

MARINE ENVIRONMENT PROTECTION COMMITTEE 74th session Agenda item 8 MEPC 74/WP.10 15 May 2019 Original: ENGLISH

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

## Report of the Working Group on Marine Plastic Litter

#### **GENERAL**

1 The Working Group on Marine Plastic Litter met from 13 to 15 May 2019 and was chaired by Ms. A. Sly (Australia).

2 The Group was attended by delegates from the following Member Governments:

**AUSTRALIA NEW ZEALAND** BELGIUM **NIGERIA BRAZIL NORWAY** CANADA **PALAU** CHILE **PANAMA CHINA PHILIPPINES CYPRUS POLAND DENMARK PORTUGAL** 

ESTONIA REPUBLIC OF KOREA ROMANIA

FRANCE SAUDI ARABIA
GERMANY SINGAPORE
GHANA SOUTH AFRICA

INDIA SPAIN
INDONESIA SWEDEN
JAPAN SWITZERLAND
KENYA THAILAND

LIBERIA UNITED ARAB EMIRATES

MALAYSIA UNITED KINGDOM MARSHALL ISLANDS UNITED STATES

MEXICO VANUATU NETHERLANDS VIETNAM



by representatives from the following United Nations specialized agency:

THE REGIONAL MARINE POLLUTION EMERGENCY RESPONSE CENTRE FOR THE MEDITERRANEAN SEA (REMPEC)

by observers from the following inter-governmental organization in consultative status:

**EUROPEAN COMMISSION (EC)** 

and by observers from the following non-governmental organizations in consultative status:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)

**BIMCO** 

OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)

FRIENDS OF THE EARTH INTERNATIONAL (FOEI)

INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS (INTERTANKO)

ADVISORY COMMITTEE ON PROTECTION OF THE SEA (ACOPS)

**GREENPEACE INTERNATIONAL** 

CRUISE LINES INTERNATIONAL ASSOCIATION (CLIA)

INTERNATIONAL ASSOCIATION OF DRY CARGO SHIPOWNERS (INTERCARGO)

THE INSTITUTE OF MARINE ENGINEERING, SCIENCE AND TECHNOLOGY (IMarEST)

INTERNATIONAL SHIP MANAGERS' ASSOCIATION (INTERMANAGER)

WORLD SAILING LTD. (World Sailing)

THE ROYAL INSTITUTION OF NAVAL ARCHITECTS (RINA)

INTERNATIONAL ASSOCIATION OF MARITIME UNIVERSITIES (IAMU)

INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF)

INTERNATIONAL PAINT AND PRINTING INK COUNCIL (IPPIC)

WORLD SHIPPING COUNCIL (WSC)

CLEAN SHIPPING COALITION (CSC)

### **TERMS OF REFERENCE**

- 3 Taking into account comments and decisions made in plenary, the Group was instructed to:
  - .1 develop terms of reference for an IMO study on marine plastic litter from ships, taking into account document MEPC 74/8, and advise the Committee on the appropriate modalities for the conduct of such a study;
  - .2 update the regulatory framework matrix set out in annex 3 to document MEPC 74/8, subject to additional information being presented;
  - .3 consider how the work associated with the Action Plan can be advanced, taking into account document MEPC 74/8/2 proposing to develop an IMO strategy to address marine plastic litter from ships, and advise the Committee accordingly;
  - .4 further consider document MEPC 74/8/3 and advise the Committee on how best to proceed; and
  - .5 submit a written report to plenary by Thursday, 16 May 2019.

#### IMO STUDY ON MARINE PLASTIC LITTER FROM SHIPS

- The Group considered the report of the Correspondence Group on Marine Plastic Litter from Ships (MEPC 74/8) and expressed its appreciation to the coordinator of the Correspondence Group. The Group noted the wide range of comments and views that had been captured in the report (MEPC 74/8, annex 1) with regard to the issues that could potentially be considered under an IMO study on marine plastic litter from ships.
- The Group noted the view that the approach taken by the Correspondence Group to link the list of issues to be considered under an IMO study on marine plastic litter from ships to the *Action Plan to address marine plastic litter from ships* (resolution MEPC.310(73)) was too narrow an interpretation of the corresponding term of reference of the Correspondence Group and made it difficult to capture issues that were not explicitly mentioned in the Action Plan (e.g. greywater or hull scrapings as a source of microplastics).
- The Group noted that actions 24 and 25 were sufficiently wide-ranging to capture both micro and macroplastics and that the approach of the Correspondence Group had been supported by the majority of the participants, as it facilitated more focused deliberations on what information might be necessary to progress the actions in the Action Plan and allowed the outcome of the IMO Study on Marine Plastic Litter from Ships to be used to directly progress actions within the Action Plan.
- 7 The Group therefore agreed that the comments captured in annex 1 of the Correspondence Group's report formed an extensive basis for developing draft terms of reference for an IMO study.

# Information on the GESAMP Working Group on sea-based sources of marine litter (GESAMP WG 43)

- The Group was informed by the GESAMP Secretariat of the recent establishment of the GESAMP Working Group on sea-based sources of marine litter (GESAMP WG 43), co-sponsored by FAO and IMO and as requested by MEPC 73, whose overall objective was to build a broader understanding of sea-based sources of marine litter, in particular from the shipping and fishing sectors, including the relative contribution of different sources, analysis of plastic use and management within both industries, and the range and the extent of impacts from sea-based sources of marine litter.
- 9 Specifically, GESAMP WG 43 would, inter alia, aim to provide a global overview of sea-based sources of marine litter, including fishing gear and other shipping related litter, including:
  - .1 identification of sources of marine litter from sea-based sources, including but not limited to fishing operations, aquaculture, shipping, dumping of waste and other matter at sea:
  - .2 an estimate of the relative contribution and impacts of different sea-based sources of marine litter;
  - .3 an analysis of how much plastic is produced for and used by the fishing and shipping industries, as well as an overview of the existing waste management streams for these plastics; and
  - .4 an assessment of data gaps and prioritization for further work.

- Furthermore, a second work stream of GESAMP WG 43 would focus on abandoned, lost or otherwise discarded fishing gear (ALDFG), with the aim of specifically supporting FAO's programme of work on this matter, and would provide, inter alia, an identification of ALDFG hotspots, a quantification of the impacts of ALDFG; and review and comparison of options for delivery of solutions.
- The Group noted with appreciation the update on the establishment of GESAMP WG 43, particularly the inclusion of shipping-related sources in the scope of its work. It was also noted that the GESAMP Working Group was already starting its work, having secured funding to complete its terms of reference, and would aim to deliver its first report in early 2020, and a second report in late 2020.
- In this regard, the Group recognized that the work of GESAMP WG 43 would inform some elements of the future IMO Study on Marine Plastic Litter from Ships, taking into account that GESAMP would provide a review and analysis of the existing body of knowledge on marine plastic litter from all sea-based sources, as well as an assessment of data gaps.

## Development of draft terms of reference for the IMO Study on Marine Plastic Litter from Ships

- The Group agreed that the IMO Study on Marine Plastic Litter from Ships should not duplicate work already undertaken or being carried out, but instead build on the reports and analyses of GESAMP and other organizations by providing new information and quantitative data that would partly fill the knowledge gaps that had already been or would be identified by other studies.
- 14 Consequently, the Group proceeded to include, in the chapeau of the draft terms of reference for the IMO Study on Marine Plastic Litter from Ships, a non-exhaustive list of organizations, including GESAMP, whose work should be taken into account when conducting the Study.

#### Contribution of ships to marine plastic litter

Furthermore, the Group developed draft terms of reference 1 and 2 relating to the contribution of all ships to marine plastic litter. In this regard, the Group agreed that the definition of ships in MARPOL should be referred to, therefore including fixed and floating platforms in the scope of the study.

### Marking and logging of fishing gear

- In the context of actions 2 and 3 of the Action Plan, the Group was of the view that it would be necessary for the available information on fishing gear marking and logging schemes to be considered. Recognizing that FAO would potentially have gathered such information in the context of the development and promotion of the FAO Voluntary Guidelines on the Marking of Fishing Gear, including details of where and how marking schemes were being used and their implementation, the Group did not include a relevant term of reference for the IMO Study on Marine Plastic Litter from Ships. Instead, the Group agreed to recommend that the Committee invite FAO to:
  - .1 make information on fishing gear marking and logging schemes available to MEPC and/or to GESAMP Working Group 43, as appropriate; and
  - .2 collaborate with IMO and provide advice on the voluntary or mandatory application of marking of fishing gear, including costs associated with the implementation of a mandatory requirement and the most appropriate FAO or IMO instrument, should it be made mandatory.

### Storage, delivery and reception of plastic waste from ships

- In considering the reception of garbage from ships, the Group suggested that the scope of the issues to be considered were more encompassing than reception of garbage, but also included storage and delivery of garbage by a ship to a reception facility. The Group also recognized that this section of the draft terms of reference referred to plastic waste from ships, rather than all garbage. Therefore, the Group agreed for the chapeau of term of reference 3 to reflect the storage, delivery and reception of plastic waste from ships.
- In addition, the Group recognized that some reception facilities might not be in port and, therefore, agreed that the correct reference in the terms of reference for the IMO Study on Marine Plastic Litter from Ships was "reception facilities".
- Whilst some comments in the report of the Correspondence Group had indicated a need to assess existing and emerging technologies for recycling and reuse of onboard or retrieved plastics, the Group was of the view that reference to reuse and recycling technologies could be made in paragraph 3.1 of the draft terms of reference, to assess reuse and recycling of plastic waste from ships more broadly. Specific mention was also made to the handling of segregated plastic waste, as it was deemed important that information be gathered on the onboard segregation of plastic waste and subsequent collection of the segregated waste at shore-based facilities to support recycling and reuse of the plastic waste.
- In relation to retrieved plastics, the Group agreed that the IMO Study on Marine Plastic Litter from Ships should not address this element as it related to the reuse and recycling of not only sea-based waste but also land-based waste and therefore extended beyond the envisaged scope of the IMO Study.
- With regard to potential obstacles to the implementation of reuse and recycling schemes, and following a discussion on quarantine requirements in different States, the Group agreed to include the management of quarantine waste as an example of a potential obstacle in paragraph 3.1 of the draft terms of reference, with a view to obtaining information on whether onboard plastic waste segregation could be supported and still meet the various quarantine requirements in port States.
- The Group also considered whether the World Health Organization should be mentioned in the chapeau of the draft terms of reference, having noted the relevance of the WHO in relation to quarantine waste. However, as already noted by the Group, it was agreed that the chapeau should be indicative, in order to avoid omitting relevant organizations from the chapeau. Therefore, the Group agreed not to mention WHO and other organizations that were brought up during discussions.
- Paragraph 3.2 of the draft terms of reference refers to an assessment of port reception facility inadequacies, with a view to determining if any of them relate to handling of plastics and identifying key themes, which can then help to focus the work of the Committee when further addressing the provision of adequate waste reception facilities for ships.
- In this regard, the Group was of the view that the inclusion of additional information relating to port reception facility alleged inadequacy reports that were provided in the relevant module of GISIS, and in particular the outcomes of the investigations of these reports, should be provided in the document submitted by the Secretariat (Annual enforcement reports on port reception facilities) to the III Sub-Committee. The Group was of the view that this inclusion would facilitate the identification of themes relating to the delivery and handling of plastic waste.

- The Group considered including a review of various cost recovery schemes for the use of port reception facilities. However, the Group noted that only including cost recovery schemes might limit the information to be collected. Therefore, the Group agreed that all pricing frameworks to receive plastic waste from ships (e.g. frameworks such as fee for service) should be considered. The Group also agreed that reference should be made to schemes and frameworks from regional, national and port-specific sources to ensure that the information represented a global view. In recognizing the importance of understanding the receipt of fishing gear, the Group also agreed to make specific reference to fishing vessels in the term of reference. In addition, the Group noted that the information that would be of most use to the Committee in further progressing the action plan would be to assess and compare the efficacy of these schemes and frameworks. The aforementioned conclusions are captured in paragraph 3.3 of the draft terms of reference.
- The Group also considered the need for examples of port waste management plans and subsequently developed paragraph 3.4 of the draft terms of reference, referring to a review of port waste management plan best practices to identify their role in achieving adequacy of port reception facilities with regard to the management of plastic waste.
- With regard to information relating to marine plastic litter collected during fishing operations, the Group was of the view that this matter was linked to the issues of delivery and reception of plastic waste from ships. Consequently, the Group developed paragraph 3.5 of the draft terms of reference with a view to achieving a better understanding of the volume and types of marine plastic litter being collected during fishing operations and how it was managed. In this regard, the Group had a particular interest in how onboard practices might prevent this plastic litter being returned to the sea.
- The Group considered a proposal to include in the draft terms of reference a point relating to enhanced enforcement of MARPOL Annex V (action 15 of the Action Plan). However, the Group noted that there were already studies available that assessed the impact of enhanced enforcement mechanisms of MARPOL Annex V. The Group also noted the comment that the London Convention and Protocol were also relevant to the issue of marine plastic litter. The Group agreed that the most beneficial information to obtain in this regard would be on successful mechanisms to ensure that ships delivered their garbage to port reception facilities. Following a lengthy discussion, the Group developed paragraph 3.6 of the draft terms of reference, referring to a review of ships' plastic waste management best practices to identify their role in reducing marine plastic litter, including achieving effective delivery of plastic waste to reception facilities and reduction at source.
- The Group considered the inclusion of a term of reference to assess existing and emerging technologies and methods to monitor marine plastic litter at sea. In this regard, the Group noted that GESAMP had recently published Reports and Studies No.99 (Guidelines for the Monitoring and Assessment of Plastic Litter in the Ocean). During the discussions, the Group noted that more information might be required on the costs associated with implementing technologies to undertake such monitoring. However, it was agreed that the work of FAO on marking of fishing gear, and the future work on tracking of lost containers at sea was also relevant to the Group's discussion. The Group also determined that it was not the role of IMO to assess existing and emerging technologies for monitoring all plastic litter at sea. Therefore, the Group agreed that the inclusion of an assessment of existing and emerging technologies and methods for monitoring marine plastic litter at sea as an element of the draft terms of reference for the IMO Study on Marine Plastic Litter from Ships would not be appropriate.

### Reporting of accidentally lost or discharged fishing gear

Following consideration of document MEPC 74/8/3 (Vanuatu), the Group agreed that the inclusion of a term of reference in the IMO Study to review existing reporting mechanisms for accidentally lost or discharged fishing gear, as provided in regulation 10.6 of MARPOL Annex V, at national and regional levels was not required (see also paragraphs 40 to 46).

# Finalization of the draft terms of reference for the IMO Study on Marine Plastic Litter from Ships

Having considered the above-mentioned matters, the Group finalized the draft terms of reference for the IMO Study on Marine Plastic Litter from Ships, as set out in annex 1, with a view to approval by the Committee.

### Recommendations on how the IMO Study on marine plastic litter should be undertaken

- The Group recalled that it had previously agreed that the IMO Study on Marine Plastic Litter from Ships should not duplicate work already undertaken or being carried out, but instead build on the reports and analyses of GESAMP and other organizations by providing new information and quantitative data that would partly fill the knowledge gaps that had already been or would be identified by other studies. In this regard, the Group agreed that procuring the services of contractor/s to undertake the IMO Study on Marine Plastic Litter from Ships, subject to sufficient funds being available, was the preferred way for carrying out the Study, and agreed to make that recommendation to the Committee.
- The Group agreed to recommend to the Committee that:
  - .1 terms of reference 1 and 2, relating to understanding shipping's contribution to marine plastic litter, should be undertaken as a priority, subject to sufficient financial contributions being made; and
  - .2 subject to additional financial contributions being made, term of reference 3, relating to storage, delivery and reception of plastic waste from ships, should be undertaken.
- The Group also agreed to request the Committee to invite Member States and other stakeholders to support the IMO Study on Marine Plastic Litter from Ships, by providing financial contributions to ensure the completion of the study terms of reference, as well as relevant studies undertaken to support this work.
- The Group recalled that GESAMP WG 43:
  - .1 had secured funding to complete its terms of reference;
  - .2 was already starting its work, which, inter alia, included providing a global overview of sea-based sources of marine litter, including fishing gear and other shipping-related litter; and
  - .3 would aim to deliver its first report in early 2020 and a second report in late 2020.
- In this regard, the Group noted that, pending sufficient funding for procuring the services of contractor/s, the work of GESAMP WG 43 would begin to address terms of reference 1 and 2 of the IMO Study on Marine Plastic Litter from Ships, with regard to providing

a review and analysis of the existing body of knowledge on marine plastic litter from all sea-based sources, as well as an assessment of data gaps. Following discussion, the Group agreed to recommend to the Committee that it:

- .1 recognize the importance of the work of GESAMP in progressing the IMO Study on Marine Plastic Litter; and
- .2 request GESAMP to provide a report to MEPC 75 on the work of GESAMP WG 43, as well as an accompanying presentation.
- The Group also agreed to invite the Committee to consider requesting the Secretariat, as soon as sufficient funding had been provided by Member States and international organizations, to issue an invitation to tender for terms of reference 1 and 2 of the IMO Study on Marine Plastic Litter from Ships, noting that the work of the selected contractor should not duplicate the work of GESAMP.
- With regard to term of reference 3 of the IMO Study on Marine Plastic Litter from Ships, the Group also agreed to invite the Committee to request GESAMP to review it with a view to determining if there was any additional work that GESAMP could undertake to progress this term of reference of the Study.

### Regulatory framework matrix

- 39 The Group reviewed the regulatory framework matrix, as set out in annex 3 to document MEPC 74/8, and noted that no additional information had been submitted to the Committee for inclusion in the matrix. The Group considered how the regulatory framework matrix should be progressed and agreed to request the Committee to:
  - invite Member States and international organizations to provide relevant information to the Secretariat, for inclusion in the regulatory framework matrix (MEPC 74/8, annex 3), with a view to maintaining the matrix as an up-to-date resource that could be used by the Committee and relevant sub-committees as a reference when further discussing and progressing actions under the *Action Plan to address marine plastic litter from ships* (resolution MEPC.310(73));
  - .2 request the Secretariat to update the regulatory framework matrix when new information is received and to keep the Committee informed of such updates; and
  - .3 authorize the Secretariat to make the regulatory framework matrix available on the IMO website for reference, with an additional note explaining that the information contained in the matrix is not exhaustive and intended for referencing only.

#### Reporting the accidental loss or discharge of fishing gear

As instructed, the Group considered document MEPC 74/8/3 (Vanuatu) with a view to advising the Committee on how best to proceed with the proposals set out in the above-mentioned document. In the ensuing discussion, the Group concurred with the proposal in the document that the requirement of regulation 10.6 of MARPOL Annex V to report the accidental loss or discharge of fishing gear which posed a significant threat to the marine environment or navigation was not well implemented and therefore not much information on these discharges was available.

- In considering how to progress the proposals within document MEPC 74/8/3 (Vanuatu), the Group agreed that further consideration on the development of a central repository for the submission of information on the accidental loss or discharge of fishing gear by flag States would be beneficial. It was noted that this information could be used to inform evidence-based decision-making related to the actions presented in the *Action Plan to address marine plastic litter from ships* (resolution MEPC.310(73)).
- However, the Group was also of the view that amendments to MARPOL Annex V to require reporting to the Organization, and the establishment of a new module within the Global Integrated shipping Information system (GISIS) to facilitate reporting, should be considered at a later stage.
- Consequently, the Group agreed to request the Committee to instruct the PPR Sub-Committee to commence work on considering whether and how to amend MARPOL Annex V and the 2017 Guidelines for the implementation of MARPOL Annex V (resolution MEPC.295(71)), as appropriate, to facilitate and enhance reporting of the accidental loss or discharge of fishing gear, as currently provided in regulation 10.6 of MARPOL Annex V; and clarify the types of fishing gear to be reported (see also annex 4, paragraph 7).
- In this regard, the Group noted that additional information might be required before further categorizing the types of fishing gear to be reported. To address this knowledge gap, the Group recommended that the Committee invite FAO to submit to future sessions of MEPC or the PPR Sub-Committee relevant information on existing reporting mechanisms of accidentally lost or discharged fishing gear, including the challenges and benefits of such systems, as well as information that could help clarify details on losses that should be reported.
- In addition, the Group requested the Committee to invite proposals to the PPR Sub-Committee from interested Member States and international organizations on reporting mechanisms of accidentally lost or discharged fishing gear, including the challenges and benefits of such systems, and existing and potential ways to encourage fishing vessels to report.
- The Group also noted that work to support further consideration of reporting on the discharge or accidental loss of fishing gear could also be progressed through the implementation of action item 2 (on mandatory marking of fishing gear with the IMO Ship Identification Number), with the cooperation of FAO in providing relevant information; action item 4 (on reminding IMO Member States to collect information from their registered fishing vessels regarding any accidental loss or discharge of fishing gear); and action item 7 (on review of the application of placards, garbage management plans and garbage record-keeping to capture fishing vessels).

## Advancing the Action Plan to address marine plastic litter from ships

- The Group considered how the work associated with the *Action Plan to address marine plastic litter from ships* (resolution MEPC.310(73)) could be advanced, taking into account document MEPC 74/8/2 (United Arab Emirates and Vanuatu) proposing to develop an IMO strategy to address marine plastic litter from ships.
- The Working Group Chair suggested that the Group consider categorizing the action within the Action Plan into:
  - .1 actions that can be progressed now by relevant sub-committees, which could be referred to as short-term actions;

- .2 actions that may be reliant on the outcomes of the IMO Study on Marine Plastic Litter, or other relevant research, in order to progress, which could be referred to as mid-term actions; and
- .3 actions which require concrete proposals to the Committee in order to progress, and therefore considered long-term actions.
- The Chair also suggested that the Group develop a visual table or schematic, similar to that which was developed for the "Programme of follow-up actions of the initial IMO strategy on reduction of GHG emissions from ships up to 2023", which would set out how the work of the Committee would complete the actions within the action plan by 2025.
- In order to retain the text of the Action Plan that had been adopted at MEPC 73, the Working Group Chair also suggested that the background, objective, overarching timelines and the evaluation and review elements of the Action Plan could be used, in conjunction with the categorization table and timeline schematic, to develop a consolidated document, which could be endorsed by the Committee and referred to as a strategy.
- The Group agreed to progress their work in line with the proposal of the Working Group Chair, to develop a draft strategy to address marine plastic litter from ships. As such, the Group first considered each action within the Action Plan to determine which category would be most appropriate.
- 52 During discussion, the following general comments were made:
  - .1 the PPR Sub-Committee could consider, analyse and report to the Committee on the need for mandatory actions;
  - .2 some actions might have voluntary and mandatory elements, and therefore it would be more appropriate to have voluntary actions, or elements thereof, in the short-term actions, with the mandatory elements in mid-term actions; and
  - .3 the list of actions should be able to be moved between the short-, mid- and long-term categories as they are progressed over the life of the strategy.
- The Group also noted that amendments to the Action Plan would be made by the Secretariat to address the suggested additions as set out in MEPC 74/8/1 in relation to the role of the London Convention/London Protocol (LC/LP) in progressing specific actions within the plan.
- In addition, the Group agreed that the consideration of the impact on small island developing States and on remote locations such as polar regions when planning for the disposal of waste to land-based facilities (action item 18), would be considered when progressing each individual action related to addressing the discharge of plastic litter to reception facilities.
- In considering action items 10 and 11 of the Action Plan, relating to mandatory reporting of containers lost at sea and ways of communicating their location, the Group discussed how they could be progressed via MSC and subsequently via the CCC and NCSR Sub-Committees.

- The Group agreed that the preferred way forward would be for proposals for a new output to be submitted to MSC in order for MSC to instruct the appropriate sub-committee accordingly. Notwithstanding the above, the Group agreed to recommend that the Committee request the CCC and NCSR Sub-Committees to note the importance of the issue of lost containers at sea for addressing marine plastic litter from ships, as identified in action items 10 and 11 of the *Action Plan to address marine plastic litter from ships* (resolution MEPC.310(73)).
- In considering action item 1 on encouraging the ratification of the Cape Town Agreement, the Group noted the Ministerial Conference on Fishing Vessel Safety and Illegal, Unreported and Unregulated (IUU) Fishing, to be held in Torremolinos, Málaga, Spain, from 21 to 23 October 2019, which was aimed at encouraging the ratification of the Agreement. The Group recognized that once the Cape Town Agreement had entered into force, the mandatory application of the IMO Ship Identification Scheme could be extended to all fishing vessels over 24 meters in length through an amendment to the Agreement.
- In considering action items 29 and 30, it was recognized that while the GloLitter project supported by Norway would be one project that would address action item 30 (consider the establishment of externally funded major projects under the auspices of IMO in support of the action plan to address marine plastic litter), as there might be other projects, a new category of action could be developed which would indicate that it would continuously be addressed over the life of the Action Plan. It was also agreed that action item 29 (address implementation issues related to the action plan in the context of IMO technical cooperation and capacity-building activities) could also be captured in such a category. Therefore, the Group agreed to include a category labelled "continuous actions".
- With regard to action items 27 and 28 of the Action Plan, the Group requested the Committee to instruct the Secretariat to exchange information with UN Environment, FAO, IOC of UNESCO and other UN bodies on relevant information and progress with the implementation of the Action Plan, through the relevant cooperation mechanisms (GPML, UN-Oceans, etc.) as well as through their respective governing bodies including the United Nations Environment Assembly and the FAO Committee on Fisheries.
- Concerning the most appropriate instrument to address the responsibility and liability for plastic consumer goods lost at sea from ships (action item 29 of the Action Plan), the Group noted the view that the Nairobi International Convention on the Removal of Wrecks was relevant in this regard, taking also into account its opt-in clause allowing a State Party to extend the scope of application to wrecks located within its territory including the territorial sea. In this regard, the Group agreed that for action item 29 to be progressed, submission of documents to the Legal Committee would be the preferred way forward.
- The table grouping short-, mid-, long-term and continuous actions is set out in annex 2.
- In recognizing the need to provide a clear timeline of the work of the Committee in progressing actions to address marine plastic litter from ships through to 2025, the Group then considered a schematic which set out the timeframe and actions associated with progressing short-, mid-, long-term and continuous actions; the IMO Marine Plastic Litter Study; and the review and evaluation of actions in the lead up to 2025. This timeline of follow-up actions is set out in annex 3.
- Furthermore, the Group developed the scope of work of the PPR, III and HTW Sub-Committees to progress the work of the relevant short-term actions identified in annex 2.

- 64 Consequently, the Group requested the Committee to:
  - approve the scope of work of the PPR Sub-Committee, as set out in annex 4 and add output 4.3 (Follow-up work emanating from the Action Plan to address marine plastic litter from ships) to the provisional agenda of PPR 7, with four sessions assigned to complete the work; and
  - .2 approve the scope of work of the III Sub-Committee, as set out in annex 4 and add output 4.3 (Follow-up work emanating from the Action Plan to address marine plastic litter from ships) to the provisional agenda of III 7, with two sessions assigned to complete the work.
- The Group also requested the Committee approve the scope of work for the HTW Sub-Committee, as set out in annex 4, in relation to training aspects of the Action Plan to address marine plastic litter from ships (resolution MEPC.310(73)).
- Owing to time constraints, the Group was unable to finalize the draft strategy for addressing marine plastic litter from ships, and agreed to recommend to the Committee that a correspondence group be established with the following terms of reference:

"The Correspondence Group on Development of a Strategy to Address Marine Plastic Litter from Ships is instructed to:

- .1 finalize a draft strategy to address marine plastic litter from ships, taking into account document MEPC 74/8/2 and using the Action Plan to address marine plastic litter from ships (resolution MEPC.310(73) and annexes 2 and 3 to document MEPC 74/WP.10 as a basis; and
- .2 submit a written report to MEPC 75."

#### **Action requested of the Committee**

- The Committee is invited to approve the report in general and, in particular, to:
  - .1 note the information on the GESAMP Working Group on sea-based sources of marine litter (GESAMP WG 43), in particular that GESAMP WG 43 aims to deliver its first report in early 2020, and a second report in late 2020 (paragraph 8 to 12);
  - .2 note that the Group agreed that the IMO Study on Marine Plastic Litter from Ships should not duplicate work already undertaken or being carried out by GESAMP WG 43, but instead build on the reports and analyses of GESAMP and other organizations by providing new information and quantitative data (paragraph 13);
  - .3 note that the draft terms of reference for the IMO Study on Marine Plastic Litter from Ships can be divided into two broad elements: information on the contribution of all ships to marine plastic litter and information of storage, delivery and reception of plastic waste from and collected by ships (paragraphs 15 to 29);

#### .4 invite FAO to:

- .1 make information on fishing gear marking and logging schemes available to MEPC and/or to the GESAMP Working Group 43, as appropriate (paragraph 16.1); and
- .2 collaborate with IMO and provide advice on the voluntary or mandatory application of marking of fishing gear, including costs associated with the implementation of a mandatory requirement and the most appropriate FAO or IMO instrument should it be made mandatory (paragraph 16.2);
- .5 request the Secretariat to include the outcomes of investigations of reports of alleged port reception facility inadequacies in the document submitted by the Secretariat (Annual enforcement reports on port reception facilities) to the III Sub-Committee, with a view to facilitating the identification of themes relating to the delivery and handling of plastic waste (paragraph 24);
- approve the draft terms of reference for the IMO Study on Marine Plastic Litter from Ships (paragraph 31 and annex 1);
- .7 concur with the recommendation of the Group that, subject to sufficient funds being available, procuring the services of contractor/s to undertake the IMO Study on Marine Plastic Litter from Ships was the preferred way for carrying out the Study (paragraph 32);
- .8 concur with the recommendation of the Group that:
  - .1 terms of reference 1 and 2, relating to understanding shipping's contribution to marine plastic litter, should be undertaken as a priority, subject to sufficient financial contributions being made (paragraph 33.1); and
  - .2 subject to additional financial contributions being made, term of reference 3, relating to storage, delivery and reception of plastic waste from ships should also be undertaken (paragraph 33.2);
- .9 invite Member States and other stakeholders to support the IMO Study on Marine Plastic Litter from Ships, by providing financial contributions to ensure the completion of the study terms of reference, as well as provide information on relevant studies undertaken to support this work (paragraph 34);
- .10 note that, pending sufficient funding for procuring the services of contractor/s, the work of GESAMP WG 43 would begin to address terms of reference 1 and 2 of the IMO Study on Marine Plastic Litter from Ships, in terms of a review and analysis of the existing body of knowledge on marine plastic litter from all sea based sources, and an assessment of data gaps (paragraphs 35 and 36);
- recognize the importance of the work of GESAMP in progressing the IMO Study on Marine Plastic Litter (paragraph 36.1);
- request GESAMP to provide a report to MEPC 75 on the work of GESAMP WG 43, as well as an accompanying presentation (paragraph 36.2);

- consider requesting the Secretariat, as soon as sufficient funding has been provided by Member States and international organizations, to issue an invitation to tender for terms of reference 1 and 2 of the IMO Study on Marine Plastic Litter from Ships, noting that the work of the selected contractor/s should not duplicate the work of GESAMP (paragraph 37);
- request GESAMP to review term of reference 3 of the IMO Study on Marine Plastic Litter from Ships, with a view to determining if there is any additional work that GESAMP could undertake to progress this work (paragraph 38);
- invite Member States and international organizations to provide relevant information to the Secretariat, for inclusion in the regulatory framework matrix (MEPC 74/8, annex 3), with a view to maintaining the matrix as an up-to-date resource (paragraph 39.1);
- request the Secretariat to update the regulatory framework matrix when new information is received and to keep the Committee informed of such updates (paragraph 39.2);
- .17 authorize the Secretariat to make the regulatory framework matrix available on the IMO website for reference, with an additional note explaining that the information contained in the matrix is not exhaustive and intended for referencing only (paragraph 39.3):
- .18 note the discussions of the Group with regards to the potential benefits of a central repository for the submission of information on the accidental loss or discharge of fishing gear by flag States (paragraph 41);
- note the view of the Group that amendments to MARPOL Annex V to require reporting of accidental loss or discharges of fishing gear to the Organization, and the establishment of a new module within GISIS to facilitate reporting, should be considered at a later stage (paragraph 42);
- .20 approve the scope of work for the PPR Sub-Committee in relation to facilitating and enhancing reporting of the accidental loss or discharge of fishing gear, as currently provided in regulation 10.6 of MARPOL Annex V (paragraph 43; annex 4, paragraph 7);
- .21 invite FAO to submit to future sessions of MEPC or the PPR Sub-Committee relevant information on existing reporting mechanisms of accidentally lost or discharged fishing gear, including the challenges and benefits of such systems, as well as information that could help clarify details on losses that should be reported (paragraph 44);
- .22 invite proposals to the PPR Sub-Committee from interested Member States and international organizations on reporting mechanisms for accidentally lost or discharged fishing gear, including the challenges and benefits of such systems and existing and potential ways to encourage fishing vessels to report (paragraph 45);
- .23 note the progress made by the Group in advancing the work associated with the *Action Plan to address marine plastic litter from ships* (resolution MEPC.310(73)), through the development of elements for inclusion in a strategy to address marine plastic litter from ships (paragraph 47 to 66);

- .24 concur that the preferred way for progressing action items 10 and 11 of the Action Plan, relating to mandatory reporting of containers lost at sea and ways of communicating their location, is for interested Member States and international organizations to submit proposals for a new output to MSC (paragraph 56);
- request the CCC and NCSR Sub-Committees to note the importance of the issue of lost containers at sea for addressing marine plastic litter from ships (paragraph 56);
- instruct the Secretariat to exchange information with UN Environment, FAO, IOC of UNESCO and other UN bodies on progress with the implementation of the Action Plan, through the relevant cooperation mechanisms (GPML, UN-Oceans, etc.) as well as through their respective governing bodies, including the United Nations Environment Assembly and the FAO Committee on Fisheries (paragraph 59);
- .27 concur that the preferred way for progressing action items 29 of the Action Plan, concerning the most appropriate instrument to address the responsibility and liability for plastic consumer goods lost at sea from ships, is for interested Member States and international organizations to submit documents to the Legal Committee (paragraph 60);
- note the grouping of short-, mid-, long-term and continuous actions from the Action Plan (paragraph 61 and annex 2);
- note the timeline of follow-up actions from the Action Plan (paragraph 62 and annex 3);
- approve the scope of work of the PPR Sub-Committee, as set out in annex 4, and add output 4.3 (Follow-up work emanating from the Action Plan to address marine plastic litter from ships) to the provisional agenda of PPR 7, with four sessions assigned to complete the work (paragraph 64.1);
- approve the scope of work of the III Sub-Committee, as set out in annex 4 and add output 4.3 (Follow-up work emanating from the Action Plan to address marine plastic litter from ships) to the provisional agenda of III 7, with two sessions required to complete the work (paragraph 64.2);
- .32 approve the scope of work for the HTW Sub Committee, as set out in annex 4, in relation to training aspects of the Action Plan (paragraph 65); and
- .33 consider the recommendation of the Group to establish a correspondence group on development of a strategy to address marine plastic litter from ships, with the terms of reference set out in paragraph 66, and take action as appropriate.

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#### **ANNEX 1**

## TERMS OF REFERENCE FOR THE IMO STUDY ON MARINE PLASTIC LITTER FROM SHIPS

Taking into account the work of, inter alia, GESAMP, FAO, UN Environment, Regional Fisheries Management Organizations, the London Convention and Protocol governing bodies, Regional Seas Programmes and Conventions and other intergovernmental and regional organizations, and especially recognizing the limited knowledge on plastic litter generated from fishing vessels, the IMO Study on Marine Plastic Litter from Ships should include the issues below.

- 1 Estimate the contribution to marine plastic litter (macro and microplastics) by all ships (including fishing vessels) and identify any knowledge gaps in determining this contribution.
- Provide, where possible, a variety of analyses and visualizations (e.g. by ship type, ship size, geographical region/location, volumes, sources and potential marine plastic litter streams including, but not limited to, fishing gear or containers lost at sea) in relation to the estimates in paragraph 1 above;
- With regard to storage, delivery and reception of plastic waste from ships:
  - .1 assess reuse and recycling technologies and schemes for plastic waste from ships, including handling of segregated plastic waste, and any potential obstacles (e.g. management of quarantine waste) to the implementation of such schemes:
  - .2 assess the available port reception facility inadequacies, determine if any of them relate to handling of plastics (including recycling) and identify their key themes:
  - .3 review various pricing frameworks, cost recovery and other relevant incentive schemes (regional, national, port-specific) for the use of reception facilities by ships, including fishing vessels, to assess and compare the efficacy of incentives in reducing marine plastic litter;
  - .4 review best practices of port waste management plans to identify their role in achieving adequacy of port reception facilities, as regards the management of plastic waste;
  - .5 assess the volume and types of marine plastic litter being collected during fishing operations and how it is being managed, including its disposal (e.g. whether it is being disposed of at reception facilities); and
  - .6 review best practices of ships' plastic waste management, including source reduction and alternative materials, to identify their role in reducing marine plastic litter, including achieving effective delivery of plastic waste to reception facilities.

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ANNEX 2

GROUPING OF SHORT-, MID-, LONG-TERM, AND CONTINUOUS ACTIONS
OF THE ACTION PLAN TO ADDRESS MARINE PLASTIC LITTER FROM SHIPS

	Outcome	Actions	Parent Organ	Coordinating/ Associated Organ	Notes	Associated partners
		Short-ter	m Actions			
4	Reduction of marine plastic litter generated from, and retrieved by, fishing vessels	Member States to collect information from their registered fishing vessels	MEPC LC/LP	PPR	Included in the scope of work of the PPR Sub-Committee	
7		Review the application of placards, garbage management plans and garbage record-keeping (regulation 10, MARPOL Annex V), for example making the Garbage Record Book mandatory for ships of 100 GT and above	MEPC	PPR	Included in the scope of work of the PPR Sub-Committee to consider, analyse and report back.	
8		Preparation of a circular reminding Member States to enforce MARPOL Annex V on fishing vessels through PSC measures.  Encourage port State control MoUs to develop PSC procedures that include fishing vessels	MEPC	PPR / III	Request III and JWG 4 to consider and advise	

	Outcome	Actions	Parent Organ	Coordinating/ Associated Organ	Notes	Associated partners
9	Reduction of shipping's contribution to marine plastic litter	Review the application of placards, garbage management plans and garbage record-keeping (regulation 10, MARPOL Annex V), for example making the Garbage Record Book mandatory for ships of 100 GT and above	MEPC	PPR	Included in the scope of work of the PPR Sub-Committee to consider, analyse and report back	
10		Consider the establishment of a compulsory system of formatted declarations of the loss of containers and the means on board to easily identify the exact number of losses  Also, consider establishing an obligation to report through a standardized procedure the loss of containers	MSC / MEPC		Proposals to MSC; ask CCC and NCSR to review the action, specifically reporting, and advise the Committee	
11		Consider ways to communicate the location of containers lost overboard based on additional information to be provided by interested parties	MEPC		Proposals to MSC; ask CCC and NCSR to review the action, specifically reporting, and advise the Committee	
13		Consider enhancing the enforcement of MARPOL Annex V, including, where possible, through a risk-based approach	MEPC	PPR / III	Request III to review PSC procedures and advise	

	Outcome	Actions	Parent Organ	Coordinating/ Associated Organ	Notes	Associated partners
17	Improvement of the effectiveness of port reception and facilities and treatment in reducing marine plastic litter	IMO to encourage Member States to effectively implement their obligation to provide adequate facilities at ports and terminals for the reception of garbage, as required by regulation 8 of MARPOL Annex V  Take into consideration work being undertaken under the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972 (London Convention or LC) and its 1996 Protocol (London Protocol or LP) (LC/LP) on this issue	MEPC LC/LP	PPR / III	Included in the scope of work of the PPR Sub-Committee, in cooperation with III	
19	Enhanced public awareness, education and seafarer training	Consider ways to promote the work of IMO to address marine plastic litter generated from ships		PPR	Included in the scope of work of the PPR Sub-Committee	
20		Consider tasking the HTW Sub-Committee with reviewing chapter III of STCW-F (Basic safety training for all fishing vessel personnel) to ensure that all fishing vessel personnel, before being assigned any shipboard duties, receive basic training on marine environment awareness oriented on marine plastic litter including abandoned, lost or otherwise discarded fishing gear (ALDFG)	MEPC	HTW	Request HTW under the existing output on revision of STCW-F	

	Outcome	Actions	Parent Organ	Coordinating/ Associated Organ	Notes	Associated partners
21		Consider how the model course "Marine Environmental Awareness 1.38" could be amended/revised to specifically address marine plastic litter	MEPC LC/LP	HTW / PPR	Included in the scope of work of the PPR Sub-Committee	
		Further consider how to ensure familiarization of all seafarers within the existing STCW (International Convention on Standards of Training, Certification and Watchkeeping for Seafarers) minimum requirements and taking into account existing best practice, guidelines and programmes			Request HTW	
22	Improved understanding of the contribution of ships to marine plastic litter		MEPC	PPR / III / LC/LP	Included in the scope of work of the PPR Sub-Committee	
23		Encourage Member States and international organizations that have conducted any scientific research related to marine litter to share the results of such research, including any information on the areas contaminated by marine litter from ships	MEPC	PPR	Included in the scope of work of the PPR Sub-Committee, for inclusion in a circular	

	Outcome	Actions	Parent Organ	Coordinating/ Associated Organ	Notes	Associated partners
24		Conduct a study on marine plastic litter, including macro and microplastics, from all ships	MEPC LC/LP	PPR		GESAMP, FAO, UN Environment, RFMOs, World Oceans Assessment, Regional Seas Organizations
25		Invite Member States and international organizations to undertake studies to better understand microplastics from ships	LC/LP		Included in the scope of work of the PPR Sub-Committee for inclusion in a circular	
26	Improved understanding of the regulatory framework associated with marine plastic litter from ships	Consider the development of a regulatory framework matrix for the purpose of a gap analysis	MEPC	PPR / III / LC/LP	Request the Secretariat to keep it up to date	
27	Strengthened international cooperation	Make information available to the United Nations Environment Assembly (UNEA)	MEPC LC/LP	PPR	Request the Secretariat to ensure that the exchange of information is robust and continues to occur	

	Outcome	Actions	Parent Organ	Coordinating/ Associated Organ	Notes	Associated partners
28		Continue work with other United Nations bodies and agencies, as well as with international fora, which are active in the matter of marine plastic litter from shipping, such as through the Global Partnership on Marine Litter (GPML)	MEPC LC/LP	PPR	Request the Secretariat	
		Mid-terr	n Actions			
2		Consider making mandatory, through an appropriate IMO instrument (e.g. MARPOL Annex V), the marking of fishing gear with the IMO Ship Identification Number, in cooperation with the Food and Agriculture Organization of the United Nations (FAO)	MEPC	PPR / III (JWG)	Information from FAO requested	FAO
3		Further investigate logging of the identification number for each item of fishing gear on board a fishing vessel	MEPC	PPR / III	Information from FAO requested	FAO
5		Consider the development of best management practice to facilitate incentives for fishing vessels to retrieve derelict fishing gear and deliver it to port reception facilities, in collaboration with FAO	MEPC / MSC	PPR / III (JWG) / SDC	ToR 3	FAO
6		Consider the issue of waste that has been collected during fishing operations building on experience gathered from established projects	MEPC / MSC	PPR / III (JWG) / SDC	Tors 1 and 3	FAO

	Outcome	Actions	Parent Organ	Coordinating/ Associated Organ	Notes	Associated partners
14	the effectiveness	garbage collection for plastic waste from ships, including fishing gear to facilitate	MEPC	PPR	ToR 3	
15	the effectiveness of port reception		MEPC	PPR	ToR 3	
16		Consider the development of tools to support the implementation of cost frameworks associated with port reception facilities, taking into account the need to not create disincentives for the use of port reception facilities, the potential benefits of cost incentives that provide no additional fees based on volume and identifying waste types that can be reduced, reused or recycled through schemes that identify waste revenue	MEPC	PPR	ToR 3	

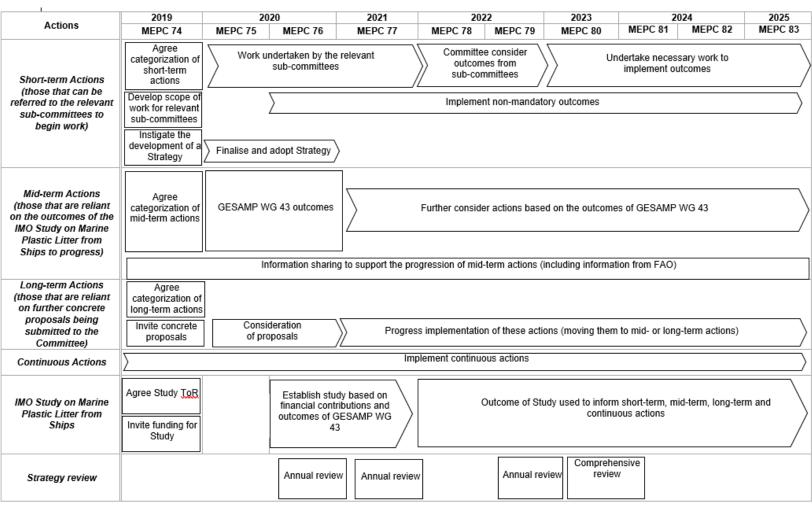
	Outcome	Actions	Parent Organ	Coordinating/ Associated Organ	Notes	Associated partners
17		Consider facilitating the mandatory use of port waste management plans to ensure the provision of adequate waste reception facilities	MEPC	PPR / III	ToR 3	
		Encourage Member States to address the entire process of plastic garbage handling and ensure that landed garbage is managed in a sustainable manner ashore				
		Identify information from the port waste management plans that can be shared via the Global Integrated Shipping Information System (GISIS)				
18		Further consider the impact on small island developing States and on remote locations such as polar regions when planning for the disposal of waste to land-based facilities	MEPC	PPR	ToR 3	
		Long-ter	m Actions			
1		Consider making the IMO Ship Identification Number Scheme mandatory for all fishing vessels over 24 metres in length through an amendment to the Cape Town Agreement once it enters into force.  Encourage the ratification of the Cape	MSC / MEPC			
		Town agreement				

	Outcome	Actions	Parent Organ	Coordinating/ Associated Organ	Notes	Associated partners
12		Consider the most appropriate instrument to address the responsibility and liability for plastic consumer goods lost at sea from ships	MEPC	PPR	Invite Member States to submit proposals to the Legal Committee	
29	Targeted technical cooperation and capacity-building	Address implementation issues related to the action plan to address marine plastic litter from ships in the context of IMO technical cooperation and capacity-building activities	MEPC TCC	PPR / III		
30		Consider the establishment of externally funded major projects under the auspices of IMO in support of the action plan to address marine plastic litter from ships	MEPC	PPR		
1	Reduction of marine plastic litter generated from, and retrieved by, fishing vessels	Encourage the ratification of the Cape Town agreement	MSC / MEPC			

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ANNEX 3

TIMELINE OF FOLLOW-UP ACTIONS FOR THE ACTION PLAN TO ADDRESS MARINE PLASTIC LITTER FROM SHIPS



#### **ANNEX 4**

## SCOPE OF WORK OF THE PPR, III AND HTW SUB-COMMITTEES

### PPR Sub-Committee (from PPR 7)

- Preparation of an MEPC circular reminding IMO Member States to collect information from their registered fishing vessels regarding any discharge or accidental loss of fishing gear, in accordance with MARPOL Annex V.
- Preparation of an MEPC circular, in cooperation with III as necessary, to encourage Member States to effectively implement their obligation to provide adequate facilities at ports and terminals for the reception of garbage, as required by regulation 8 of MARPOL Annex V.
- 3 Preparation of an MEPC circular to:
  - .1 encourage Member States and international organizations that have conducted any research related to marine litter to share the results of such research, including any information on the areas contaminated by marine litter from ships; and
  - .2 invite Member States and international organizations to undertake studies to better understand microplastics from ships and share the results of such studies.
- Review the application of placards, garbage management plans and garbage record-keeping (regulation 10, MARPOL Annex V), and advise the Committee on potential ways of strengthening the efficacy of the requirements in reducing the generation of marine plastic litter from ships.
- 5 Consider ways to promote the work of IMO to address marine plastic litter from ships.
- 6 Consider proposals on how the model course "Marine Environmental Awareness 1.38" could be amended/revised to specifically address marine plastic litter.
- 7 Consider whether and how to amend MARPOL Annex V and the 2017 Guidelines for the implementation of MARPOL Annex V (resolution MEPC.295(71)), as appropriate, to facilitate and enhance reporting of the accidental loss or discharge of fishing gear, as currently provided in regulation 10.6 of MARPOL Annex V; and clarify the types of fishing gear to be reported.

(4 sessions)

#### III Sub-Committee (from III 7)

- 8 Consider action 8 of the *Action Plan to address marine plastic litter from ships* (resolution MEPC.310(73) and advise the Committee on progress (2 sessions).
- 9 Consider proposals for enhancing the enforcement of MARPOL Annex V, including, where possible, through a risk-based approach, and if appropriate prepare draft amendments to the PSC procedures (2 sessions).

## **HTW Sub-Committee (from HTW 7)**

Consider, under the existing output 1.22 (Comprehensive review of the 1995 STCW-F Convention), the introduction of provisions in the STCW-F Convention to ensure that all fishing vessel personnel receive appropriate training on marine environmental awareness focused on marine plastic litter and abandoned, lost or otherwise discarded fishing gear, and report to MEPC on completion (2 sessions).

# HTW Sub-Committee (from the session at which the next comprehensive review of the 1978 STCW Convention is initiated)

11 Consider, at the next comprehensive review of the 1978 STCW Convention, as amended, strengthening the environmental training provisions to explicitly address the management of onboard plastics and marine plastic litter, and report to MEPC on progress (2 sessions).

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