

CONTRIBUTION OF THE INTERNATIONAL MARITIME ORGANIZATION TO THE UN SECRETARY-GENERAL'S REPORT ON OCEANS AND THE LAW OF THE SEA (UNGA resolution 77/248)

PRELIMINARY CONSIDERATIONS

Pursuant to the request made by the Under-Secretary-General for Legal Affairs and the United Nations Legal Counsel, in a letter dated 21 March 2023, this contribution focuses on main developments on ocean issues and the law of the sea within the areas of competence of IMO between September 2022 to August 2023.

In particular, this report highlights the way in which the General Assembly Resolution 77/248 on Oceans and the Law of the Sea has been implemented by the Organization, with the relevant paragraphs referred to below.

MARITIME SAFETY AND SECURITY AND FLAG STATE IMPLEMENTATION

SAFETY AND SECURITY IN THE BLACK SEA AND THE SEA OF AZOV *(refer to paragraphs 120-122 of UN General Assembly Resolution 77/248)*

IMO provided active in-kind and expert support to the Initiative on the Safe Transportation of Grain and Foodstuffs from Ukrainian Ports (referred to as the "Black Sea Grain Initiative") which was signed by the Russian Federation, Türkiye, Ukraine and the United Nations (UN) on 22 July 2022. Following the request of the IMO Council in March 2022, all IMO committees have considered the situation in the Black Sea and the Sea of Azov during the period under review.

In particular, the Maritime Safety Committee (MSC) at its 106th session in November 2022 urged the UN Secretary-General and IMO Secretary-General to continue to work on humanitarian efforts to evacuate all stranded ships and seafarers in the conflict area, including the expansion of the Black Sea Grain Initiative to other types of ships and additional ports. Moreover, the Committee noted that the success of the Initiative had been achieved through an inter-agency "One UN approach" involving relevant UN bodies, other international agencies, NGOs and the Member States concerned and emphasized the important contribution of the Initiative in alleviating global food supply shortages resulting from the ongoing conflict in Ukraine. Finally, the Committee adopted resolution MSC.519(106) on *Member States' obligations in connection with search and rescue services under the SOLAS and SAR Conventions in the context of armed conflicts*.

At its 110th session in March 2023, the Legal Committee was also informed that of the UN General Assembly's adoption of resolution A/RES/ES-11/5 on "Furtherance of remedy and reparation for aggression against Ukraine", which recognized the need for the establishment, in cooperation with Ukraine, of an international mechanism for reparation for damage, loss or injury, and arising from the internationally wrongful acts of the Russian Federation in or against Ukraine. In the same resolution, the UNGA recommended the creation of an international register of damage to serve as a record, in documentary form, of evidence and claims information on damage, loss or injury to all natural and legal persons concerned, as well as the State of Ukraine, caused by internationally wrongful acts of the Russian Federation, as well as to promote and coordinate evidence-gathering. The Legal Committee supported IMO's assistance in the implementation of the resolution on the establishment of such an international register, and was of the view that in the IMO context, this project could be scoped to include a collection of information on damages that fell under IMO's remit, i.e. commercial vessels, maritime infrastructure, the marine environment in Ukraine and affected seafarers. The Committee also decided to keep this matter under review and invited concerned Member

States to provide relevant reports in support thereof. The IMO Council is currently considering possible options for the collection of relevant information on the assessment of such damages falling under IMO's remit.

MARITIME AUTONOMOUS SURFACE SHIPS (MASS)

(refer to paragraphs 120-122 and 199 of UN General Assembly Resolution 77/248)

The Maritime Safety Committee (MSC), the Legal Committee (LEG) and the Facilitation Committee (FAL) continue to consider how MASS operations should be addressed in IMO's regulatory framework. A Joint MSC-LEG-FAL Working Group on MASS has been established as a cross-cutting mechanism to address the common issues identified by the three Committees, such as the role of the master and crew of MASS, as well as their responsibilities and required competencies, and the identification and meaning of the terms "remote operator" and "remote control station/centre". The Joint Working Group met in September 2022 and April 2023, with both meetings having been preceded by seminars on regulatory and legal issues, for information purposes only.

The MSC has also embarked on the development of a non-mandatory goal-based MASS Code to take effect in 2025, which will form the basis for a mandatory goal-based MASS Code that is expected to enter into force on 1 January 2028. Furthermore, the Facilitation Committee approved in March 2023 the roadmap on addressing MASS issues related to the Convention on International Maritime Traffic (FAL Convention). The Legal Committee will continue to consider issues relating to the implications of MASS operations on IMO's liability and compensation conventions, as well as the relationship between UNCLOS and MASS.

SAFETY OF FISHING VESSELS AND IUU FISHING

(refer to paragraphs 128-130 of UN General Assembly Resolution 77/248)

IMO continued to take steps to promote the entry into force of the 2012 Cape Town Agreement on fishing vessel safety and assisted individual Member States in the acceptance process. To date, 21 States (Belgium, Belize, Congo, Cook Islands, Croatia, Denmark, Finland, France, Germany, Iceland, Japan, Kenya, Netherlands, New Zealand, Norway, Peru, Portugal, Saint Kitts and Nevis, Sao Tome and Principe, South Africa and Spain) have ratified the Agreement, with the number of fishing vessels of 24 m in length and over operating on the high seas at 2603. Ratification by 22 States, with the number of fishing vessels at 3600, is required for the Agreement's entry into force. Several Member States have informed IMO of their efforts towards the ratification of the Agreement.

More than eight years since its commencement, work has been completed on the revision of the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995, together with the development of a new associated Code, approved by the MSC in June 2023. The comprehensive revision takes into account the unique nature of, and progress in, the fishing industry, and should encourage States that have not yet done so, to consider becoming parties.

SAFETY OF SHIPS IN POLAR WATERS

(refer to paragraph 197 of UN General Assembly Resolution 77/248)

IMO's Polar Code sets out requirements to ensure the safety of ships operating under the harsh conditions of the Arctic and Antarctic areas, especially taking into account extreme temperatures, and the need for critical equipment to remain operational under these conditions.

In November 2022, MSC approved Revised interim guidelines on life-saving appliances and arrangements for ships operating in polar waters (MSC.1/Circ.1614/Rev.1). The guidelines

outline possible means of mitigating hazards in order to comply with the Polar Code and are intended to assist ship designers, shipowners or operators, and flag Administrations in the uniform implementation of relevant provisions of the Polar Code, complementing existing requirements of the International Life-saving Appliance (LSA) Code.

In June 2023, MSC adopted a first set of amendments to the Polar Code, together with associated amendments to the Safety of Life at Sea Convention (SOLAS), to incorporate new requirements for certain non-SOLAS ships concerning safety of navigation and voyage planning. The amendments will be applicable to fishing vessels of 24 m in length and above, pleasure yachts of 300 GT and upwards not engaged in trade, and cargo ships of 300 GT and upwards but below 500 GT. The amendments aim to enhance the safety of ships operating under the special conditions the polar areas present, as well as that of persons on board ships.

PIRACY AND ARMED ROBBERY AT SEA

(refer to paragraphs 139-143, 150-160, 164, 169 of UN General Assembly Resolution 77/248)

MSC continued to consider the latest updates on global trends relating to piracy and armed robbery against ships at its sessions in November 2022 and June 2023. Significant highlights include an increase in the number of incidents in the Straits of Malacca and Singapore with 72 incidents reported in 2022, compared to 70 incidents in 2021. The number of incidents that took place in the Gulf of Guinea decreased to 21 from 38 incidents in 2021, thanks to the enforcement agencies of coastal States in the region and ongoing international support. The number of incidents of piracy and armed robbery against ships reported in the South China Sea is 4, compared to 15 incidents in 2021. This represents a decreasing trend by 73% since 2013, when 142 incidents were reported. No incidents were reported off the coast of Somalia during the reporting period. Overall 131 incidents of piracy and armed robbery against ships were reported to the Organization as having occurred or been attempted in 2022, a decrease of approximately 24% at the global level compared to 2021.

IMO continued to undertake efforts to ensure continued implementation of the Djibouti Code of Conduct (DCoC) and encouraged Member States to continue to support the DCoC Trust Fund; and called upon Member States, in line with resolution A.1159(32), in cooperation with the Organization and as may be requested by Member States of the region, to assist efforts in the Gulf of Guinea and to consider making financial contributions to the West and Central Africa Trust Fund.

The Legal Committee was informed in March 2023, that the International Law Commission, at its seventy-third session (2022), decided to include the topic "Prevention and repression of piracy and armed robbery at sea" in its programme of work, under the lead of the Special Rapporteur on the topic, Mr. Yacouba Cissé. Pursuant thereto, the Commission requested the Secretariat of the United Nations to invite States and relevant international organizations, including IMO, to provide information relevant to their work on piracy and armed robbery at sea (A/77/10). Such information was duly provided by the IMO Secretariat.

SEARCH AND RESCUE

(refer to paragraphs 181, 183-185 of UN General Assembly Resolution 77/248)

Through its Integrated Technical Cooperation Programme (ITCP), IMO continuously assists Member States, in particular developing States, with the provision of search and rescue (SAR) capabilities. Moreover, IMO also maintains a dedicated International SAR Trust Fund to address any requests from developing States for SAR capability assistance.

The information contained in the Global Search and Rescue (SAR) Plan module of the Global Integrated Shipping Information System (GISIS) (<https://gisis.imo.org>) is planned to be reviewed, in particular, with regard to areas of responsibility, or SAR regions, with a view to

harmonizing the representation of such regions in electronic format and determining any necessary actions to ensure the correct dissemination of search and rescue related information to ships through different recognized mobile satellite services and the relay of distress alerts.

Work with ICAO continues to progress with the assistance of an ICAO/IMO Joint Working Group which meets on an annual basis, resulting in relevant updates to the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual which provides guidelines for a common aviation and maritime approach to organizing and providing search and rescue services.

IMO is a member of the "Inter-agency group on protection of refugees and migrants moving by sea", an initiative launched by UNHCR in 2021 to discuss, plan and execute coordinated joint action and advocacy to support the prevention of dangerous journeys at sea, SAR activities and safe disembarkation.

In November 2022, MSC 106 adopted resolution MSC.528(106) on *Recommended cooperation to ensure the safety of life at sea, the rescue of persons in distress at sea and the safe disembarkation of survivors* intended to emphasize the importance of effective and timely involvement of Governments in cases of rescue of migrants at sea by merchant ships.

STOWAWAYS

(refer to paragraph 186 of UN General Assembly Resolution 77/248)

The FAL Committee adopted resolution FAL.14(46) in 2022 on Amendments to the Annex to the Convention on Facilitation of International Maritime Traffic, 1965, which will enter into force on 1 January 2024. The amendments include, inter alia, a number of recommended practices on the prevention of stowaway incidents.

PASSENGER SHIP SAFETY

(refer to paragraph 198 of UN General Assembly Resolution 77/248)

In response to recurring fire accidents, MSC 107 in June 2023 adopted amendments to SOLAS and its associated Fire Safety Systems Code on enhancing fire safety on board ro-ro passenger ships, with a view to entry into force on 1 January 2026. Enhanced measures include installation of continuous video recording systems, fixed water monitors, and combined smoke and heat detectors, some of which are applicable to both new and existing ships.

FRAUDULENT REGISTRATION AND FRAUDULENT REGISTRIES OF SHIPS

(refer to paragraphs 192-194 of UN General Assembly Resolution 77/248)

The Legal Committee continued its work on measures to prevent unlawful practices associated with the fraudulent registration and fraudulent registers of ships, including abuse of the IMO Unique Company and Registered Owner Identification Number Schemes. Such illicit practices undermine the foundation of the overall IMO regulatory regime. A correspondence group was established to define and develop the elements of "due diligence" to be exercised in the process of registration of ships under the flag of a State when involving vessels in the Schemes.

The Legal Committee was also informed by a Member State that they intended to submit a proposal to review the 1986 United Nations Convention on Conditions for Registration of Ships which establishes international standards for the registration of vessels in a national registry, including references to the genuine link, ownership, management, registration, accountability and the role of the flag State and which has not entered into force. Pursuant to Article 68 of the IMO Convention, the International Maritime Organization may take over from any other international organizations, governmental or non-governmental, such functions, resources and obligations within the scope of the Organization as may be transferred to the Organization by international agreements or by mutually acceptable arrangements entered into between competent authorities of the respective organizations. It would therefore be possible for IMO to begin work on the 1986 Convention on Conditions for Registration of Ships, with the consent of the United Nations General Assembly and the IMO Assembly.

FAIR TREATMENT OF SEAFARERS

(refer to paragraphs 124-126, 131, 140 and 142 of UN General Assembly Resolution 77/248)

In 2022 a total number of 109 new abandonment cases have been reported to the IMO/ILO joint database of abandonment of seafarers. Of these 109 new cases, only 63 had been resolved. Although a direct linkage is unclear, since the outbreak of the COVID-19 pandemic there has been another alarming spike in cases.

The Legal Committee encouraged discussion relating to a solution to the problem of repatriation of abandoned seafarers; reminded Member States to ratify and effectively implement the relevant international instruments and amendments thereto; highlighted the existence of the IMO/ILO joint database; encouraged Member States to report incidents of abandonment to the database when they occurred in their ports or on vessels flying their flag; urged flag and port States to take further action to ensure the presence of financial security, as required by the Maritime Labour Convention (MLC), 2006 Standard A2.5.2, and to take appropriate action when financial security is not in place; and encouraged States to take note of the link between abandonment and forced labour, in order to fulfil their obligations under MLC, 2006.

The Committee adopted a resolution to approve *Guidelines on how to deal with seafarer abandonment cases* (LEG.6(110)). The Guidelines were adopted by the first meeting of a joint ILO-IMO Tripartite Working Group to identify and address seafarers' issues and the human element (JTWG), which met in December 2022. The Guidelines seek to address the significant rise in reported cases of abandonment of crews and set out procedures to be taken by States if a shipowner fails to fulfil their obligations to arrange and cover the cost of repatriation of seafarers, outstanding wages and other contracted entitlements, and the provision of essential needs, including medical care. These procedures include developing, in cooperation with seafarers' and shipowners' organizations, national Standard Operating Procedures (SOPs) to explicitly define the liabilities and obligations of the competent authority and the roles to be played by the various national stakeholders.

The Committee embarked on drafting guidelines relating to fair treatment of seafarers detained on suspicion of committing maritime crimes. Such guidelines would aim to ensure fair treatment of seafarers in other circumstances where seafarers might be detained. The aim is to finalize the draft guidelines as a base document for refinement at the JTWG, which will meet in late 2024. The Committee further agreed to continue consideration of the establishment of a database to record incidents when seafarers are detained, and the need for designated contact points for coordination of cases of detention of seafarers, taking into account the UN Convention on Consular Relations, 1963.

The well-being of seafarers is one of the focus areas for IMO's Integrated Technical Cooperation Program (ITCP). In line with this, MSC 107, in June 2023, considered a proposal for the comprehensive review of the International Safety Management (ISM) Code and its related guidelines, which would assist in furthering the promotion of a culture of safety at sea. Meanwhile, the Sub-Committee on Human Element, Training and Watchkeeping, also recently initiated the comprehensive review of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, with due priority given to developing training provisions addressing bullying and harassment in the maritime sector, including sexual assault and sexual harassment (SASH), approved by MSC 107 in June 2023. Bullying and harassment in the maritime sector, including SASH, will also be considered by the Joint ILO/IMO Tripartite Working Group to identify and address seafarers' issues and the human element, in order to provide recommendations to relevant ILO and IMO bodies.

MEASURES TO ADDRESS THE CONSEQUENCES OF THE COVID-19 PANDEMIC FOR INTERNATIONAL SHIPPING

(refer to paragraph 131-132 of UN General Assembly Resolution 77/248)

The *Joint Action Group to review the impact of the COVID-19 pandemic on the world's transport workers and the global supply chain (JAG-TSC)*, established at a meeting of the Director-Generals of ILO and WHO with the Heads of international transport organizations on 6 December 2021, brought together heads of ILO, WHO, ICAO, IMO, and International Air Transport Association (IATA), International Chamber of Shipping (ICS), International Road Transport Union (IRU) and International Transport Workers' Federation (ITF). The JAG-TSC was established to address the serious and urgent challenges faced by transport workers resulting from the COVID-19 pandemic and their protection during future Public Health Emergencies of International Concern (PHEICs), with a view to minimizing adverse impacts on workers, their families and global supply chains, while at the same time ensuring that public health needs are fully safeguarded. Following three technical meetings, the JAG Principals met on 24 January 2023 and adopted recommendations, including those aimed at specific UN agencies and the UN system as a whole. These recommendations are expected to be submitted as a draft resolution to the thirty-third session of the IMO Assembly with a view to adoption in December 2023.

UNSAFE MIXED MIGRATION BY SEA

(refer to paragraph 165 of UN General Assembly Resolution 77/248)

The Maritime Safety Committee continues to consider the impact of unsafe mixed migration by sea on shipping and the need for cooperative arrangements among Member States and relevant organizations. As reported above, MSC adopted a resolution on *Recommended cooperation to ensure the safety of life at sea, the rescue of persons in distress at sea and the safe disembarkation of survivors*. IMO participates in the new Inter-Agency Group (IAG) under the coordination of UNHCR established to discuss, plan and execute coordinated joint action and advocacy to support the prevention of dangerous journeys at sea, strengthen SAR capacities, and ensure safe disembarkation.

MARINE ENVIRONMENT

REDUCTION OF GREENHOUSE GAS EMISSIONS FROM SHIPS

(refer to paragraphs 251-252 of UN General Assembly Resolution 77/248)

Shipping is the most cost-effective and energy efficient mode of mass cargo transport, and since 2009 the increase of CO₂ emissions of international maritime transport has been effectively decoupled from the continuous growth of global seaborne trade volume. International shipping is also the enabler of the world's energy transition facilitating global trade in the renewable energy commodities of the future. Today, however, GHG emissions from international shipping still account for about 2.5% of global anthropogenic GHG emissions. IMO is committed to limiting GHG emissions from ships and as part of this process, IMO has introduced several measures, such as the Energy Efficiency Existing Ship Index, annual operational carbon intensity indicator ratings and enhanced Ship Energy Efficiency Management Plans. All those regulatory requirements are included in the International Convention for the Prevention of Pollution from Ships (MARPOL).

Revision of the Initial IMO Strategy on reduction of GHG emissions from ships

In 2018, Member States adopted the Initial IMO Strategy on reduction of GHG emissions from ships (resolution MEPC.304(72)), setting out IMO's ambition to reduce carbon intensity (emissions per transport work) by at least 40% by 2030, pursuing efforts towards 70% by 2050, and to reduce total annual GHG emissions from international shipping by at least 50% by 2050 compared to 2008, working towards phasing them out as soon as possible. The Initial IMO Strategy envisages the 2050 level of ambition as "a point in a pathway of CO₂ emissions reduction consistent with the Paris Agreement temperature goals". The Initial GHG Strategy also foresaw the adoption of a revised IMO GHG Strategy in 2023.

The Marine Environment Protection Committee (MEPC) agreed to initiate the revision of the Initial IMO GHG Strategy, recognizing the need to strengthen the ambition during the revision process. The decision came in the wake of COP 26 and in view of the urgency for all sectors to accelerate their efforts to reduce GHG emissions. MEPC considered concrete proposals including, inter alia, the level of ambition for 2050, intermediate GHG reduction targets for 2030 and 2040, and to the need to ensure a "just and equitable" transition that addresses the interests of developing States, in particular SIDS and LDCs, which are also often the most climate-vulnerable States. In December 2022, MEPC further discussed proposals for the revision of the Initial GHG Strategy and reaffirmed its commitment to adopt a revised IMO GHG Strategy in all its elements, including with a strengthened level of ambition, by MEPC 80 in July 2023. The 14th session of the Intersessional Working Group on GHG matters (ISWG-GHG 14) held in March 2023 considered a draft revised GHG strategy to be used as a basis for continued negotiations in June 2023, with a view to adoption of the 2023 IMO Strategy on Reduction of GHG Emissions from Ships in July 2023.

Mediterranean Sea Emission Control Area for Sulphur Oxides and particulate matter

In December 2022, MEPC designated the Mediterranean Sea as a whole, as an Emission Control Area for Sulphur Oxides and Particulate Matter, pursuant to MARPOL Annex VI. In such an Emission Control Area, the limit for sulphur in fuel oil used on board ships is 0.10% mass by mass (m/m), while outside these areas the limit is 0.50% m/m. The amendment is expected to enter into force on 1 May 2024, with the new limit taking effect from 1 May 2025.

This move will ensure cleaner air for populations in the Mediterranean Sea area. This is the fifth designated Emission Control Area for Sulphur Oxides and Particulate Matter worldwide, the others being: the Baltic Sea area; the North Sea area; the North American area

(covering designated coastal areas off the United States and Canada); and the United States Caribbean Sea area (around Puerto Rico and the United States Virgin Islands)

Exhaust Gas Cleaning Systems and UNCLOS

Following MEPC 78's approval of the *2022 Guidelines for risk and impact assessments of the discharge water from exhaust gas cleaning systems* (EGCS) (MEPC.1/Circ.899) and the *2022 Guidance regarding the delivery of EGCS residues to port reception facilities* (MEPC.1/Circ.900), MEPC 79, in December 2022, considered proposals to further improve current regulation of exhaust gas cleaning systems while also ensuring consistency between MARPOL and UNCLOS in relation to EGCS discharge water. The issue will continue to be considered at further sessions of the MEPC.

ADDRESSING MARINE PLASTIC LITTER FROM SHIPS

(refer to paragraphs 236 of UN General Assembly Resolution 77/248)

MARPOL Annex V contains a general prohibition on the discharge of garbage from ships into the sea, unless expressly permitted under specific regulations of that Annex. The definition of garbage includes all plastics generated during the normal operation of a ship and liable to be disposed of continuously or periodically. Disposal into the sea of all forms of plastics (including synthetic fishing nets and line scraps generated by the repair or operation of fishing gear) is prohibited unless it is carried out to secure the safety of a ship and those on board, to save life at sea, or for the protection of the marine environment. The prohibition also does not apply to the accidental loss of fishing gear provided that all reasonable precautions have been taken to prevent such loss. MARPOL Annex V also sets requirements for record-keeping, placards, garbage management plans, port State control on operational requirements, and the provision of port reception facilities that are adequate to meet the needs of ships calling a particular port or terminal.

Furthermore, 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), which regulate the dumping of various types of wastes into the sea, the dumping of plastics into the sea is also prohibited.

Since the adoption of the IMO Action Plan in 2018, several items of work have been initiated and are ongoing at IMO. These include the development of:

- .1 amendments to MARPOL Annex V to enhance the reporting of lost fishing gear and to make the marking of fishing gear mandatory through a goal-based standard (in cooperation with FAO);
- .2 amendments to *the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers* (STCW) and the *International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel* (STCW-F) to improve environmental awareness of the crew;
- .3 recommendations for the carriage of plastic pellets by sea in freight containers, addressing in particular packaging, notification, and stowage, to be followed by the development of amendments to an appropriate mandatory instrument; and
- .4 amendment to MARPOL and SOLAS to improve reporting of freight container losses.

The work of IMO in this regard is supported by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP), which established the Working Group on sea-based sources of marine litter (GESAMP Working Group 43), co-sponsored by FAO and IMO, with additional support from the UN Environment Programme (UNEP). The overall objective of GESAMP Working Group 43 is 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 extent of impacts from sea-based sources of marine litter. In the period under review, GESAMP published two Reports and Studies No. 108 and No. 109 available on www.gesamp.org.

In addition, the IMO Secretariat commissioned a study on the end-of-life management of fibre-reinforced plastic (e.g. fibreglass) vessels and a study on hull scrapings and marine coatings as a source of microplastics.

BALLAST WATER MANAGEMENT TREATY IMPLEMENTATION

(refer to paragraphs 245-247 of UN General Assembly Resolution 77/248)

The *International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004* (BWM Convention), entered into force in September 2017. As of June 2023, it has been ratified by 95 countries, representing 92.41% of world merchant shipping tonnage. The BWM Convention aims to stop the spread of potentially invasive aquatic species in ships' ballast water and requires ships to manage their ballast water to remove, render harmless or avoid the uptake or discharge of aquatic organisms and pathogens within ballast water and sediments. In addition, the mandatory *Code for Approval of Ballast Water Management Systems* (BWMS Code) has been in effect since October 2019.

Following the BWM Convention's entry into force, the main focus of IMO has been on its effective and uniform implementation and enforcement. In this regard, MEPC had established the experience-building phase (EBP) associated with the BWM Convention (resolution MEPC.290(71)) in order to carry out a systematic and evidence-based review of the BWM Convention, set out in three stages: data gathering, data analysis and Convention review. Following consideration of the data analysis report on the EBP in June 2022, MEPC agreed in principle to develop a BWM Convention Review Plan (CRP) and to embark on a holistic review of the treaty concluding with the approval and adoption of a package of amendments tentatively envisaged for 2026.

SHIP RECYCLING

(refer to paragraph 254 of UN General Assembly Resolution 77/248)

IMO continues to encourage States that have not yet done so to consider ratifying or acceding to the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 to facilitate its entry into force.

DUMPING OF WASTE AT SEA

(refer to paragraphs 266-268 of UN General Assembly Resolution 77/248)

The forty-fourth Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention) and the seventeenth Meeting of Contracting Parties to the 1996 Protocol to the London Convention, 1972 (London Protocol) were concurrently held from 3 to 7 October 2022 (document LC 44/17). In 2022, Contracting Parties agreed that there was sufficient evidence and justification for amending the London Protocol to remove sewage sludge from the list of permissible wastes. Subsequently, the Meeting of Contracting Parties to the London Protocol agreed to amend the Protocol by adopting resolution LP.6(17) amending Annexes 1 and 2 to

the London Protocol, in order to remove sewage sludge from the list and assessment of wastes or other matter that may be considered for dumping. In accordance with Article 22.4 of the Protocol, the amendments concerned entered into force on 15 January 2023, except for those Contracting Parties which had before that made a declaration that they were not able to accept the amendment at that time.

Recognizing the growing interest into marine geoengineering techniques and their potential to cause pollution or other adverse effects on the marine environment, the LC/LP Parties also adopted a statement on marine geoengineering, identifying the need to carefully evaluate marine geoengineering techniques, which may have potential for mitigating the effects of climate change but may have adverse impacts on the marine environment. The statement identified four techniques which need priority evaluation, involving either carbon dioxide removal (CDR) or solar radiation modification (SRM).

To commemorate the fiftieth anniversary of the adoption of the London Convention in 1972, IMO in cooperation with the World Maritime University (WMU) organized a joint international academic conference entitled "Protecting the Ocean – Moving forward at 50: London Convention & Stockholm Declaration", which was held at WMU and online from 10 to 13 October 2022. Conference proceedings and a special issue of a peer reviewed academic journal are in preparation.

PARTICULARLY SENSITIVE SEA AREAS

(refer to paragraph 291 of UN General Assembly Resolution 77/248)

In December 2022, MEPC considered a proposal to designate a Particularly Sensitive Sea Area (PSSA) in the North-Western Mediterranean Sea, with the aim of protecting cetaceans from the risk of ship collisions, ship-generated pollution and to increase awareness of a critically important area for the fin whale and the sperm whale. The Committee agreed in principle to the designation of the PSSA, subject to the further development and approval of the proposed associative protective measures, and agreed to designate the area as a PSSA at a future session.

UNDERWATER NOISE

(refer to paragraphs 303-305 of UN General Assembly Resolution 77/248)

In July 2023, MEPC approved the revised *Guidelines for the reduction of underwater noise from commercial shipping to address adverse impacts on marine life*. The draft revised guidelines provide an overview of approaches applicable to designers, shipbuilders and ship operators to reduce the underwater radiated noise of any given ship. They are intended to assist stakeholders in establishing mechanisms and programmes through which noise reduction efforts can be realized; include updated technical knowledge such as reference to international measurement standards, recommendations and classification society rules; and provide sample templates to assist shipowners with the development of an underwater radiated noise management plan.

LIABILITY AND COMPENSATION REGIME

(refer to paragraphs 178-180, 244 and 260 of UN General Assembly Resolution 77/248)

The Legal Committee continued to encourage Member States to consider becoming parties to the 2010 Protocol to the 1996 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea. With a view to accelerating the entry into force of the Convention, IMO and the IOPC Funds jointly hosted a workshop in April 2023 organized by Canada to assist Member States work towards

ratification. The hybrid event brought together Member Governments, IGOs and NGOs in consultative status with IMO, industry experts and other stakeholders.

CAPACITY BUILDING

(refer to paragraphs 10-20, 31-32 and 35 of UN General Assembly Resolution 77/248)

IMO continues to provide technical assistance to its Member States, particularly developing countries, to assist them in ratification, implementation, enforcement of, and compliance with IMO Conventions through *inter alia* building their human and institutional capacities. IMO's technical cooperation work, which operates within a framework of the Integrated Technical Cooperation Programme (ITCP) regional and global programmes, as well as thematic long-term projects, is funded through both the Technical Cooperation (TC) Fund and extra-budgetary resources and enhanced through formal partnership agreements with Member States and various international and regional organizations. The period under review marked a gradual but steady return to pre-COVID-19 technical cooperation implementation levels for IMO.

WORLD MARITIME UNIVERSITY AND IMO INTERNATIONAL MARITIME LAW INSTITUTE

Utilizing the capacity of its two global maritime training institutions, the World Maritime University (WMU) located in Malmö, Sweden and the IMO International Maritime Law Institute (IMLI) based in Malta, IMO continued to offer access to high level postgraduate maritime education and training. The great majority of WMU and IMLI students are granted fellowships not only from the IMO but a variety of donors. Although the operations of both WMU and IMLI continued virtually uninterrupted during the COVID-19 pandemic, during the period under review, both Institutions have succeeded in returning to the physical delivery of their courses on campus.

WOMEN IN MARITIME

In December 2021, the IMO Assembly, through resolution A.1170(32), decided to establish 18 May of each year as the "International Day for Women in Maritime". The Day celebrates women in the industry and is intended to promote the recruitment, retention and sustained employment of women in the maritime sector, raise the profile of women in maritime, strengthen IMO's commitment to SDG 5 (gender equality) and support work to address the current gender imbalance in maritime. IMO Member States, the maritime industry and all other stakeholders are invited to promote and celebrate the Day in an appropriate and meaningful manner. For the celebration of the Day in May 2023, IMO organized a two-day Global Conference of the IMO Women in Maritime Associations (WIMAs) under the theme "Mobilizing networks for gender equality", where a Global strategy for the IMO WIMAs was developed. IMO has facilitated the creation of such WIMAs—professional networks to improve gender balance in the shipping industry. Eight regional WIMAs have been established in Africa, Arab States, Asia, the Caribbean, Latin America and the Pacific, covering some 152 countries and dependent territories and 490 participants.

In 2022, the IMO Council approved a proposal to establish the IMO Gender Equality Award, to accord international recognition to those individuals, irrespective of their gender, who, either in their personal capacity or as representatives of their respective institutions, have made significant contributions to advancing gender equality and the empowerment of women in the maritime sector. The Award will be granted for the first time in 2024, in conjunction with the celebrations of the International Day for Women in Maritime.