



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
LIMITED

A/AC.138/SC.III/L.30

12 March 1973

ENGLISH

ORIGINAL: ENGLISH/FRENCH/
SPANISH

COMMITTEE ON THE PEACEFUL USES OF THE
SEA-BED AND THE OCEAN FLOOR BEYOND THE
LIMITS OF NATIONAL JURISDICTION
Sub-Committee III

WORK OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION
IN RELATION TO THE PRESERVATION OF THE MARINE ENVIRONMENT (1972/73)

Document submitted by the secretariat of IMCO

1. In accordance with the resolutions of the General Assembly calling upon the specialized agencies to provide appropriate documentation and information to the Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction and, in pursuance of the decisions of the IMCO Assembly and Council authorizing the secretariat of IMCO to co-operate to the fullest extent with the Committee and its Sub-Committee, the secretariat of IMCO prepared and submitted to the July/August 1972 session of the Committee two documents dealing with aspects of IMCO's work to which references had been made during discussions in the earlier sessions of the Committee and its Sub-Committees.
2. The first document was entitled "Report on the Preparatory Work for the International Conference on Marine Pollution to be convened by IMCO in 1973" (A/AC.138/SC.III/L.15). This document was introduced to Sub-Committee III at its 23rd meeting held on 28 July 1972. At the request of the Sub-Committee the statement of introduction was given extended coverage in the summary records of that meeting.
3. The second document presented by IMCO was entitled "The activities of the Inter-governmental Maritime Consultative Organization pertaining to ships' routing, traffic separation schemes, areas to be avoided by certain ships and related questions" (MISC.72(8)). This document was introduced to Sub-Committee III at its 22nd meeting held on 26 July 1972. At the request of the Sub-Committee the statement of introduction was issued as a document of the Sub-Committee (A/AC.138/SC.III/L.21). The Committee also requested that the IMCO document (MISC.72(8)) should be made available to Sub-Committee II.

4. The present document gives information on work and developments in IMCO since the above-mentioned documents were submitted to the July/August 1972 session of the Sea-bed Committee. It is intended to provide the Committee with an outline of the work undertaken, in progress, or planned by various IMCO bodies in the area of marine pollution prevention and related fields. The information provided relates to:

- (1) The further preparatory work for the 1973 IMCO Conference on Marine Pollution;
- (2) The work of IMCO in regard to safety at sea in general, with particular reference to the objectives of preventing accidents likely to result in impairment of the marine environment, including further information on work in relation to the ships' routing and traffic separation schemes.

I. PREPARATION FOR THE 1973 CONFERENCE ON MARINE POLLUTION

5. As was indicated in document A/AC.138/SC.III/L.15, the main objective of the Conference is the achievement by 1975, if possible, but certainly by the end of the decade, of the complete elimination of the wilful and intentional pollution of the sea by oil and noxious substances other than oil, and the minimization of accidental spills.

6. Pursuant to the above objective, the Conference will consider the following three main subjects:

- (a) The adoption of an International Convention for the Prevention of Pollution from Ships;
- (b) The activities of the Inter-governmental Maritime Consultative Organization which would contribute to the minimization of accidental spillages of oil and noxious substances other than oil from ships;
- (c) The adoption of an Instrument Relating to Intervention on the High Seas in Cases of Marine Pollution Damage by Substances other than Oil.

7. The first item, i.e. the adoption of a Convention on Marine Pollution, is no doubt the main subject for the Conference. After intensive work carried out by the technical and legal bodies of the Organization in the past two years a draft Convention has been finalized and, when approved by the Maritime Safety Committee of the Organization in late March, will be circulated to Governments invited to the Conference.

8. The draft Convention covers all the technical aspects of the prevention of marine pollution emanating from ships, with the exception of disposal of shore-generated waste by dumping and pollution directly arising out of the exploration and exploitation of sea-bed mineral resources. It consists of articles providing general principles and a series of technical annexes relating to:

/...

- the prevention of pollution by oil from ships
- the prevention of pollution by noxious substances other than oil carried in bulk or in packages
- the prevention of pollution by ship-generated sewage and garbage.

9. With reference to the prevention of pollution by oil from ships, the draft 1973 Convention contains provisions relating to all the aspects now covered by the Oil Pollution Convention of 1954 as amended in 1962, 1969 and 1971. For deliberate pollution, the new provisions are, in several respects, more stringent than the existing requirements. For example, there are more stringent provisions with respect to the limitation to be placed on the total quantity of oil which large tankers (of 100,000 tons deadweight or more) may discharge. This will be approximately one half of that permitted under the 1969 amendments.

10. Other new requirements under consideration are aimed at improving the design, equipment and operational procedures of tankers by such measures as:

- (1) The provision of water ballast tanks segregated from oil cargo spaces;
- (2) The provision and use of oil discharge monitoring and control devices during the discharge of tank washings, etc.;
- (3) The provision and use of a slop tank arrangement for the retention of oil on board;
- (4) An obligation on contracting Governments to ensure the provisions of adequate facilities in ports, particularly oil loading terminals and repair ports, for the reception of such oily residues as might remain for disposal from the ships using them. This is a particularly important aspect in enclosed or semi-enclosed seas where ships might be engaged on short-haul voyages and would therefore have difficulty in complying with the new limitations imposed on operational discharges to the sea. Such areas are being considered as "special areas" for which certain other restrictions are also envisaged;
- (5) The provision of pumping and piping arrangements fitted with a standard shore connexion to enable residues to be discharged to shore or floating reception facilities.

11. With a view to limiting the escape of oil in the event of side or bottom damage which may result from accidents involving tankers, the requirements for tank size limitation set out in the 1971 Amendments will be continued. However, these will be supported by additional measures aimed at improving the survival capability of tankers following a maritime accident.

12. Apart from oil pollution, the Conference will also consider draft regulations for preventing or limiting pollution, either deliberate or accidental, from noxious

/...

substances other than oil. The adoption of these, together with other Annexes relating to sewage and garbage from ships, will extend the scope of the 1973 Convention far beyond that of the existing Oil Pollution Convention and into fields which have hitherto been uncontrolled. With the help of experts from GESAMP, some 450 noxious substances being carried by ships have been evaluated in terms of their hazards which include bioaccumulation characteristics, harm to human health, marine life or amenities. Based on this hazard evaluation, three main categories of harmful substances have been identified. For each of these, the discharge of tank washings, dirty ballast or other residues and mixtures will be prohibited except in accordance with very strict criteria which are specified in the Regulations. For the most hazardous substances, tank washings will have to be discharged only to a reception facility until a residual concentration is reached and the tank is as empty as practicable. Any remaining residue must then be diluted by the addition of a specified volume of water before being discharged to the sea at a specified minimum distance from the land.

13. The second subject, i.e. consideration of the activities of IMCO in the prevention of maritime accidents, is intended to assess the work which IMCO has so far accomplished or has in progress or planned which would contribute to the prevention, mitigation or minimization of marine pollution as a result of maritime accidents, and establish guidelines under which the work in this field should proceed on a priority basis.

14. The third subject the Conference will consider is the adoption of an instrument relating to intervention on the high seas in cases of marine pollution by substances other than oil. The Legal Committee of the Organization has finalized work on a draft instrument. This instrument, in the form of a protocol to the 1969 Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, is designed to extend the principles and procedures of that Convention to noxious and hazardous substances other than oil carried by ships.

15. The new instrument provides that parties to it may take such measures on the high seas as may be necessary to prevent, mitigate or eliminate grave and imminent danger to their coastline or related interests from pollution following upon a maritime casualty or acts related to such casualty which may reasonably be expected to result in major harmful consequences. There is no agreement yet on the specific substances to be covered by the new instrument but the draft states that "the substances other than oil" to be covered by the instrument shall be "those substances enumerated in a list (to be annexed to the instrument)" as well as "other substances which are likely to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea". The list to be annexed to the instrument will be maintained and brought up to date from time to time by a body designated for that purpose.

16. The draft instrument is being circulated to Governments for their consideration and comments; and the draft and the comments of Governments thereon -

/...

including suggested amendments, additions, etc. - will be submitted to the Marine Pollution Conference which will adopt a definitive instrument.

17. In preparing for its Conference in 1973, IMCO is taking full account of related activities in other organizations of the United Nations system, particularly those concerning the preparatory work for the United Nations Conference on the Law of the Sea, the recommendations of the United Nations Conference on the Human Environment and the Intergovernmental Conference on the Convention on the Dumping of Wastes at Sea held in London from 30 October to 13 November 1972. It is hoped that the outcome of the Conference will constitute a significant part of a concerted plan of action of the United Nations system for preventing and combating pollution of the environment as a whole.

II. WORK IN RELATION TO SAFETY AT SEA AND THE PREVENTION OF ACCIDENTS WHICH MAY INVOLVE IMPAIRMENT OF THE MARINE ENVIRONMENT

18. In discharging its responsibilities concerning safety at sea in general, the Organization has, in the past, adopted various measures and is continuously reviewing the relevant maritime conventions and regulations which deal with construction, navigation, cargoes, equipment, procedures and crews of ships.

19. Many of these measures are oriented towards preventing accidental pollution, in recognition of the principle that safety in marine transport is a major factor in the prevention or limitation of accidental pollution.

Revision of the International Regulations for Preventing Collisions at Sea, 1972

20. A Conference convened by IMCO (October 1972) concluded a new Convention revising the International Regulations for Preventing Collisions at Sea, at present in force. The revised Regulations take account of current technical developments and constitute a significant improvement on the existing Rules. The manoeuvring procedures and actions to be taken by ships under various circumstances for the purpose of avoiding collisions are prescribed in a comprehensive way with reference to the need for avoiding hampering the safe passage of vessels restricted in their ability to manoeuvre due to their draught. An amendment procedure has been included in the Convention through which the Regulations will be kept up to date as necessary. The Convention is deposited with IMCO.

21. Rule 10 of the revised Regulations (copy attached) specifies principles to be followed by ships navigating in, or through, traffic separation schemes. Thus, the use of such schemes by ships will be regulated on a mandatory basis when the new Regulations come into force.

Routing of ships

22. A number of major maritime countries have introduced, or are in the process of introducing, national legislation making it mandatory for ships under their flag to follow the general direction of traffic whenever they navigate within traffic

/...

separation schemes adopted by the Organization. This and the inclusion in the revised Regulations for Preventing Collisions at Sea of basic principles to be observed by ships when navigating in such schemes made it necessary to carry out a review of all the schemes so far adopted, for the purpose of ensuring that adequate aids to navigation are provided in each particular case to enable an accurate position determination by the mariner. The principles of navigating within the schemes have also been revised to accord with those adopted in the new Regulations. A publication is to be issued shortly with up-to-date information and detailed description of all the revised schemes. The same publication will specify the areas, particularly those of special significance to wildlife, which should be avoided by ships constituting an unacceptable environmental hazard. Close contact and co-operation is maintained with the International Hydrographic Organization (IHO) to ensure that up-to-date information is reaching the mariner through the usual channels (nautical charts, Sailing Directions, Notices to Mariners, etc.). New traffic schemes are adopted, at the proposal of the Government concerned, as and when necessary.

Carriage of dangerous goods in packages and containers

23. The carriage of dangerous goods is regulated, in general, by the provisions of the Convention for the Safety of Life at Sea, 1960, which accepted the classification of dangerous goods agreed by the relevant United Nations Committee of Experts. The Organization in the meantime developed an International Maritime Dangerous Goods Code, which classifies each dangerous substance according to the nature of the danger and specifies provisions for packaging and stowage as well as other information for the guidance of the master. The substances which have been included in the Code so far are those which may affect the safety of the ship and those on board.

24. The Organization recently initiated, however, detailed studies of the environmental impact of the transportation by sea of noxious substances in packaged form, containers and portable tanks and agreed that the International Maritime Dangerous Goods Code should be modified by including therein detailed instructions for specific /individual/ noxious cargoes or their categories dealing with packaging, identification and marking, stowage, quantity limitation, leakages and jettisoning, incident reporting procedures, salvage and intact recovery.

25. The Code will constitute a uniform basis for national regulations and requirements for the carriage, in packaged form, of dangerous goods as well as goods which represent a serious hazard to the marine environment.

Provision of navigation equipment and crew training

26. The Convention for the Safety of Life at Sea has recently been amended to make mandatory the carriage of modern electronic navigational equipment which was mostly carried on a voluntary basis. The Organization supplemented this by developing performance standards for each item.

/...

27. The training requirements and qualifications for certification of masters and officers are at present under consideration. The intention is to specify minimum qualifications for training and certification for all grades of officers and crew on board merchant ships, with priority for those immediately responsible for the safe navigation and handling of the ship. The ultimate aim is to conclude a Convention through a conference which is planned for 1975. Particular attention will be given to the qualifications of the personnel serving on ships carrying hazardous and noxious cargoes and the need, if any, for special provisions concerning watchkeeping at sea and in ports, cargo handling and related operations of such ships.

Unification of buoyage systems and navigational warnings

28. A study has been initiated with a view to unifying the buoyage systems at present in existence all over the world. As a first step, on a matter which deserved some priority, agreement has been reached regarding the marking of wrecks which present an immediate danger to navigation.

29. The improvement and standardization of the existing system for transmission of radio warnings to shipping is another part of a wider plan for improving safety.

30. The study on the buoyage system and the radio navigational warnings is the subject of a concerted effort by IMCO, the International Hydrographic Organization, the International Association of Lighthouse Authorities, the International Chamber of Shipping and other organizations concerned with maritime matters.

Annex

INTERNATIONAL REGULATIONS FOR PREVENTING
COLLISIONS AT SEA, 1972

RULE 10

Traffic separation schemes

- (a) This Rule applies to traffic separation schemes adopted by the organization.
- (b) A vessel using a traffic separation scheme shall:
 - (i) proceed in the appropriate traffic lane in the general direction of traffic flow for that lane;
 - (ii) so far as practicable keep clear of a traffic separation line or separation zone;
 - (iii) normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from the side shall do so at as small an angle to the general direction of traffic flow as practicable.
- (c) A vessel shall so far as practicable avoid crossing traffic lanes, but if obliged to do so shall cross as nearly as practicable at right angles to the general direction of traffic flow.
- (d) Inshore traffic zones shall not normally be used by through traffic which can safely use the appropriate traffic lane within the adjacent traffic separation scheme.
- (e) A vessel, other than a crossing vessel, shall not normally enter a separation zone or cross a separation line except:
 - (i) in cases of emergency to avoid immediate danger;
 - (ii) to engage in fishing within a separation zone.
- (f) A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.
- (g) A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.
- (h) A vessel not using a traffic separation scheme shall avoid it by as wide a margin as is practicable.

/...

- (i) A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.
- (j) A vessel of less than 20 metres in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.