): provides a progress report on the work that CLIA and the Cruise Safety and Sustainability Forum (CSSF) have put into development of a CII calculation method for cruise passenger ships better aligned with IMO objectives.

EU relevance

The Union has exclusive competence in the matter.

Regulation (EU) 2015/757 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC establishes the legal framework for an EU system to monitor, report and verify CO2 emissions and energy efficiency from shipping (MRV Regulation). The regulation aims to deliver robust and verifiable CO2 emissions data, inform policy makers and stimulate the market uptake of energy efficient technologies and behaviours. It does so by addressing market barriers such as the lack of information.

The Energy Efficiency Design Index (EEDI), Energy Efficiency Existing Ship Index (EEXI) and the Carbon Intensity Indicator (CII) values are linked to the MRV Regulation, as the EU Regulation aims to collect and publish information on the technical and operational energy efficiency of ships on a per-ship basis.

The commitment by the EU and the relevant legal instruments and policies adopted to reduce GHG emissions, including from shipping, are further described under agenda item 7.

In addition, from a policy point of view, the Commission's Sustainable Blue Economy Communication notes that "A sustainable blue economy offers many solutions to achieve the European Green Deal objectives. Many of the current activities need to reduce their carbon footprint, while new, carbon-neutral activities need to take centre stage. The blue economy can contribute to carbon neutrality by developing offshore renewable energy and by greening maritime transport and ports."

Background

MEPC 75 adopted amendments to regulation 21 to strengthen the EEDI by advancing the starting year of EEDI phase 3 to 2022. It also noted the progress of the Correspondence Group on Possible Introduction of EEDI Phase 4, and instructed it to continue its work and to submit its final report to MEPC 76. The latter Committee session deferred all documents related to EEDI Phase 4 to MEPC

78, but approved amendments to the 2018 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships; and the unified interpretation to clarify the dates related to EEDI Phase 2 and 3 for "new ships", as draft amendments to circular MEPC.1/Circ.795/Rev.4. Again MEPC 78 did not have the time to consider the submitted documents and deferred them to this session.

Several documents considered by MEPC 79 on this issue concerned issues which were deferred from previous MEPC sessions. They were referred directly to the Working Group on Air Pollution which met as from the first day of the session. Based on the work of the working group, the Committee:

- *approved amendments to the 2018 Guidelines on the method of calculation of the Attained Energy Efficiency Design Index (EEDI) for new ships and adopted the relevant MEPC resolution to publish the same guidelines as the 2022 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships;*
- *agreed to include ShaPoLi and EPL in the EEDI framework, and invited interested Member States and international organizations to liaise with Germany to work informally intersessionally to develop draft amendments to the EEDI calculation guidelines, draft guidelines on the shaft power limitation system to comply with the EEDI requirements and use of a power reserve, and any other instrument as may be necessary, and submit concrete proposals to a future session;*
- *noted that there was no sufficient support for the draft guidance for Administration in case of use of a power reserve by unlimiting the shaft/engine power limitation system to comply with the EEXI;*
- *approved amendments to the 2014 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI) and adopted the relevant MEPC resolution to publish the guidelines as the 2022 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI); and*
- *approved unified interpretations clarifying:*
    - *the requirements of EEDI data reporting as specified in regulation 22.3 of MARPOL Annex VI;*
    - *the reporting of boil-off gas (BOG) consumed on board ships in the IMO ship fuel oil consumption data collection system (DCS) as specified in regulations 2, 27 and Appendix IX of MARPOL Annex VI; and*
    - *several issues relating to the development and verification of SEEMP Part III and the issuance of the Statement of Compliance for the first year as specified in regulations 8, 26 and 28 of MARPOL Annex VI.*

As regards to the possible introduction of EEDI Phase 4, the Committee concluded, **DELETED** *that it would be more appropriate to put the discussion on hold until work on the IMO Life-cycle guidelines for alternative fuels would be completed when the Committee would be in a better position to provide a clear direction on the role and form of future EEDI in taking into consideration the new regulatory context. However, the Chair invited interested parties to submit relevant papers to a future session of MEPC.*

Consideration at MEPC 80

In MEPC 80/6/7, as requested by MEPC 79, the Secretariat describes the issues and the possible steps that could be considered in order to carry out the review of the short-term measure. The process should be concluded by 1 January 2026.

All the other submitted documents propose draft amendments to MARPOL Annex VI and/or the associated guidelines:

a. IMO Data Collection System (DCS)

i. MEPC 80/6/4 (China) proposes improvements to the GISIS Ship Fuel Oil Consumption Database Module and the reporting of energy consumption data. The suggested improvements, affecting the GISIS Ship Fuel Oil Consumption Database Module, are of a technical nature and aim at addressing similar practical issues encountered and addressed in the THETIS MRV IT environment.

ii. MEPC 80/6/9 (Austria et al.) continues to expand on the initial Union submission (ISWG-GHG 13/7) to address concerns raised in having full access to DCS data by introducing levels of accessibility. It proposes draft amendments to MARPOL Annex VI to reflect this proposal.

iii. MEPC 80/6/11 (BIMCO) proposes to transfer "Information to be submitted to the IMO Ship Fuel Oil Consumption Database" unamended from appendix IX of MARPOL Annex VI to new guidelines in order to allow for a quicker way of amending the information required in the DCS, particularly as a result of the review of the CII regulations and associated guidelines. The proposal does not directly affect the current review of the CII regulations but would provide flexibility for future needed initiatives

iv. MEPC 80/6/12 (Brazil) reiterates issues with inclusion of data on cargo effectively transported in the DCS and among other things, proposes conducting a feasibility study on the use of the EEOI indicator to determine its effectiveness in verifying the operational efficiency. It also proposes the definition of the organizations responsible for receiving cargo information and sending it to the DCS.

v. MEPC 80/6/13 (World Shipping Council) recommends to adopt TEU-miles as the sole metric for cargo carried by containerships. In document ISWG-GHG 14/4 the Union recognised the added value of having the number of TEUs carried reported but also stressed that this is not sufficient alone to account for the weight dimension of transport work. The co-sponsors therefore believe it is necessary to report metric tonnes of total mass of cargo and containers in addition to the number of TEUs carried in order to assist the IMO Secretariat with reporting the annual demand-based operational carbon intensity of international shipping and monitor progress towards achieving the 2030 target using a demand-based measurement of carbon intensity. **DELETED**

b. Shaft/engine power limitation system

i. MEPC 80/6 (India) proposes draft amendments to the 2021 Guidelines on the shaft/engine power limitation system to comply with the EEXI requirements and use of a power reserve (Resolution MEPC.335(76)) (2021 EPL/ShaPoLi Guidelines) to include the format and clarity on evidence, period and deadline for reporting uses of a power reserve to the Organization. The document also proposes the development of a form for reporting on of EPL/SHAPOLI override activation, use of a power reserve and reactivation of EPL/SHAPOLI.

ii. MEPC 80/6/2 (United States) proposes draft amendments to the 2022 Guidelines on the method of calculation of the attained energy efficiency design index (EEDI) for new ships (Resolution MEPC.364(79)) in order to align with the adjustment for SHaPoLi/EPL limitations used in the EEXI guidelines.

iii. MEPC 80/6/10 (Germany) proposes the further development of the Shaft Power Limitation (ShaPoLi) concept particularly focusing to which ships it should be applied.

c. Energy efficiency design index (EEDI)

i. MEPC 80/6/1 (IACS) proposes draft amendments to the 2022 Guidelines on the survey and certification of the energy efficiency design index (EEDI) (Resolution MEPC.365(79)) to seek clarification of the term "filling rate for gas fuel tanks" used in paragraph 2.2.1 for fDFgas of the 2022 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships (resolution MEPC.364(79)).

d. CII calculations

i. MEPC 80/6/5 (India) proposes draft amendments to the 2022 Interim Guidelines on correction factors and voyage adjustments for CII calculations (CII Guidelines, G5) (MEPC.355(78)) in order to avoid that the ship's Carbon Intensity Indicator (CII) is adversely impacted due to cargo operational activities.

ii. MEPC 80/6/3 (Liberia) proposes to amend corrections factors and voyage adjustments for CII calculations (CII Guidelines, G5) for self-unloading bulk carriers engaged in transloading and transhipment operations.

e. Ship Energy Efficiency Management Plan (SEEMP)

i. MEPC 80/6/6 (India) proposes amendments to regulation 19.3 of MARPOL Annex VI to clarify the non-applicability of requirements of SEEMP under regulation 26.3 for category A ships as defined in the Polar Code

ii. MEPC 80/6/8 (IACS) proposes an amendment to the sample format for the Confirmation of compliance – SEEMP part II (MEPC.1/Circ.876) to update the reference to regulation 26.2 of MARPOL Annex VI in view of the revision adopted by resolution MEPC.328(76). It also proposes the change of the reference to the 2022 Guidelines for the development of a Ship Energy Efficiency Management Plan adopted by resolution MEPC.346(78) instead of the 2016 Guidelines for the development of a Ship Energy Efficiency Management Plan (SEEMP) adopted by resolution MEPC.282(70).

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Agenda item 7 – Reduction of GHG emissions from ships

Docs: MEPC 80/7, MEPC 80/7/1 - 15, MEPC 80/INF.6, 10, 12, 14, 17, 23-25, 27, 29-33, MEPC 80/WP.6, MEPC 79/7/1-2, 4, 6, 7, 13, 15, 16, 21, 22, 27, MEPC 79/INF.19 and 27

MEPC 80/7 (RINA): presents an analysis of technical and economic aspects of onboard carbon capture (OCC) technology applied to different ship types and sizes (container, bulk, and tanker), main carbon-based fuels and full and partial application as part of a retrofit or newbuild. For a series of case studies, the analysis comprised technical feasibility, carbon emission reduction performance, design integration, and CO2 abatement costs. Although the emissions reduction potential of OCC is significant, currently its energy requirements and CO2 abatement costs are high. Still, with further development OCC could play a role in the mid-term to reduce the emission intensity of fossil-fuelled ships.

MEPC 80/7/1 (Brazil): provides information on the aspects to be considered in the guidelines on Life Cycle GHG Intensity of Marine Fuels (LCA guidelines) when evaluating potential indirect emissions based on scientific literature. An important finding is that, while indirect effects are uncertain and difficult to estimate, they might be negative or large enough to affect the estimated GHG savings of some fuel pathways. Neglecting them on the basis of uncertainty is not necessarily a neutral decision. A systemic management system is preferable.

MEPC 80/7/2 (IAPH): provides a progress report on the efforts and initiatives of world ports towards the areas identified under resolution MEPC.366(79) on Voluntary cooperation between the port and shipping sectors to contribute to reducing GHG emissions from ships. The document informs on the status of relevant IAPH and world ports' initiatives and highlights remaining challenges while making recommendations to overcome these.

MEPC 80/7/3 (Brazil): presents aspects to be considered in the production of hydrogen so that it is effective in reducing shipping GHG emissions based on the key findings of a study conducted by the International Council on Clean Transportation (ICCT) "Life-cycle greenhouse gas emissions of hydrogen as a marine fuel and cost of producing green hydrogen in Brazil". An important finding is that significant climate benefits would only be achieved if hydrogen production is powered by additional renewable electricity.

MEPC 80/7/4 (China, Japan and European Commission): provides the final report of the Correspondence Group on Marine Fuel Life Cycle GHG Analysis established by MEPC 78.

MEPC 80/7/5 (OECD): provides an overview of the work undertaken by the OECD Council Working Party on Shipbuilding (WP6) on the decarbonization of shipping and shipbuilding, which in particular focuses on the role of the shipbuilding sector for broader maritime decarbonization efforts. It further highlights key findings from a recent WP6 Workshop, which emphasized the importance of a stable, predictable and reliable policy environment for shipowners and shipbuilders to make the necessary investments and adapt capacity to supply and lower the cost of production of alternative-fuelled ships, energy saving and alternative fuel technologies and fuel conversion retrofits.

MEPC 80/7/6 (Norway, ICS, IAPH, CLIA and INTERFERRY): informs the Committee of the positive role of Onshore Power Supply (OPS) in the future maritime energy mix and provides key recommendations on how to accelerate the development of OPS infrastructure globally.

MEPC 80/7/7 (China, Japan, Liberia, Norway, Republic of Korea and ASEF): proposes that the Committee agree to a new work stream on onboard CO2 capture and that as, the first step, a structured review of the current IMO regulatory framework should be undertaken as part of the development of a work plan to accommodate onboard CO2 capture within IMO's regulatory framework.

MEPC 80/7/8 (IPIECA): proposes amendments to the draft revision of the Initial IMO Strategy on reduction of GHG emissions from ships in an attempt to clarify some elements and terminology, as well as support the future developments expected in Phase III of the Work plan on the development of mid-term measures.

MEPC 80/7/9 (India, Liberia, Norway, ICS, CLIA and IPIECA): contains a draft MEPC resolution on biofuel that is certified to conform to the sustainability aspects in the LCA guidelines being assigned a CO2 emission conversion factor (CF) as zero for use in IMO DCS and CII regulations and thus facilitate the uptake of biofuels and the reduction of GHG emissions.

MEPC 80/7/10 (IBIA): identifies requirements for preparation of marine diesel engine exhaust gases for shipboard carbon capture (SBCC) technologies, provides an indication of the merits of onboard carbon capture as a transition solution toward a net zero goal and outlines proposals to develop a standard for pre-SBCC exhaust gas preparation.

MEPC 80/7/11 (CSC, Pacific Environment and Inuit Circumpolar Council): draws attention to the IPCC AR 6 Synthesis Report: Climate Change 2023, which was released on 20 March 2023. The Committee is invited to note the findings from the report, together with the views of the co-sponsors, and is urged to support the urgent action outlined below.

MEPC 80/7/12 (SGMF): comments on document MEPC 80/7/4 (China et al.), providing the final report of the Correspondence Group on Marine Fuel Life Cycle GHG Analysis established by MEPC 78.

MEPC 80/7/13 (Brazil): provides comments on document MEPC 80/INF.10 (Secretariat) providing the Study on the readiness and availability of low and zero-carbon ship technology and marine fuels.

MEPC 80/7/14 (India): highlights the significant price differential between conventional and alternate fuels in the current market scenarios. It also stresses that any economic measure alone or as part of basket of measures may not achieve the Paris Agreement goals without severe impact on trade, unless the availability of affordable future fuels, cost-effective future fueled engines and trained manpower to operate such ships are ensured through strategic distribution of carbon revenues generated; and concluding that any decision on economic measures must be integral with a decision on the principles of distribution of carbon revenues generated from such measures.

MEPC 80/7/15 (Belgium, Denmark, Finland, Germany, Netherlands (Kingdom of the), Sweden, INTERCARGO, IPIECA, OCIMF, SGMF and WSC): comments on document MEPC 80/7/4 (China et al.), providing the final report of the Correspondence Group on Marine Fuel Life Cycle GHG Analysis established by MEPC 78.

MEPC 80/INF.6 (Secretariat): reports on the outcome of the United Nations Climate Change conference held in Sharm El-Sheikh, Egypt, in November 2022 (COP 27).

MEPC 80/INF.10 (Secretariat): contains, in the annex, the summary report of the draft final "Study on the readiness and availability of low- and zero-carbon ship technology and marine fuels" undertaken by Ricardo and DNV for the IMO Future Fuel and Technology Project (FFT Project). The study was commissioned in response to the request by MEPC 77 with a view to supporting the revision process of the Initial IMO GHG Strategy.

MEPC 80/INF.12 (OECD): informs the Committee of the recently finalized report of the International Transport Forum (ITF) at the OECD, titled: The Potential of E-fuels to Decarbonise Ships and Aircraft. The report reviews the latest understanding of the production and use of novel fuels in the shipping and aviation sectors and highlights the policy requirements needed to accelerate their adoption.

MEPC 80/INF.14 (RINA): contains the full report of a study conducted by the Maersk Mc-Kinney Møller Center for Zero Carbon Shipping on onboard carbon capture (OCC) technology applied to different ship types and sizes, as part of a retrofit or newbuild. The analysis comprised technical feasibility, carbon emission reduction performance, design integration, and CO2 abatement costs.

MEPC 80/INF.17 (Secretariat): informs the Committee of the recently finalized Regulatory mapping of alternative marine fuels which was undertaken by the Global Industry Alliance to Support Low Carbon Shipping (Low Carbon GIA) within the framework of the IMO-Norway GreenVoyage2050 Project.

MEPC 80/INF.23 (China, Japan and European Commission): provides a summary of comments provided to the Correspondence Group on Marine Fuel Life Cycle GHG Analysis established at MEPC 78, on Consultation Rounds 1, 2 and 3.

MEPC 80/INF.24 (China, Japan and European Commission): provides a summary of comments provided to the Correspondence Group on Marine Fuel Life Cycle GHG Analysis established at MEPC 78, on Consultation Rounds 4 and 5.

MEPC 80/INF.25 (China, Japan and European Commission): provides a summary of comments provided to the Correspondence Group on Marine Fuel Life Cycle GHG Analysis established at MEPC 78, on Consultation Rounds 6 and 7.

MEPC 80/INF.27 (Republic of Korea): provides information on the development of a 30 MW land-based testbed for evaluating electric propulsion systems and ships powered by alternative fuels.

MEPC 80/INF.29 (Republic of Korea): presents the results of a case study that compares the life cycle GHG emissions of four fossil-based marine fuels: heavy fuel oil (HFO), Liquefied Natural Gas (LNG), Liquefied Petroleum Gas (LPG), and methanol. The study also evaluates the potential regional factors on energy import-dependent countries, with a specific focus on the Republic of Korea.

MEPC 80/INF.30 (Republic of Korea): provides information on the development status of a magnetic bearing-based rotor sail technology and the agenda for an international collaborative research initiative.

MEPC 80/INF.31 (Republic of Korea): offers a preliminary assessment of zero and negative emissions depending on the origin of carbon in fuel and the fate of CO2. Additionally, it highlights the accounting challenge of emissions from international shipping.

MEPC 80/INF.32 (India): proposes initiation of policy action to limit GHG emissions from engine exhausts through carbon capture and storage.

MEPC 80/INF.33 (RINA and IWSA): The maritime wind propulsion industry is evolving rapidly with significant strides made in analysis, testing, verification and demonstrator ship deployment that make use of Wind Propulsion Technologies (WPTs). This document highlights much of that progress and summarizes the key themes and papers delivered during a recent event held at IMO.

MEPC 80/WP.6: Report of the fourteenth meeting of the Intersessional Working Group on Reduction of GHG Emissions from Ships (ISWG-GHG 14).

MEPC 79/7/1 (INTERTANKO): outlines the urgency to consider the case of steam driven LNG carriers which represent a considerable proportion of the current LNG shipping fleet. This group of ships has a totally different type of propulsion system than the majority of commercial ships. Consequently, this group of ships will have a very poor CII rating because the concept of CII and EEXI requirements and guidelines have not taken into account such a significant difference in the operational system of steam driven propulsion system.

MEPC 79/7/2 (INTERTANKO): explains the negative impact that the lower cruising speeds and / or extended idle times have on the CO_2 footprint of steam driven LNG carriers.

MEPC 79/7/4 (Liberia and ICS): proposes to consider the CO_2 reduction obtained from carbon capture technologies and regulate them in the EEDI/EEXI and CII frameworks.

MEPC 79/7/6 (China): proposes amendments to the EEDI calculation Guidelines to incorporate the positive emission reduction effects by the installation of a Carbon Capture system for Ship Exhaust gas (CCSE).

MEPC 79/7/7 (China): proposes amendments to the corresponding EEDI Survey and Certification Guidelines, taking into account the updated EEDI calculation Guidelines as proposed in document MEPC 79/7/6, which incorporates the positive emission reduction effects by the installation of a Carbon Capture system for Ship Exhaust gas (CCSE).

MEPC 79/7/13 (Bahamas, Liberia, ICS, BIMCO, INTERTANKO, WSC and INTERFERRY): comments on the scope of the CII G5 guidelines adopted at MEPC 78, and provides further justification for the addition of correction factors for short voyages and port waiting time. As articulated within the previous document ISWG-GHG 12/2/3, the aforementioned correction factors are two of several key elements that should be incorporated into the CII system.

MEPC 79/7/15 (Bahamas and ICS): With respect to the G5 interim guidelines within the Carbon Intensity Indicator (CII) rating system, this document presents a proposal to add refrigerated cargo carriers to the scope of application of the FCelectrical,j correction factor. The co-sponsors seek the Committee's consideration and possible adoption.

MEPC 79/7/16 (Norway): considers how carbon capture and storage can reduce GHG emissions from shipping, and what needs to be addressed by the Organization to enable the use of carbon capture technology on ships and ensure responsible handling and storage of the captured carbon dioxide. Finally, it proposes a process for how the Organization can work on this issue.

MEPC 79/7/21 (CLIA): provides the interim report of the Cruise Ship Safety Forum (CSSF) sub-group for the development of an alternative CII metric for cruise passenger ships.

MEPC 79/7/22 (Republic of Korea): proposes to include the CO_2 reduction of onboard CO_2 capture system in the IMO GHG regulatory framework including EEDI, EEXI and CII to remove regulatory barriers to innovative technology and to provide a level playing-field and cost-effective opportunity for decarbonization of shipping industry.

MEPC 79/7/27 (ICS and INTERCARGO): presents a proposal to the Committee previously set out in document ISWG-GHG 12/2/5 (ICS and INTERCARGO) to establish self-unloading bulk carriers as a separate category of ship with its own reference line. This builds on the guidelines adopted by the Committee at it last meeting and does not change the method of calculating a ship's carbon intensity. Given many delegations have spoken favourably of this approach, including at the Committee's last meeting, the co-sponsors seek the Committee's consideration for adoption at this session.

MEPC 79/INF.19 (INTERCARGO): provides information on the effects of charterers orders, distance travelled and waiting times on Carbon Intensity Indicators.

15th Intersessional Working Group on Reduction of GHG Emissions from Ships (ISWG-GHG 15)

Docs: ISWG-GHG 15/1, ISWG-GHG 15/2, ISWG-GHG 15/2/1-11, ISWG-GHG 15/3, ISWG-GHG 15/3/1-10 ISWG-GHG 15/5, ISWG-GHG 15/INF.2

ISWG-GHG 15/1 (Secretariat): provides the provisional agenda for this session.

ISWG-GHG 15/2 (ITF): proposes the meaning of "just transition" and addresses the provision of appropriate education and training for seafarers in the Revised Strategy.

ISWG-GHG 15/2/1 (Japan): provides a consideration of ambitious but feasible GHG reduction pathways for international shipping, building on previous discussions, and makes proposals with regard to strengthening the level of ambition in the Revised Strategy.

ISWG-GHG 15/2/2 (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands (Kingdom of the), Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and European Commission): specifies elements to concur with the strengthening of the level of ambition in order to revise the Initial IMO Strategy on reduction of GHG emissions from ships and adopt the Revised Strategy by/at MEPC 80. It includes further developments based on a literature review of several published decarbonization studies, all of which contain scenarios leading to phasing out GHG emissions from international shipping by 2050 in line with a 1.5°C-aligned pathway.

ISWG-GHG 15/2/3 (Angola, Gambia, Ghana, Kenya, Liberia, Namibia and Sierra Leone): provides recommendations based on the discussions during the "African Green Shipping Conference", held in Accra, Ghana on 15-16 February 2023, and the IMO Conference on "Low-Carbon Shipping in Africa", held in Mombasa, Kenya on 5 May 2023. These conferences, organized under the themes "Unlocking Opportunities for Green Shipping in Africa" and "Overcoming Challenges by Unlocking Opportunities and Investments", set the scene for informal discussions on challenges and opportunities for African nations on decarbonization of international shipping.

ISWG-GHG 15/2/4 (Marshall Islands and Solomon Islands): provides text for Section 4.5 of the Revised Strategy for emissions reduction from ships and the explanations for this proposal.

ISWG-GHG 15/2/5 (Marshall Islands and Solomon Islands): seeks clarification on draft text and makes recommendations for text to be included in the Revised IMO Strategy on reduction of GHG emissions from ships.

ISWG-GHG 15/2/6 (Republic of Korea): identifies elements for consideration in the draft 2023 IMO GHG Strategy on reduction of GHG emissions from ships set out in annex 1 to document MEPC 80/WP.6. In particular, it proposes draft texts of 2050 ambition as two options and follow-up action.

ISWG-GHG 15/2/7 (IMarEST): Setting new levels of ambition is a key consideration in the Revision of the Strategy. Submissions to ISWG-GHG 13, ISWG-GHG 14 and MEPC 79 considering the energy transition implications of 1.5°C-aligned pathways evidence that large volumes of renewable energy and hydrogen are likely required as feedstocks in least-cost pathways to achieve those levels of ambition. Further evidence has now been submitted in MEPC 80/INF.10 (Secretariat). This document comments on the similarities and differences of this new study relative to other evidence on the availability of fuels to meet 37% and 96% GHG reduction levels as presented in documents ISWG-GHG 13/3/3 and 14/2/11 (IMarEST). Generally, the new evidence supports the expectation that providing the Revised Strategy sets clear levels of ambition that can help drive the necessary technology development, then the roll out of technologies and fuels sufficient to achieve 1.5°C-aligned GHG reductions is not expected to be hindered by their technical and commercial readiness.

ISWG-GHG 15/2/8 (EDF): examines how double counting of GHG emissions could be avoided in the IMO framework. It draws upon the work on avoiding double counting embedded within ICAO's life cycle approach and the guidance provided within Article 6.2 of the Paris Agreement.

ISWG-GHG 15/2/9 (EDF): provides information on the use of the terms "just transition" and "equity" within international law, including existing international climate action instruments. It aims to provide a common understanding for the Group to use as it discusses whether, and if so how, to incorporate these elements into the revision of the Initial IMO Strategy on Reduction of GHG Emissions from Ships.

ISWG-GHG 15/2/10 (Canada, United Kingdom and United States): focuses on several elements for consideration in the revision of the Initial IMO Strategy on reduction of GHG emissions from ships that are necessary to help ensure the revision is consistent with the temperature goal of the Paris Agreement, including pursuing efforts to limit global temperature rise to 1.5°C above pre-industrial levels. In particular, this document discusses goals for the vision and levels of ambition of the Revised Strategy, the feasibility and meaning of these goals, and characteristics of future reviews.

ISWG-GHG 15/2/11 (ICC): the Intergovernmental Panel on Climate Change (IPCC) AR6 report recognizes that Indigenous Peoples' territories and livelihoods are greatly impacted by climate change through a complex web of colonial, social, historical, and institutional processes that have excluded and marginalized us from decision-making. This submission aims to introduce the International Work Group for Indigenous Affairs (IWGIA) report *Recognizing the Contributions of Indigenous Peoples in Global Climate Action - An Analysis of the IPCC Report on Impacts, Adaptation, and Vulnerability,* which analyzes the contributions of Indigenous Peoples in global climate action. The findings in this report, in alignment with the understanding of Indigenous Knowledge, such as Inuit Knowledge and rights, are a crucial tool to guide the revision of the *Initial IMO Strategy on Reducing GHG emissions from ships* and further consider the scope of an equitable, just, fair, and inclusive transition.

ISWG-GHG 15/INF.2 (ZESTAs): presents in detail the commercial and technical readiness of absolute zero GHG technologies which have been built and validated in a marine operational environment. Several case studies are provided. A number of such technologies are operational on a commercial basis, including on absolute zero GHG ships. The technology required for absolute zero GHG maritime supply chains is in early adoption. Definition of standards is ongoing for some technologies and crew training has been established for each to varying degrees. Absolute zero GHG ships of greater sizes and power can be achieved by combining different commercialized technologies.

ISWG-GHG 15/3 (Japan): elaborates on the effectiveness and feasibility of the feebate mechanism or Zero-Emission Shipping Incentive Scheme (ZESIS). First, a case study is presented to show its effect on shipowners' investment decisions on zero-emission ships. Next, a long-term reduction pathway that could be achieved by the mechanism is presented. Finally, elaboration is made on how the mechanism could work in combination with the GHG Fuel Standard (GFS) to further incentivize GHG reduction. Possible draft amendments to MARPOL Annex VI to establish the mechanism are also annexed to this document.

ISWG-GHG 15/3/1 (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands (Kingdom of the), Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and European Commission): MEPC 79 noted convergence on the development of a basket of measures consisting of both technical and economic elements. As the technical element of the basket of measures, the GHG Fuel Standard (GFS) was extensively discussed and widely supported. This submission addresses the main issues raised during the consideration of the GFS and presents draft MARPOL amendments.

ISWG-GHG 15/3/2 (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands (Kingdom of the), Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and European Commission): provides clarifications on the proposal outlined in document ISWG-GHG 13/4/8 (Austria et al.) on the combination of technical and market-based mid-term measures illustrated by combining the GHG Fuel Standard (GFS) and a levy, following the comments and concerns raised at ISWG-GHG 13.

ISWG-GHG 15/3/3 (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands (Kingdom of the), Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and European Commission): The LCA guidelines can be applied to create Tank-to-Wake inventories and allow the implementation of measures which reduce Well-to-Wake emissions without overstepping IMO's mandate.

ISWG-GHG 15/3/4 (China): In order to facilitate the review of the candidate technical and economic elements, and their possible combinations, and with a view to finding a landing zone for a smooth transition towards Phase III of the Work plan, this document provides an updated version of the International Maritime Sustainability Funding and Reward (IMSF&R) mechanism, which is renamed as the International Maritime Sustainable Fuels and Fund (IMSF&F) mechanism to capture the key changes, for further development during Phase III of the Work plan.

ISWG-GHG 15/3/5 (IBIA): aims to highlight the strong benefits of a Well--to--Wake (WtW) approach for the assessment of marine fuel GHG emissions, and how the adoption of a sole Tank-to-Wake (TtW) approach has the potential to negatively impact the future marine fuel landscape as well as jeopardize IMO's overall ambition to phase out GHG emissions associated with international shipping. It also outlines the potential for low-GHG fuel production, along with existing and under-development certification mechanisms that align with a WtW approach.

ISWG-GHG 15/3/6 (ICS): supports the development and finalization of a Global GHG Fuel Standard (GFS) as a technical measure to reduce the GHG intensity of marine fuels, e.g.: by 5% by 2030 with an aggressive tightening of this standard after 2030, provided this is also supported by an economic measure that will incentivize the production and uptake of the low- and zero-GHG fuels necessary to accelerate transition to net zero by mid-century. To avoid excessive complexity and ensure a strong and unambiguous signal is sent to fuel producers and suppliers, ICS suggests a measure simpler in design than that proposed in document ISWG-GHG 13/4/7 (Austria et al.). To assist a decision on which measures to prioritize in Phase III of the Work plan, ICS sets out possible draft amendments to MARPOL VI in terms of maximum permitted GHG intensity of fuels in 2030, with a final decision on further reductions of permitted GHG intensity after 2030 to be taken by the Organization once it has been assessed that the economic measure has succeeded in establishing sufficient availability of the low- and zero-GHG fuels which will be required for ships to comply.

ISWG-GHG 15/3/7 (ICS): To inform a decision about which mid-term measures to prioritize for further development and finalization under Part III of the Work plan, this document provides further information about the suggested basket of measures set out by ICS in documents ISWG-GHG 14/3 and ISWG-GHG 15/3/6, as new and separate chapters of MARPOL Annex VI, combining both an IMSF&R (Fund and Reward) mechanism (economic measure) and a Global (GHG) Fuel Standard (technical measure). This document reiterates the vital and urgent need for the adoption of both sets of measures and, to assist a comprehensive impact assessment, examines the potential economic impacts on States of both measures being adopted at the same time and implemented in parallel.

ISWG-GHG 15/3/8 (Republic of Korea): reviews proposals made by the Member States and relevant organizations regarding GHG funds raised by midterm measures to facilitate further discussions. Republic of Korea proposes principles which are suggested to be considered in further discussions regarding collection, usage, and management of GHG funds.

ISWG-GHG 15/3/9 (Republic of Korea): explains the opinion of the Republic of Korea on the combined measures among the mid-term candidate measures and analyzes three considerations (1. feasibility, 2. effectiveness, 3. impact on States). The analysis is provided as an annex. In addition, this document recognizes the concerns raised by some delegations during previous discussions and proposes improvement methods to address the concerns.

ISWG-GHG 15/3/10 (United Kingdom): explores how the comprehensive impact assessment process for candidate midterm measures may be initiated at MEPC 80 and progressed in a timely manner. It presents a proposal for how it could most efficiently be structured through a phased approach and sets out a number of options for the starting phase.

ISWG-GHG 15/5 (France): Because of its original features, such as specific annual compliance cycle and soft enforcement, CII is not a regulation like others under MARPOL Annex VI and may require, in some situations, specific intervention and decisions from the Administration. This document provides information about basic choices and principles made so far by the French flag Administration in the early stages of implementation of the CII, as well as a method to include the benefit of using sustainable biofuels in the CII, with a view to sharing its experience with other flag Administrations.

EU relevance

The Union has exclusive competence for GHG emissions in shipping.

The related Union legal instruments and policies, include the following:

i. *In April 2015, the European Parliament and the Council adopted Regulation (EU) 2015/757 to establish the legal framework for an EU system to monitor, report and verify (MRV) CO2 emissions and energy efficiency from shipping. The regulation aims to deliver robust and verify CO2 emissions data, inform policy makers and stimulate the market up-take of energy efficient technologies and behaviours by addressing market barriers such as the lack of information. This Regulation entered into force on 1 July 2015. Related delegated Commission regulations on verification and accreditation of verifiers and on the refinement of monitoring methods were adopted on 22 September 2016. Two additional implementing regulations on cargo parameters and templates were adopted by the Commission on 4 November 2016. The EU MRV Regulation provides for emission factors for fuels on board. Recital (4) of Directive (EU) 2018/410 amending the EU ETS Directive calls on the EU to review the progress achieved in the IMO towards an ambitious emission reduction objective, and on accompanying measures to ensure that the sector duly contributes to the efforts needed to achieve the objectives agreed under the Paris Agreement.*

ii. *The Renewable Energy Directive (2009/28/EC) establishes an overall policy for the production and promotion of energy from renewable sources in the EU. It requires the EU to fulfil at least 20% of its total energy needs with renewables by 2020 – to be achieved through the attainment of individual national targets. All EU MS must also ensure that at least 10% of their transport fuels come from renewable sources by 2020. This Directive was revised in 2018 (Directive 2018/2001/EU) entering into force in December 2018 as part of the Clean energy for all Europeans package, aiming to keep the EU a global leader in renewables and, more broadly, helping the EU to meet its emissions reduction commitments under the Paris Agreement. The new Directive establishes a new binding renewable energy target for the EU for 2030 of at least 32%, with a clause for a possible upwards revision by 2023. Among the proposals of 14 July 2021, the Commission proposed to amend Directive 2009/28/EC again to bring the renewable energy target to 40% by 2030.*

iii. *Directive (EU) 2018/410 on enhancing cost-effective emission reductions and low-carbon investments mandates the EU to review the progress achieved in the IMO towards an ambitious emission reduction objective, and on accompanying measures to ensure that the sector duly contributes to the efforts needed to achieve the objectives agreed under the Paris Agreement.*

iv. *In addition, the Union has adopted the following policy documents:*

v. *In the Climate Diplomacy – Council Conclusions of 18 February 2019, the EU also calls on the IMO to implement its initial greenhouse gas emission strategy consistent with the temperature goals of the Paris Agreement.*

vi. *The Communication on the European Green Deal of 11 December 2019 states that greenhouse gas emissions from shipping need to be reduced and that actions by the EU to achieve this should be coordinated with the IMO.*

vii. *The Smart and Sustainable Mobility Strategy of 9 December 2020 calls for the EU to strive at IMO for high standards, including in the field of safety, security, and environmental protection, notably climate change. Its accompanying Action Plan includes actions to foster development of energy efficiency and alternative fuel measures at IMO and to put forward market-based measures for shipping at IMO.*

viii. *In line with the European Union's commitment to global climate action under the Paris Agreement, the EU decided to become a climate-neutral economy by 2050, by enacting the European Climate Law (Regulation 2021/1119). This objective is at the heart of the European Green Deal and the Climate Law aims to keep the global temperature increase to well below 2°C and pursue efforts to keep it to 1.5°C. The Climate Law also addresses the necessary steps to get to the 2050 target, including the new EU target for 2030 of reducing greenhouse gas emissions by at least 55% compared to levels in 1990. To achieve these ambitious levels of reduction, all sectors of the economy will need to contribute, including shipping.*

ix. *On 14 July 2021, the Commission adopted the Fit for 55 package of proposals to reduce GHG emissions to deliver on the 2030 climate target under the EU Green Deal. The package includes a number of Commission's proposals that specifically target the shipping sector, such as the revision of the EU Emission Trading System (ETS) to include the maritime transport sector (and the corresponding amendments to the EU MRV Regulation) but also the FuelEU Maritime proposal, which focuses specifically on the use of renewable and low-carbon fuels in the maritime sector and mandates the uptake thereof by ships calling at EU ports.*

x. *On 25 of April 2023 the revised ETS Directive has been adopted. The EU ETS Directive includes the emissions from bigger ships (above 5000 gross tonnage) into EU's Emissions Trading System. As of January 2024 those ships will be facing a price on 50% of carbon emissions for every voyage from non-EU countries to the EU. The revised ETS Directive includes clauses that ensure that should the IMO adopt a global market-based measure to reduce the emissions from the maritime sector the Commission shall review its legislation in light of that measure*

Background

(a) Paris Agreement

At the Paris climate conference (COP 21) in December 2015, 195 countries adopted a legally binding global climate agreement. Governments agreed to limit global temperature increase to well below 2°C compared to pre-industrial levels, and to pursue efforts to limit the temperature increase to 1.5°C. Furthermore, it has been agreed that all anthropogenic emissions ought to be addressed, meaning that efforts have to be done by all countries but also by all emitting sectors, including international aviation and shipping. The international shipping sector is therefore expected to contribute its fair share of emission reductions against the well below 2°C objective. Otherwise, efforts achieved in other sectors would be severely undermined.

COP 26 confirmed the urgency to adhere to the Paris Agreement goals. During this session several declarations and commitments were launched including on international shipping, driven by national governments, industry as well as non-governmental organisations.

(b) Initial IMO Strategy on GHG Emissions reduction from ships

The Initial IMO Strategy on reduction of GHG emission from ships was adopted at MEPC 72 (2018) with a view to be revised by 2023 (i.e. MEPC 80 (July 2023)). It defines an emission reduction objective of at least 50% reduction by 2050 compared to the 2008 annual GHG emissions while, at the same time, pursuing efforts towards phasing them out entirely. The process for revising the Initial Strategy is ongoing both within the MEPC and ISWG-GHG meetings.

In the discussions, there is a clear division between:

(1) a high ambition group (including EU Member States, the US, the UK, Australia, Canada, Iceland, Norway, New Zealand, and Pacific SIDS) who primarily advocate for phasing out GHG emissions from international shipping by 2050 at the latest, while strengthening the level of ambition for 2030 and introducing an intermediate level of ambition for 2040; and

(2) those (primarily delegations from South America, Africa and Asia) who emphasise that phasing out by 2050 is not justifiable in view of the lack of technology, infrastructure and alternative fuels and would affect international trade patterns and the cost of international transport with its main impact affecting LDCs and SIDS.

As discussions progressed the number of IMO Member States who supported the phasing out of GHG emissions by 2050 increased (noting that some countries, as Japan and South Korea, who had a neutral view changed their position to support higher ambitions). The last opportunity to achieve consensus on the revised Strategy would be during ISWG-GHG 15 (being held the week before MEPC 80).

The EU submitted various documents proposing changes to the Initial Strategy with a view to support the need for a clear signal of IMO's commitment on reducing GHG emissions from international shipping.

(c) Impact on states

In addition, the Strategy acknowledges the need to assess the impact of any emission reduction measure on States. For this purpose, MEPC 74 (2019) approved the Procedure for assessing impacts on States of candidate measures (MEPC.1/Circ.885). As part of the agreement on the short-term measure, the Committee agreed to undertake a lessons-learned exercise from the comprehensive impact assessment that was carried out by UNCTAD on behalf of the IMO and overseen by a Steering Committee comprising a number of IMO member states. MEPC 79 finalized the lessons-learned exercise which led to the approval of MEPC.1/Circ.885/Rev.1 on Revised procedure for assessing impacts on States of candidate measures.

(d) Concrete measures

At MEPC 76 (2021), the Committee adopted the short-term measure in the form of amendments to MARPOL Annex VI concerning mandatory goal-based technical and operational measures to reduce carbon intensity of international shipping (primarily the Energy Efficiency Existing Ship Index (EEXI) to determine the energy efficiency of ships, and the annual operational Carbon Intensity Indicator (CII) with an associated CII rating). The Committee also approved several sets of guidelines to support the implementation of the short-term measure.

MEPC 76 also approved a Workplan on mid- and long-term measures. Several proposals were submitted proposing both market-based and technical proposals with a view to considering a possible basket of measures.

During the discussions in subsequent MEPC and ISWG-GHG sessions, the delegates are divided between those who support measures that could lead to zero GHG emissions by 2050 and those who argue for a slower phasing out of GHG emissions. The EU has proposed a technical measure proposing the establishment of a Greenhouse Gas Fuel Standard (GFS) on a well-to-wake (WtW) basis, which has also been supported by other delegations. When it comes to economic measures the EU is supporting the need for a carbon pricing measure (i.e. a levy-based measure or an emission cap-and-trade scheme).

(e) IMO Data Collection System (DCS)

An important conclusion of the work on the short-term measures was also the need to further improve the data quality in the DCS, its comprehensiveness and accessibility to ensure the robust implementation of the CII framework and to facilitate its review. Based on the experience gained during its implementation, the EU proposed amendments to Appendix IX of MARPOL Annex VI to improve the anonymization of the IMO DCS database. The Committee also agreed with the EU proposal to develop a dedicated work stream on further amending the IMO DCS. However, ISWG-GHG 14 was not in a position to finalise the proposed amendments to MARPOL Annex VI. Therefore, it was agreed that they will continue to be considered by the Working Group on Air Pollution at MEPC 80.

(f) Lifecycle GHG/carbon intensity guidelines

In parallel to the consideration of mid- and long-term measures, MEPC 76 agreed to consider the development of a life cycle GHG/carbon intensity guidelines (LCA guidelines) for all types of fuels, in order to prepare for an implementation programme for effective uptake of alternative fuels. The EU was very active in this regard both through submissions and coordinating the Correspondence Group on Marine Fuel Life Cycle GHG Analysis. The outcome of the correspondence group will be considered at ISWG-GHG 15 with a view to finalizing the LCA guidelines.

(g) Review of the CII framework

MEPC agreed to defer further consideration of the seven MEPC 79 submissions regarding the implementation and review of the CII framework to MEPC 80, for consideration by the Working Group on Air Pollution and Energy Efficiency, expected to be established at that session, and requested the Secretariat to submit a proposal on how the review of the short-term measure could be conducted in an effective and efficient way for consideration by the Committee.

(h) Onboard CO_2 capture

Owing to time constraints, MEPC 79 did not consider in detail the proposals contained in the submitted documents and instead focused on possible ways of how to progress the matter. Several delegations expressed the importance of onboard CO_2 capture as possible technological means to achieve the levels of GHG reduction set out in the IMO GHG Strategy, in particular during the transition to zero-carbon fuels, and the need to further enhance the general understanding of these technologies in shipping. Several delegations referred to IPCC reports which recognized CO2 removal and storage as one of the means to achieve carbon neutrality. However, other delegations, including EU Member States, **DELETED** *while concurring in principle with the emission reduction potential of onboard CO_2 capture technology, stressed that a holistic approach and careful consideration would be required on this complex issue, such as accounting, storage and disposal, and relevant certification schemes, to ensure effective implementation so that carbon captured would not be released back into the atmosphere. Those delegations emphasized that it would be preferable to finalize the development of the LCA guidelines before initiating a comprehensive consideration of how to integrate onboard CO_2 capture in the various IMO instruments.*

Finally, the Committee agreed to further consider proposals related to onboard CO_2 capture at MEPC 80, and invited interested Member States and international organizations to submit further information, comments and proposals to that session.

Consideration at ISWG-GHG 15 and MEPC 80

This session has for its consideration a number of submissions which were postponed from MEPC 79, **DELETED**

Initial IMO Strategy on GHG Emissions reduction from ships

A number of documents have been put forward in relation to this item. The majority of them supported a high level of ambition: particularly that international shipping should reach zero GHG emissions by 2050, considering though various elements. Specific positions on the various submissions on this item are presented below.

- *Mid-Term GHG reduction measures in shipping*

A number of documents have been put forward in relation to this item concerning the different mid-term measures and the combination of technical and market-based measures. The Union has submitted documents ISWG-GHG 15/3/1 on a GHG Fuel Standard (GFS), ISWG-GHG 13/3/2 on the advantages of combining a technical and a market-based measures, illustrated by combining the GFS with a levy, and ISWG-GHG 15/3/3 on the application of Life cycle assessment (LCA) guidelines. Specific positions on the various submissions on this item are presented in the section below.

- *Application of the Short Term Measure (CII and EEXI)*

  i. Effect on steam driven LNG carriers

INTERTANKO provides two submissions (MEPC 79/7/1-2) to highlight the negative effect that the application of the CII and the EEXI will have on steam-driven LNG carriers.

ii. 2022 Interim guidelines on correction factors and voyage adjustments for CII calculations (CII Guidelines, G5) (resolution MEPC.355(78))

MEPC 79/7/13 (Bahamas et al.) and MEPC 79/7/15 (Bahamas and ICS) propose changes to the CII Guidelines G5 to include correction factors for short voyages and port waiting time, and to apply the CII FCelectrical,j correction factor to refrigerated underdeck cargo, respectively.

In addition, in MEPC 79/7/21, CLIA provides the Committee with information on the deliberations of the Cruise Ship Safety Forum (CSSF) CII sub-group it had established to develop an alternative CII metric for cruise passenger ships.

DELETED

- *Fuel Life Cycle GHG Analysis (LCA)*

The final report of the Correspondence Group on Marine Fuel Life Cycle GHG Analysis, coordinated by China, Japan and European Commission is set in MEPC 80/7/4. Although considerable progress has been achieved some work in the working group is still required. In addition, the working group at this session has to consider a number of documents which proposed additional changes and considerations. **DELETED**

Onboard CO_2 capture

Several submissions, both those deferred from MEPC 79 as well as those submitted to this session, highlight the need for or propose draft amendments to the 2018 Guidelines on the method of calculation of the attained energy efficiency design index (EEDI) for new ships, the 2014 Guidelines on survey and certification of the Energy Efficiency Design Index (EEDI)) and the 2022 Guidelines on operational Carbon Intensity Indicators and the calculation methods (CII Guidelines, G1) in order to cater for the reduction in GHG emitted from shipping through onboard carbon capture installations.

DELETED *Norway in MEPC 79/7/16 provides various steps that need to be taken by the IMO to arrive at a stage when CO_2 captured onboard could be safely re-used or stored. However, it is necessary to allow the LCA Correspondence Group to complete its work first.*

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Agenda item 8 – Follow-up work emanating from the Action Plan to address marine plastic litter from ships

Docs: MEPC 80/8, MEPC 80/INF.8, 9 and 15

MEPC 80/8 (Norway): provides information on reasons for loss of fishing gear and proposes additional active measures to reduce such losses and facilitate discussions on developing new guidance for management of fishing gear on board fishing vessels.

MEPC 80/INF.8 (Norway): contains a summary of the Norwegian national action plan for reducing marine litter from fisheries and aquaculture, published in 2021.

MEPC 80/INF.9 (Norway): provides information on the release of microplastics and other harmful substances from anti fouling paints during hull cleaning.

MEPC 80/INF.15 (France): contains a study on pollution by plastic pellets conducted by the CEDRE, a French centre of expertise on accidental water pollution. This state of knowledge compiles the available information on accidental pollution by plastic pellets and provides perspectives in order to develop the necessary knowledge in the framework of a pellet spill response. This document could provide further elements for the development of Guidelines on clean-up of plastic pellets from ship-source spills.

EU relevance

The Union has exclusive competence on this issue.

The issue of marine litter from ships is covered by Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (PRF Directive). This Directive recognises that although the majority of marine litter originates from land-based activities, the shipping industry, including the fishing and recreational sectors, is also an important contributor, with discharges of waste, including plastic and fishing gear, discarded directly into the sea. To address the problem, the Directive provides for a mix of incentive and enforcement measures to ensure that ships deliver their waste on shore to adequate port reception facilities.

To address the wider issue of marine litter, the Union adopted Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment. This Directive regulates the use, production, consumption and waste management of single use plastics and fishing gear. As regards waste fishing gear, the Directive requires extended producer responsibility (EPR) schemes to be set up by Member States before 31 December 2024 to cover the costs of separate collection and further treatment of waste fishing gear, with national collection targets to be set at Member State level, as well as the monitoring of fishing gear with a view to a later EU-wide collection target. The Directive also calls for the development of a harmonised standard relating to the circular design of fishing gear.

Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, requires Union fishing vessels to have the equipment on board to retrieve lost gear, and the retrieval by the master of the vessel in the case where gear is lost. If the lost gear cannot be retrieved, the Regulation requires the master to inform the authorities of its flag Member State within 24 hours, who will subsequently have to inform the competent authority of the coastal Member State. Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 which lays down detailed rules for the implementation of Council Regulation (EC) No 1224/2009, includes detailed rules on the marking of fishing gear and related reporting requirements, including retrieval and reporting of lost gear. The Commission has submitted a proposal for amendment of the Regulation, COM(2018)368 of 30 May 2018, which provides for reporting by the fishing vessel in an electronic logbook and requires Member States to collect and record the information concerning lost gear and provide it to the Commission on request. The proposal is still under consideration by the co-legislators with possible adoption foreseen by mid-2021.

Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive), as well as Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste (Waste Framework Directive), provide relevant provisions that call on Member States to ensure that properties and quantities of marine litter do not harm the marine or coastal environment and to halt the generation of marine litter.

The Commission is also assessing possible reduction measures for microplastics not intentionally added in products but unintentionally released to the environment during their life cycle; a related public consultation is open until 17 May 2022. This initiative on Microplastics pollution aims to reduce impacts on the environment focussing on the sources with the highest known releases. While the initial scope was only on plastic pellets (used for the production of all plastic items), synthetic textiles and tyre abrasion, the impact assessment support study on 'Cost-benefit analysis of measures reducing unintentional releases of microplastics in the environment' and stakeholder consultations drew attention to three additional sources: paints, geotextiles and detergent capsules.

In addition, the Union has adopted the Commission's Joint Communication on international ocean governance: an agenda for the future of our oceans (JOIN/2016/049 final) and more specifically action 9 on the fight against marine litter.

Concerning relevant international developments, UNEA 5 adopted a Resolution directing that an Intergovernmental Negotiating Committee (INC) be established to take forward discussions on a proposed legally binding Global Treaty to end plastic pollution, to track the lifespan of plastic products – from source to sea – and to be accompanied by support to developing countries, backed by financing mechanisms, tracked by strong monitoring mechanisms, and incentivizing all stakeholders – including the private sector. These negotiations are due to conclude by 2024. For EU Council Decision authorising the opening of negotiations on behalf of the European Union for an international agreement on plastic pollution, see COM(2022) 342 final dated 12 July 2022. EC will represent the Union in the INC. The pre-session paper submitted by the European Union on 13/02/2023 to the Second session of the INC is available here: https://wedocs.unep.org/bitstream/handle/20.500.11822/41793/EUsubmission.pdf?sequence=1&isAllowed=y and contains a specific reference to "measures to minimize the risk of leakages of plastic pellets from production, handling and transport".

Background

MEPC 72 approved a new output on the "Development of an action plan to address marine plastic litter from ships" in the 2018-2019 biennial agenda of MEPC, assigning the PPR Sub-Committee as the associated organ, with a target completion year of 2020.

At MEPC 73, the Union submission (MEPC 73/8/3) served as basis to the development of the Action plan on marine litter (resolution MEPC.310(73)) which included proposals to address marine litter from shipping, including fishing vessels; the effectiveness of port reception facilities; improving treatment of marine litter; enhanced awareness, education and seafarer training; improving the understanding of the contribution of ships to marine plastic litter; understanding of the regulatory framework applicable to marine plastic litter from ships; strengthening international cooperation; and technical cooperation and capacity-building. The envisaged timeline was that the action plan should be completed by 2025. In view of the agreement on the developed action plan, MEPC 73 amended the title of output 4.3 to "Follow-up work emanating from the Action Plan to address marine plastic litter from ships".

Following the consideration of the submissions under this agenda item, MEPC 74 approved the terms of reference for the IMO Study on marine plastic litter from ships. The Committee also determined the scope of work for the PPR, III and HTW Sub-Committees to progress the work of the relevant short-term actions in the Action plan. The PPR Sub-Committee was particular asked to further consider the options for reducing the environmental risk associated with the maritime transport of plastic pellets.

Given time limitations, both MEPC 75 and 76 postponed the consideration of all documents submitted under this Agenda item to MEPC 77 which requested the Secretariat to engage a consultant to review the Terms of Reference of the IMO Study on Marine Plastic Litter; adopted the MEPC resolution on the Strategy to address marine plastic litter from ships; and noted the updated status of each action contained in the Action Plan to address marine litter from ships (resolution MEPC.310(73)).

MEPC 78 approved the draft amendments to MARPOL Annex V to make the Garbage Record book mandatory also for ships of 100 gross tonnage and above and less than 400 gross tonnage.

MEPC 79 agreed with revising the terms of reference the IMO Study on Marine Plastic Litter with a view to adopting a step-wise approach and collecting data by pursuing sub-projects that address specific data gaps and thus define the best options, but invited submissions to MEPC 80 to assist the Committee on how best to progress on this issue taking into account the Consultant's proposals. The Committee also requested the Secretariat to investigate how it could strengthen cooperation with UNEP, GPML as well as with the Regional Conventions as HELCOM and OSPAR.

Consideration at MEPC 80

In MEPC 80/8, Norway provides an analysis of the reasons for loss of fishing gear and proposes a framework on draft guidance for developing the plan for onboard management of fishing gear and parts thereof and for other equipment used in fishing activities as well as other measures to prevent marine pollution from the loss of fishing gear. Such actions are based on the Norwegian national action plan for reducing marine litter from fisheries and aquaculture as set out in MEPC 80/INF.8 (Norway): contains a summary of the published in 2021. **DELETED**

Agenda item 9 – Pollution prevention and response

Docs: MEPC 80/9, MEPC 80/9/1-2

MEPC 80/9 (Secretariat): provides the list of actions requested of the Committee on matters emanating from PPR 10.

MEPC 80/9/1 (FOEI, WWF, Pacific Environment and CSC): responds to MEPC 80/9, the outcome of PPR 10, and the invitation for interested Member States and international organizations to work intersessionally on further developing proposals on potential Black Carbon (BC) control measures and to submit those to PPR 11. It provides additional information to support the further consideration and development of potential BC control measure proposals.

MEPC 80/9/2 (FOEI, WWF, Pacific Environment and CSC): responds to discussions on the geographic scope of effective Black Carbon emission reduction measures aimed at protecting the Arctic. It provides information to aid discussion and facilitate an informed determination on the geographic scope, and recommends that measures must apply to ships operating throughout the wider Arctic area.

EU relevance

DELETED

Consideration at MEPC 80

The action points from MEPC 80/9 (Secretariat) **DELETED** *adopted for PPR 10, and which require a decision by the Committee are the following:*

a. *Action point 2.11 approve the draft Operational Guide on the Response to Spills of Hazardous and Noxious Substances (HNS), for subsequent publication*

   DELETED

b. *Action point 2.24: endorse the expansion of the scope of output 1.26 (Revision of MARPOL Annex IV and associated guidelines) to include the introduction of provisions for a sewage management plan and record-keeping on all ships (i.e. not only ships with an STP) under MARPOL Annex IV*

   DELETED

c. *Action point 2.28: approve the draft unified interpretation to regulations 18.5 and 18.6 of MARPOL Annex VI, concerning electronic bunker delivery notes, for inclusion in a further revision of MEPC.1/Circ.795 (i.e. MEPC.1/Circ.795/rev.8)*

   DELETED

d. *Action point 2.33 consider the draft 2023 guidelines for the development of the Inventory of Hazardous Materials and the associated draft MEPC resolution, with a view to adoption.*

   DELETED

e. Action point 2.35 concur with the draft scope of work on the Reduction of Volatile Organic Compound (VOC) emissions.

DELETED

Agenda item 10 – Reports of other sub-committees

Docs: MEPC 80/10, MEPC 80/10/1-2

MEPC 80/10 (Secretariat): provides the action requested of the Committee on the one remaining matter emanating from CCC 8.

MEPC 80/10/1 (Secretariat): provides the action requested of the Committee on matters emanating from SDC 9.

MEPC 80/10/2 (Secretariat): provides the action requested of the Committee on matters emanating from HTW 9.

a) Action points from CCC 8 (MEPC 80/10)

EU relevance

The Union has exclusive competence on the mandatory reporting of lost containers at sea as it is regulated by Directive 2002/59/EC, as amended, which requires that Member States take all appropriate measures to ensure that the master of a ship sailing within their search and rescue region/exclusive economic zone or equivalent, immediately reports to the coastal station responsible for that geographical area: "… (d) any slick of polluting materials and containers or packages seen drifting at sea."

Background

The Union had submitted document CCC 8/11/1 (Australia et al.) which was drafted by the Union but co-sponsored by other countries and industry organisations. The document suggested amending chapter V of the SOLAS Convention with a view to regulate mandatory reporting of the containers lost at sea. It also highlights the need to possibly amend Article V (reporting procedures) of Protocol I (incident report) of the MARPOL Convention (Article 8) to avoid double reporting. These draft amendments were discussed and agreed at CCC 8 and forwarded to MSC 107 and this session for approval, with a view to subsequent adoption at MSC 108 and MEPC 81.

Consideration at MEPC 80

In MEPC 80/10 (Secretariat), the Committee is invited to approve the draft amendments to Article V of Protocol I of the MARPOL Convention, subject to the approval of the related draft amendments to SOLAS chapter V by MSC 107. **DELETED**

b) Action points from the SDC 9 (MEPC 80/10/1)

EU relevance

The issue of marine underwater noise falls under Union exclusive competence.

Directive 2008/56/EC, the Marine Strategy Framework Directive, sets out eleven descriptors as the basis for determining 'good environmental status', which is the Directive's main objective. The 11th descriptor reads: "Introduction of energy, including underwater noise, is at levels that do not adversely affect the marine environment." This Directive defines human-induced marine underwater noise as a pollutant and requires Member States to ensure that anthropogenic noise is at levels that do not adversely affect the marine environment.

In addition, underwater noise is implicitly covered by overarching directives, e.g. the Habitats and Birds Directives (Council Directive 92/43/EEC and Council Directive 79/409/EEC) and the Environmental Impact Assessment Directive.

Commission Decision (EU) 2017/8485 sets out criteria and methodological standards to assess the extent to which good environmental status is achieved. It operationalises the descriptors of the Marine Strategy Framework Directive (MSFD). This includes criteria and methodological standards for underwater noise.

In order to green shipping under the European Green Deal, the Sustainable and Smart Mobility Strategy and the Zero pollution action plan (ZPAP) sets specific actions to reduce underwater noise. In particular, the ZPAP sets the target of adopting threshold values for under water noise by 2022. On 29 November, EU experts have adopted recommendations on maximum acceptable levels for impulsive and continuous underwater noise. The new limits mean, that to be in tolerable status, no more than 20% of a given marine area, can be exposed to continuous underwater noise over a year. Similarly, no more than 20% of a marine habitat can be exposed to impulsive noise over a given day, and no more than 10% over a year. As to the implementation of threshold values, these stem from the implementation of Commission Decision 2017/848/EU (Good Environmental Status Decision). Therefore, Member States are expected to take these threshold values into consideration in their next update of their GES determinations when these will be notified as required by Art.17(2)(a) of the MSFD. Member States would also be expected to take measures in order to achieve those values in their marine strategies.

Consideration at MEPC 80

DELETED

c) Action points from HTW 9 (MEPC 80/10/2)

EU relevance

The training of seafarers falls under Union exclusive competence it is regulated by the rules set out in Directive (EU) 2022/993, on the minimum level of training of seafarers.

Consideration at MEPC 80

In accordance with MEPC 80/10/2 (Secretariat), the Committee is invited to agree to include the development of training provisions for seafarers related to the BWM Convention as part of the output on "Comprehensive review of the 1978 STCW Convention and Code". **DELETED**

Agenda item 11 – Identification and protection of Special Areas, ECAs and PSSAs

Docs: MEPC 80/11, MEPC 80/11/1, MEPC 80/INF.19, 26 and 37

MEPC 80/11 (Djibouti, Egypt, Jordan, Saudi Arabia, Somalia, Sudan and Yemen): provides an update on efforts made by countries in the Red Sea and Gulf of Aden region (RSGA) to bring into effect the special area requirements for the Red Sea and the Gulf of Aden areas under MARPOL Annexes I and V. Furthermore, the Committee is invited to consider and approve the request of co-sponsors of the document to set a date from which the special area status shall take effect in the areas.

MEPC 80/11/1 (Israel): Under MARPOL Annexes I and V, the Red Sea is designated as a Special Area, a designation which has not come into effect so far. Since reception facilities are provided in the ports of the coastal States, this document confirms Israel′s support for bringing into effect the special area requirements for the Red Sea under MARPOL Annexes I and V, as proposed in document MEPC 80/11.

MEPC 80/INF.19 (France): provides information regarding the LIFE SEADETECT project funded by CINEA (European Climate, Infrastructure and Environment Executive Agency) (Project number 101070722). The project targets the reduction of collisions between vessels and cetaceans and unidentified floating objects. The technology explored aims to overcome ship strikes using a combined onboard automatic detection box system and a passive acoustic monitoring (PAM) buoys network. The validity and efficiency of the technology will have to be confirmed through sea trials.

MEPC 80/INF.26 (Mauritius): provides an overview of the environmental significance of the islands of Mauritius and Rodrigues in the southern Indian Ocean and outlines the need to protect the islands from increasing pressures from international shipping. A submission to the Committee is currently being developed for the designation of a particularly sensitive sea area (PSSA) and areas to be avoided (ATBA) as associated protective measures (APMs) around the coasts of Mauritius and Rodrigues Island, for ships sailing around the coasts of Mauritius and Rodrigues as a measure to reduce the risk of further marine casualties, improve the safety of navigation and to protect the marine environment.

MEPC 80/INF.37 (France): provides information on OceanPlanner©, a platform and web-based operational service providing the ability to evaluate the efficiency of the environment management measures by ships.

EU relevance

The Union has exclusive competence on the methods for the prevention of oil pollution from ships while operating in special areas as set out in Part I of the Annex to Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements, and specifically the citation of MARPOL Regulation 10 (1), which includes the Red Sea.

See also Agenda item 14 (Traffic Separation Schemes)

Background

In MEPC 79/10, France, Italy, Monaco and Spain proposed the establishment of a Particular Sensitive Sea Area (PSSA) in the North-Western Mediterranean Sea (NW Med PSSA). The designation of this PSSA and the associated protective measures will contribute to protect cetaceans by minimizing the risk of ship strikes and support scientific research on the matter.

The Committee agreed at MEPC 79 in principle to the designation of the North-Western Mediterranean Sea as a PSSA, subject to the further development and approval of the proposed associative protective measures by the NCSR Sub-Committee. **DELETED**

Consideration at MEPC 80

DELETED

Agenda item 14 – Work programme of the Committee and subsidiary bodies

Docs: MEPC 80/14, MEPC 80/14/1-3

MEPC 80/14 (Chairs of the Maritime Safety Committee and the Marine Environment Protection Committee): contains the MSC and MEPC Chairs' proposals on activities, priorities and meetings of the two Committees and their subsidiary bodies for the 2024-2025 biennium.

MEPC 80/14/1 (Marshall Islands, United Arab Emirates and IACS): proposes a new output to amend the 2017 Guidelines addressing additional aspects of the NO_x Technical Code 2008 with regard to particular requirements related to marine diesel engines fitted with Selective Catalytic Reduction (SCR) systems (resolution MEPC.291(71) as amended by resolution MEPC.313(74)) (the 2017 SCR Guidelines), with a view to facilitating the consistent and global implementation of the requirements.

MEPC 80/14/2 (Denmark and Germany): proposes a new output to amend the NO_x Technical Code 2008 to revise the process for retrofitting of existing engines onboard of ships in order to cater demands for the reduction of GHG emissions from international shipping. The detailed challenges associated with NO_x certification of existing engines when retrofitted with modern technologies to reduce their GHG emissions and the urgent need to find a solution has been addressed in document PPR 10/17/4 (Denmark and Germany).

MEPC 80/14/3 (Norway): comments on document MEPC 80/14/1 and proposes that the scope of the proposed new output should include the development of additional guidance for the certification of marine diesel engines fitted with SCR systems, where more than one engine is connected to a common SCR unit.

Agenda item 16 – Any other business

Docs: MEPC 80/16, MEPC 80/16/1-6, MEPC 80/INF.22 and 38

MEPC 80/16 (Secretariat): provides an update on recent work carried out by the Secretariat, in cooperation with other United Nations agencies, on issues relating to the protection of the marine environment.

MEPC 80/16/1 (IACS): proposes action on a minor issue relevant to the EGCS Electronic Record Book (ERB) appearing in paragraphs 4.4.9 and 5.7.1 of 2021 Guidelines for exhaust gas cleaning systems (MEPC.340(77)), to introduce a footnote referring to Guidelines for the use of electronic record books under MARPOL (resolution MEPC.312(74)) with a view to facilitating uniform and universal implementation.

MEPC 80/16/2 (Canada): Canada is currently engaging with its stakeholders with a view to submit a proposal to MEPC 81 to designate an Emission Control Area (ECA) in Canadian Arctic waters. The proposal would be in accordance with regulations 13 and 14 and appendix III of MARPOL Annex VI. This document outlines the potential proposal, which would establish that the designation of this ECA is supported by a demonstrated need to prevent, reduce and control emissions of nitrogen oxides, sulphur oxides and particulate matter from ships in Canada's Arctic.

MEPC 80/16/3 (IWC, ICS, BIMCO, INTERTANKO, CLIA, INTERCARGO, IPTA, IFAW and WSC): outlines the environmental and safety problems surrounding the traffic separation scheme (TSS) south of Dondra Head, Sri Lanka. The document also lays out the history of outreach undertaken actions on this matter. The establishment of a new TSS would lead to significant environmental and safety benefits for the thousands of vessels transiting this major East-West trade lane, smaller fishing vessels, and a major reduction in the risk of ship strikes with endangered blue whales that feed in the waters surrounding the existing TSS. Recognizing the important safety issues and the specific action requested in paragraph 15, the co-sponsors plan to follow with an appropriate submission on this matter to MSC 108.

MEPC 80/16/4 (Australia, Canada, Denmark, Spain, Ukraine, United Kingdom and United States): raises awareness of the potential environmental risks and the consequences and concerns for the global pollution prevention and liability and compensation regimes that exist regarding the increase in ship-to-ship transfers at sea.

MEPC 80/16/5 (Inuit Circumpolar Council): welcomes and comments on the intentions of Canada to propose the designation of an Emission Control Area (ECA) in Canadian Arctic waters and stresses the need to have an accompanying equitable transition framework in place to ensure economic hardship, which would impact Inuit communities who did not cause the climate crisis but are being the most impacted, does not occur.

MEPC 80/16/6 (FOEI, WWF, Pacific Environment and CSC): welcomes the declarations of intent from Canada for the designation of an Emission Control Area (ECA) in Canadian Arctic waters, and from the North-East Atlantic Ocean littoral states for the designation of an ECA in their waters as vital steps towards tackling harmful shipping emissions. The document also argues for the most integrated approach possible between these and other ongoing initiatives with a view to maximizing the economic, health, and environmental benefits of ECAs.

MEPC 80/INF.22 (Colombia): documento proporciona la experiencia de Colombia, a través de la Autoridad Marítima en la implementación de actividades técnicas para la gestión del riesgo de la contaminación biológica por incrustaciones en los cascos de buques y naves de recreo en zonas portuarias domésticas, como base para el fortalecimiento de la normatividad nacional y la prevención de introducción de especies por actividades marítimas.

MEPC 80/INF.38 (FOEI): informs the Committee about the recently finalized report titled: Unfinished Business? Ship Grey Water Disposal – Review of Environmental Risk Factors and Potential Regulatory Remedies. The report reviews the current inadequate grey water regulatory regime in the context of world shipping activities.

a) Emission Control Areas

EU relevance

Controlling sulphur oxides emitted by ships in Emission Control Areas falls under Union exclusive competence.

Directive (EU) 2016/802 relating to a reduction in the sulphur content of certain liquid fuels [4] *stipulates the reduction of the emissions of sulphur dioxide resulting from the combustion of certain types of liquid fuels and thereby to reduce the harmful effects of such emissions on human health and the environment.*

Council Decision (EU) 2022/12 of 2 December 2021 established the position to be taken on behalf of the European Union at the 22nd meeting of the Contracting Parties (COP 22) to Barcelona Convention as regards the adoption of a decision to submit a proposal to designate the Mediterranean Sea as an emission control area for sulphur oxides (Med SOx ECA) pursuant to Annex VI to MARPOL Convention. This Council Decision required all EU Member States to support the submission to MEPC 78 to propose the designation of a Med SOx ECA and its further consideration. The proposal, set out in document MEPC 78/11 (Albania et al.)) was jointly submitted by all EU Member States, all the non-EU Mediterranean States as well as by the Commission, was approved at MEPC 78.

In addition, Council Decision 2022/2078 of 24 October 2022 established the position to be taken on behalf of the European Union as regards the adoption of the proposed amendments to MARPOL Annex VI concerning Med SOx ECA which were approved by the Committee at MEPC 79 with 1 May 2025 as application date.

Background

In view of the EU's commitment to deliver to the zero pollution and smart and sustainable mobility strategy under the EU Green Deal, **DELETED**

[4] OJ L 132, 21.5.2016, p. 58

Consideration at MEPC 80

DELETED

b) Traffic Separation Schemes as a measure to implement PSSAs (see also agenda item 11)

EU relevance

The Union has exclusive competence on the matter in respect of proposals for new or changes to reporting systems, traffic services and ship's routing systems in European Union waters.

Directive 2002/59/EC on establishing a Community vessel traffic monitoring and information systems as amended, (VTMIS Directive 2002/59/EC), promotes and regulates the use of routing systems and mandatory ship reporting systems by EU Member States. In accordance with Article 23 (c) of this Directive, EU Member States and the Commission shall work together to put in place, where necessary, mandatory reporting systems, mandatory maritime traffic services and appropriate ship's routing systems, with a view to submitting them to the IMO for approval. Therefore, any such proposal to the IMO has to be prepared in accordance with Article 23 (c) of that Directive.

In addition, Article 13 paragraph 4 of Directive 2008/56/EC establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) includes spatial protection measures, contributing to coherent and representative networks of marine protected areas, adequately covering the diversity of the constituent ecosystems, such as, among others, marine protected areas (MPAs) agreed by the Union or Member States concerned in the framework of international or regional agreements to which they are parties. In addition, the Marine Strategy Framework Directive in its Annex I includes underwater noise in its descriptors for determining good environmental status, including the protection of cetaceans. The criteria and methodological standards for the determination of good environmental status are further defined in Commission Decision 2017/848/EU. Europe's seas and oceans are natural and essential allies in tackling the climate and biodiversity crises. The new communication on the Sustainable Blue Economy sets out a detailed and realistic agenda for the blue economy to achieve the European Green Deal's objectives.

Furthermore, in relation to biodiversity preservation and existing MPAs in these marine waters in particular relation to MARPOL Annexes I and II, Member States have to meet the obligations stemming from existing EU rules. These are laid down in Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements and Directive 2019/883 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC.

Background

In MEPC 79/10, France, Italy, Monaco and Spain propose the establishment of a Particular Sensitive Sea Area (PSSA) in the North-Western Mediterranean Sea (NW Med PSSA). The designation of this PSSA and the associated protective measures will contribute to protect cetaceans by minimizing the risk of ship strikes and support scientific research on the matter.

The Committee agreed at MEPC 79 in principle to the designation of the North-Western Mediterranean Sea as a PSSA, subject to the further development and approval of the proposed associative protective measures by the NCSR Sub-Committee. As a follow-up to the outcome of MEPC 79 and of NCSR 10 (France, Italy, Monaco, and Spain submitted documents NCSR 10/3/1 and NCSR 10/INF.3) proposals for possible associated protective measures (APMs) to be applicable in the PSSA in the North-Western Mediterranean Sea.

DELETED

Consideration at MEPC 80

DELETED

c) Exhaust Gas Cleaning Systems (EGCS)

EU relevance

This issue falls under Union exclusive competence.

Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels provides that emission abatement methods referred to in Article 8(4) shall comply at least with the criteria specified in Annex II of the Directive. As regards the criteria for the use of Exhaust Gas Cleaning Systems (EGCS), the Directive refers to IMO Resolution MEPC.184(59) 2009 on Guidelines for exhaust gas cleaning systems which was eventually superseded by the 2021 Guidelines for exhaust gas cleaning systems (MEPC.340(77)).

Consideration at MEPC 80

DELETED