



IMCO

INTERNATIONAL CONFERENCE ON MARINE POLLUTION, 1973

SUMMARY RECORD OF THE NINTH PLENARY MEETING

held at Church House, Westminster, London, S.W.1,
on Tuesday, 30 October 1973 at 2.30 p.m.

President: Mr. S. BHAVE (India)
Secretary-General: Mr. Colin GOLD (Secretary-General of IMCO)
Executive Secretary: Mr. A. SAVELIEV (IMCO Secretariat)

A list of participants is given in MP/CONF/INF.1/Rev.3

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AGENDA ITEM 7 - CONSIDERATION OF A DRAFT INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 (MP/CONF/WP.5, MP/CONF/WP.5/Add.1, MP/CONF/WP.5/Corr.1, MP/CONF/WP.6, MP/CONF/WP.7, MP/CONF/WP.9 - WP.13) (continued)

Annex I to the Convention (concluded)

Mr. STEEN (Sweden) presented the proposal for Regulation 16 bis (MP/CONF/WP.9) on behalf of the delegations of Denmark, Finland, Norway and Sweden. Its purpose was to cover points which, in the opinion of the four delegations concerned, were not covered in Annex I.

Longly discussions on monitoring systems both for heavy and light oils had taken place in Committee and the need for them was universally accepted. However, monitors were not yet available for all ships and particularly not for all kinds of oil, and it was doubtful when they would be. The four delegations concerned suggested that, to meet the possible arguments against early ratification and implementation of the Convention on the grounds that the requisite monitoring devices were not available, some form of waiver should be introduced. They hoped that research to develop suitable equipment would be encouraged; but at least in the interim, non-availability should not provide grounds for failure to ratify the convention.

Mr. STELTER (Federal Republic of Germany), who was supported by Mr. KALYVAS (Greece), said that his delegation had already expressed doubts in Committee as to the availability of the monitoring devices needed to implement Regulation 16 especially in respect of light oils, and it accordingly wholeheartedly supported the proposal contained in MP/CONF/WP.9.

Admiral GRAHAM (ICS), speaking at the President's invitation, strongly supported the proposal, which he regarded as a very practical arrangement if the Convention was to come into force in a reasonable time.

Mr. POLLOCK (Liberia) also supported the proposal as a realistic attempt to bring the Convention into force more rapidly than would otherwise be possible.

Mr. WALLACE (USA), however, opposed the proposal. He said that his delegation supported the requirement for a monitoring system and recognized that the development of suitable devices should be encouraged in every way. However, it took a different view of the technological feasibility of developing such devices in a reasonable time, believing the prognosis to be better than the proposers of Regulation 16 bis appeared to think.

His delegation believed, on the contrary, that suitable monitors would become available in good time. The concept of effluent monitors and interface detectors was an essential part of "improved" retention on board practices. Secondly, his delegation, while not doubting the plenary Conference's authority to decide the matter, questioned the wisdom of its reversing the technical decision of Committee II.

He pointed out the dangers of diminishing incentives by permitting a waiver, as in Regulation 6 bis. Delay in the development of oily-water separators he submitted, had been the result of incorporating a waiver in Chapter II, Regulation 8, Part A of the 1960 Safety of Life at Sea Convention. He foresaw difficulties in arriving at an acceptable designation of "white oils". Lastly, acceptance of the proposal would delegate to IMCO vital decision-making which properly rested with the Conference.

Mr. CALONDA (Italy), supporting the representative of the United States, urged participants to ask themselves whether by "pollution" they meant visible or hidden pollution. In his delegation's view, unseen pollution was just as important and sometimes more dangerous than that which was clearly visible. He agreed with the United States' view that if every effort were made to develop appropriate devices, the task was not as difficult as might appear.

Mr. STEEN (Sweden), replying to the representatives of the United States and Italy, said that the intention of the four delegations sponsoring the proposal in MP/CONF/SR.9 was to ensure that if the instruments were not available, the new Convention should not require the installation of a non-existent system in ships and make failure to install it liable to prosecution.

The PRESIDENT called first for a vote on the deletion of the square brackets in lines 2, 6 and 9 of proposed Regulation 16 bis.

The deletion was approved by 17 votes to none with 33 abstentions.

The PRESIDENT next called for a vote on the insertion of a Regulation 16 bis.

The proposal (MP/CONF/SR.9) was adopted by 25 votes to 9 with 17 abstentions.

Mr. SASAMURA (IMCO Secretariat) suggested that the words in square brackets in line 2 be amended to read: "and specified in sub-paragraph 3(a) of this Regulation". Secondly, that the word "approved" in line 6 be amended to "established". Thirdly, that the words "the matter" in the last line be more closely defined.

Mr. STEEN (Sweden) agreed to the first two suggestions. The words "the matter" in the last line, he explained as meaning "the waiving of this provision" or simply "the waiver".

Mr. SPINELLI (Italy) suggested that the last line should read: "shall review the availability of equipment".

It was so decided.

Regulation 14

Mr. RAMADAN (Egypt) asked for a ruling on the use of the expressions "water ballast" and "ballast water", which his delegation thought should be brought into line.

Mr. SPINELLI (Italy) suggested the use of the words "ballast water" throughout.

It was so decided.

Regulation 24

Mr. SUGIHARA (Japan), introducing his delegation's proposal (MP/CONF/WP.6), appealed to participants to consider the confusion which would be caused by the existence of two sets of dates - namely, 1 January and 30 June 1972 in the 1971 amendments to the 1954 Convention and 1 January 1974 and 30 June 1974 in the new Convention.

Mr. ARCHER (UK) said his delegation fully supported the Japanese proposal. He informed the Conference that the present session of the United Kingdom Parliament would be considering a Bill to bring the 1971 amendments into force.

As the Japanese representative had said, confusion would arise from the co-existence of two sets of dates; but a further risk was that the design of ships being built might be changed to give bigger tankers, which would be deplorable.

Mr. WALLACE (USA) also supported the Japanese proposal. He pointed out that when the dates 1 January and 30 June 1974 had been agreed in Committee II, the ramifications of the change had not been fully considered. Moreover they had only been carried by 11 votes to 10, and he therefore felt that they fully merited reconsideration.

It was to be feared that tanker designers would regard the change in date as a repudiation of the objectives of the 1971 amendments and that the chances of those amendments coming into force would be jeopardized.

Mr. WISWALL (Liberia) entirely agreed. His Government had already ratified the 1971 amendments and considered that to introduce the new dates would be a breach of faith with countries such as his which had relied on the earlier date being maintained.

Mr. DUCLAUX (France), called the attention of the Conference to his delegation's comments on the Japanese proposal (MP/CONF/WP.7). In amplification of that paper, he said that his delegation considered the fears of the previous speakers to be groundless since the French contacts with shipowners and shipyards showed that the 1971 amendments were, in fact, being implemented.

He further said that if a large ship, such as a tanker, were commissioned in 1972 and 1973 and was not in conformity with the 1971 amendments, it would subsequently be withdrawn from service for a considerable period of time for the modifications necessary to bring it into conformity. His delegation considered that a risk which shipowners would not lightly take.

Furthermore his delegation had in mind those countries which were in a majority and were still observing the 1954 Convention, and in whose interest it would be to have as up-to-date and complete a convention as possible.

The PRESIDENT called for a vote on the Japanese proposal contained in MP/CONF/WP.6.

The proposal was rejected by 14 votes in favour 19 against, with 17 abstentions.

Amendments to Regulation 21

Mr. VICTORY (UK), explaining the reasons underlying his delegation's proposal (MP/CONF/WP.12), said that Regulation 10, paragraph (3)(a) permitted discharge of effluent from ships of less than 400 tons gross tonnage in special areas, provided that the oil content of such effluent did not exceed 15 parts per million. Discharge of an unlimited quantity of clean ballast was also permitted from tankers and other ships in special areas. Since the amount of effluent from drilling rigs and other platforms was small, his delegation considered that the allowance made in that respect for ships of less than 400 tons gross tonnage should be made applicable to them.

Mr. VANCHISWAR (India) supported the United Kingdom proposal.

The United Kingdom proposal (MP/CONF/WP.12) was adopted by 23 votes to 4, with 22 abstentions.

Regulation 10

Mr. SASAMURA (IMCO Secretariat) said that the intention of the corrigenda (MP/CONF/WP.5/Corr.1) was to bring the wording of Regulation 10, concerning methods of preventing pollution from ships operating in special areas, into line with the wording of the corresponding Regulation of Annex II approved by the Plenary the previous day.

Mr. DUCLAUX (France) thought it would be premature to take a decision on the text of Annex I until the Drafting Committee had completed its work, and until the Plenary had adopted the Articles as a whole.

The corrected text (MP/CONF/WP.5/Corr.1) was approved.

Text of Appendix III of Annex I, agreed by the Drafting Committee (MP/CONF/WP.5/Add.1)

Mr. DUCLAUX (France) drew attention to a number of minor drafting amendments that should be made to the French text of the paper.

Mr. BELL (USA) pointed out some similar editorial changes that should be made to the English text.

MP/CONF/WP.5/Add.1, as amended, was approved.

Mr. HAREIDE (Norway) pointed out that on page 45 of MP/CONF/WP.5, under the heading "Part A", the second sentence should read "For ships of 400 tons gross tonnage and above". The corresponding sentence further down the paragraph should read "For ships of 10,000 tons gross tonnage and above".

Annex I as a whole (MP/CONF/WP.5), as amended, was unanimously adopted.

Annex V to the Convention (MP/CONF/WP.10)

Mr. SPINELLI (Italy) suggested that the text should be amended to bring it into line with decisions taken that morning. In Regulation 1, paragraph (2), the words "international law" should be substituted for "the Geneva Convention on the Territorial Sea and the Contiguous Zone, 1958", and in paragraph (3) the words "the particular character of its" should be substituted for "its peculiar transportation". Under Regulation 5, paragraph (1) the words "Gulfs area" should be substituted for "Gulf area". In paragraph (1)(c) the square brackets enclosing "41°N" should be deleted.

Mr. STEEN (Sweden) suggested that the text already adopted for Annex II, Regulation 5, paragraph 13(a), (MP/CONF/WP.3) should be substituted for the text of Regulation 5, paragraph 4(b) of Annex V in the paper under discussion, because the situation envisaged in both paragraphs was similar. The meaning of the phrase "upon receipt of sufficient notification" was not clear to his delegation; did it imply that, upon receiving a notification from only one Contracting Party to the Convention that it had established adequate reception facilities under paragraph 4(a), IMCO could set a date from which the requirements of the Regulation would take effect?

Mr. BREUER (Federal Republic of Germany) supported the Swedish proposal. The Organization would be in a difficult position if it had to decide at what point the requirements of paragraph 4(a) were sufficiently supported. That decision should be taken by the Contracting Governments of the special areas concerned.

Mr. SPINELLI (Italy) pointed out that the text of Annex V had already been brought into line with that of Annex I; the change proposed by the Swedish representative to bring it into line with Annex II was a major one. The question had already been discussed at length in Committee II.

Mr. STEEN (Sweden) said the text under discussion was only partly in line with Annex I, since provisions for the Baltic, the Mediterranean and the Black Sea were quite different; the text only applied to the Red Sea and the Persian Gulf.

The Swedish proposal was rejected by 11 votes in favour, 7 against, with 29 abstentions.

Annex V (MP/CONF/WP.10), as amended, was unanimously adopted.

Annex IV to the Convention (MP/CONF/WP.11, MP/CONF/WP.13)

Mr. SPINELLI (Italy) pointed out that paragraph (5) of Regulation 2 should be brought into line with the comparable paragraph in Annex I (Regulation 1, paragraph 9) and start with the words: "'Nearest land'. The term 'from the nearest land' means". Likewise, the phrase "Geneva Convention 1958" should be replaced by "international law".

Mr. DANIELSON (Sweden) said that it had been a guiding principle in the other Annexes to specify discharge criteria so that delegations would know precisely what they were accepting. Annex IV, however, and particularly Regulation 8, was an exception. Yet the water nearest to the coast was, from the point of view of the inhabitants of a country, the most important part of the marine environment to be protected from sewage pollution. It was therefore unfortunate that no defined specifications or criteria for the operation of the sewage treatment plant referred to in sub-paragraph (b) were given in the Regulation, although they had been discussed in the Committee. It would be difficult to judge the implications of Annex IV until the work of the Organization in development standards and test methods referred to in Regulation 3(1)(a)(i), had been completed. Consequently, his delegation wished to stress the importance and urgency of the draft Resolution on the Provision of Standards and Test Methods Concerning Discharge of Sewage (MP/CONF/DR/3, p.4). It also hoped that in developing such standards and test methods, consideration would be given to the environmental characteristics of water areas.

Mr. URROZ (Mexico) said that he supported the proposed amendment to Regulations 3 and 8 (MP/CONF/WP.13). He felt that the addition of the requirement to disinfect the sewage would strengthen Regulation 8. If the addition was adopted, he proposed, for the sake of completeness, adding to the Certificate in the Appendix to Annex IV, sub-paragraph (1)(b), the requirement "Standard of sewage after disinfection".

Mr. ANDRUSILATIS (USSR) said that the delegations which had submitted MP/CONF/WP.13 were very much concerned by the existing situation. The provisions concerning sewage were too weak both from the hygienic and microbiological points of view.

Small ships which came nearest to coasts would come under national flags. But specialists were agreed that sewage from ships of more than 200 tons sailing near coasts on international voyages presented epidemiological dangers. The sponsors of the proposal felt that chlorine disinfection was called for.

Mr. ARCHER (UK) said that, while sharing the concern for the environment of the sponsors of the amendment, he felt that such strict requirements were not necessary. They would involve fitting sewage treatment plants in many more ships than at present, together with coliform requirements. It had been the general view in the Committee that such requirements were too strict and that the research on which they were based was not convincing.

Mr. SUGIHARA (Japan) agreed with the United Kingdom representative. He was not sure whether disinfecting sewage might not lead to secondary pollution of the sea.

Mr. MAGI (Italy) said that his delegation was happy to see that several delegations had followed up the Italian proposal that all necessary steps should be taken to see that sewage was neutralized. He therefore supported the amendment.

Mr. PARSONS (Canada) said that Regulation 8 referred to some form of sewage treatment plant, but made no mention of a mileage limitation and spoke of tests and standards yet to be developed. It was, therefore, in effect inoperable. Sub-paragraph (c) mentioned a possible relaxation of standards - but there were no standards. The proposal in MP/CONF/WP.13 was an attempt to give some meaning to Regulation 8. Simple and inexpensive chlorinating equipment was available, which would reduce pathogenic organisms to a minimum. The residual chlorine was usually only 5 ppm which would not give rise to secondary pollution.

Mr. RAMADAN (Egypt) agreed with the comments of the previous speaker. He added that if a comminutor-chlorinator was used, the coliform requirement mentioned by the United Kingdom representative was unnecessary, as it was only the residual chlorine which mattered. There was no other effective means of safeguarding coastal waters from sewage pollution.

Mr. LAMBIJER (Netherlands) said he could not support the proposed amendment, Regulation 8 as it stood would provide sufficient protection. He agreed with the United Kingdom and Japanese representatives that disinfection might itself be a serious danger.

Mr. BREUER (Federal Republic of Germany) said that his delegation could accept Regulation 8 as it stood and felt that the draft resolution (MP/CONF/DR/3) served the necessary purpose.

Mr. SASAMURA (IMCO Secretariat), reminded the Conference that paragraph 7 of Regulation 7 should be replaced by the wording used in the comparable paragraph of Annex I (MP/CONF/WP.5, page 10).

The proposed amendments to Regulations 3 and 8 of Annex IV (MP/CONF/WP.13) were adopted by 28 votes to 9 with 14 abstentions.

Mr. URROZ (Mexico) said that as the amendments had been adopted, a decision should now be taken on his proposal that the new requirement should be reflected in the Certificate where standards had to be indicated.

Mr. ANDRUSHATIS (USSR) seconded the Mexican proposal.

The Mexican proposal was adopted by 22 votes to none with 26 abstentions.

Mr. DUCLAUX (France) pointed out that in the French text, on page 12 the second footnote should read: "Les paramètres doivent être indiqués".

Mr. BREUER (Federal Republic of Germany) said that the phrase "in the waters of a State" should be "in the waters under the jurisdiction of a State", or some such wording.

The PRESIDENT said that the Secretariat would deal with that editorial point.

Annex IV. (MP/CONF/WP.11) as amended, was adopted by 49 votes to none with 5 abstentions.

The meeting rose at 5.15 p.m.



IMCO

FOR PARTICIPANTS ONLY

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973

PROVISIONAL SUMMARY RECORD OF THE NINTH PLENARY MEETING

held at Church House, Westminster, London, S.W.1,
on Tuesday, 30 October 1973 at 2.30 p.m.

President:	Mr. S. BHAVE (India)
Secretary-General:	Mr. Colin GOAD
Executive Secretary:	Mr. A. SAVELIEV

A list of participants is given in MP/CONF/INF.1/Rev.2

N.B. Corrections to be incorporated in the final summary record of the meeting should be submitted in writing (two copies in English or French), preferably on a copy of the provisional summary record, to the Distribution Counter, Bishop Partridge Hall, within three days of the publication of this record.

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AGENDA ITEM 7 - CONSIDERATION OF A DRAFT INTERNATIONAL CONVENTION FOR
THE PREVENTION OF POLLUTION FROM SHIPS, 1973

OBSTACLES TO EARLY RATIFICATION OF THE CONVENTION - (MP/CONF/WP.5, MP/CONF/WP.5/Add.1, MP/CONF/WP.5/Corr.1, MP/CONF/WP.6, MP/CONF/WP.7, MP/CONF/WP.9, MP/CONF/WP.10, MP/CONF/WP.11, MP/CONF/WP.12, MP/CONF/WP.13)

Mr. STEEN (Sweden) presented the proposal for Regulation 16 bis contained in MP/CONF/WP.9 on behalf of the delegations of Denmark, Finland, Norway and Sweden.

He explained that its purpose was to cover points which, in the opinion of the four delegations concerned, were not covered in Annex I.

Lengthy discussions on monitoring systems both for heavy and light oils had taken place in Committee and the need for them was universally accepted. However, monitors were not yet available for all ships and particularly not for all kinds of oil and it was doubtful when they would be. The four delegations concerned suggested that to meet the possible arguments against early ratification and implementation of the convention on the grounds that the requisite monitoring devices were not available, some form of waiver should be introduced. They hoped that research to develop suitable equipment would be encouraged but at least in the interim, non-availability should not provide grounds for failure to ratify the convention.

Mr. STELTER (Federal Republic of Germany), who was supported by Mr. KALYVAS (Greece), said that his delegation had already expressed doubts in Committee as to the availability of the monitoring devices needed to implement Regulation 16 especially in respect of light oils and it accordingly wholeheartedly supported the proposal contained in MP/CONF/WP.9.

Admiral GRAHAM (Observer, International Chamber of Shipping) strongly supported the proposal, which he regarded as a very practical arrangement if the Convention was to come into force in a reasonable time.

Captain POLLOCK (Liberia) also supported the proposal as a realistic attempt to bring the Convention into force more rapidly than would otherwise be possible.

Captain WALLACE (USA), however, opposed the proposal.

He said that his delegation supported the requirement for a monitoring system and further recognized that the development of suitable devices should be encouraged in every way. However, it took a different view of the technological feasibility of developing such devices in a reasonable time, believing the prognosis to be better than the proposers of Regulation 16 bis appeared to think.

His delegation believed, on the contrary, that suitable monitors would become available in a year or so and that once they, and particularly effluent monitors were in use, retention on board which was generally agreed to be desirable would be further promoted. Secondly, his delegation, while not doubting the Plenary Conference's authority to decide the matter, questioned the wisdom of its reversing the technical decision of Committee II.

He pointed out the dangers of diminishing incentives to develop monitoring systems which had, he submitted, been the result of incorporating a waiver in Chapter II, Regulation 8 of the 1960 Safety of Life at Sea Convention. Lastly, he foresaw difficulties in arriving at an acceptable definition of light and heavy oils.

Supporting the representative of the United States, Mr. CALENDA (Italy) urged participants to ask themselves whether by "pollution" they meant visible or hidden pollution. In his delegation's view unseen pollution was just as important and sometimes more dangerous than that which was clearly visible. He agreed with the United States' view that if every effort were made to develop appropriate devices, the task was not as difficult as might appear.

Replying to the representatives of the United States and Italy Mr. STEEN (Sweden) said that the intention of the four delegations sponsoring the proposal contained in WP.9 was to ensure that if the instruments were not available, the new Convention should not require the installation of a non-existent system into ships and make failure to instal it liable to prosecution.

The PRESIDENT called first for a vote on the deletion of the square brackets in lines 2, 6 and 9 of proposed Regulation 16 bis.

The deletion was accepted by 17 votes to none with 33 abstentions.

The PRESIDENT next called for a vote on the insertion of a Regulation 16 bis.

The proposal was adopted by 25 votes to 9 with 17 abstentions.

Mr. SASAMURA (IMCO Secretariat) suggested that the words in square brackets in line 2 be amended to read: "and specified" in sub-paragraph 3(a) of the Regulation. Secondly, that the word "approved" in line 6 be amended to "established". Thirdly, that the words "the matter" in the last line be more closely defined.

Mr. STEEN (Sweden) agreed to the first two suggestions. The words "the matter" in the last line, he explained as meaning "the waiving of this provision" or simply "the waiver".

Mr. SPINELLI (Italy) suggested that the last line should read: "shall review the availability of equipment".

It was so agreed.

Regulation 14

Mr. RAMADAN (Egypt) asked for a ruling on the use of the expressions "water ballast" and "ballast water" which his delegation thought should be brought into line.

Mr. SPINELLI (Italy) suggested the use of the words "ballast water" throughout.

It was so agreed.

DATES FOR APPLICATION OF THE TANK SIZE LIMITATION
(Regulation 24 of Annex I) (MP/CONF/WP.6)

Mr. SUGIHARA (Japan), introducing his delegation's proposal, appealed to participants to consider the confusion which would be caused by the existence of one set of dates, namely, 1 January and 30 June 1972 in the 1971 amendments to the 1954 Convention, alongside a second set of dates, namely, 1 January 1974 and 30 June 1974 in the new Convention.

Mr. ARCHER (UK) said his delegation fully supported the Japanese proposal. He informed the Conference that the present session of the United Kingdom Parliament would be considering a Bill to bring the 1971 amendments into force.

As the Japanese representative had said, confusion would arise from the co-existence of two sets of dates but a further risk was that the design of ships being built might be changed to give bigger tankers, which would be deplorable.

Captain WALLACE (USA) also supported the Japanese proposal.

He pointed out that when the dates 1 January and 30 June 1974 had been agreed in Committee II, the ramifications of the change had not been fully considered. Moreover they had only been carried by 11 votes to 10, and, he therefore felt that they fully merited reconsideration.

It was to be feared that tanker designers would regard the change in date as a repudiation of the objectives of the 1971 amendments and that the chances of those amendments coming into force would be jeopardized.

Captain POLLOCK (Liberia) entirely agreed. His Government had already ratified the 1971 amendments and considered that to introduce the new dates would be a breach of faith with countries such as his which had relied on the earlier date being maintained.

Mr. DUCLAUX (France), with the support of the DELEGATE OF GREECE, called the attention of the Conference to his delegation's comments on the Japanese proposal, set out in MP/CONF/WP.7. In amplification of that paper, he said that his delegation considered the fears of the previous speakers to be groundless since the French contacts with shipowners and shipyards showed that the 1971 amendments were, in fact, being implemented.

He further said that if a large ship such as a tanker were commissioned in 1972 and 1973 and were not in conformity with the 1971 amendments, it would subsequently be out of circulation for a considerable period of time to enable the requisite alterations to be made to bring it into conformity. His delegation considered that this was a risk which shipowners would not lightly take.

Further, his delegation had in mind those countries which were in a majority and were still observing the 1954 Convention, and in whose interest it would be to have as up-to-date and complete a convention to follow as possible.

The PRESIDENT called for a vote on the Japanese proposal contained in MP/CONF/WP.6.

The proposal was rejected by 14 votes to 19 with 17 abstentions.

Amendments to Regulation 21 of Annex I (MP/CONF/WP.12)

Mr. VICTORY (UK), explaining the reasons underlying his delegation's proposal, said that Regulation 10, paragraph (3)(a) permitted discharge of effluent from ships of less than 400 tons gross tonnage in special areas, provided that the oil content of such effluent did not exceed 15 parts per million. Discharge of an unlimited content of clean ballast was also permitted from tankers and other ships in special areas. Since the amount of effluent from drilling rigs and other platforms was small, his delegation considered that the allowance made in that respect for ships of less than 400 tons gross tonnage should be made applicable to them.

Mr. VANCHISWAR (India) supported the United Kingdom proposal.

The United Kingdom proposal was adopted by 23 votes to 4, with 22 abstentions.

Text of Annex I as agreed by the Drafting Committee (MP/CONF/WP.5/Corr.1)

Mr. SASAMURA (Secretariat) said that the intention of the corrigenda contained in MP/CONF/WP.5/Corr.1 was to bring the wording of Regulation 10 of Annex I, concerning methods of pollution prevention from ships operating in special areas, into line with the wording of the corresponding Regulation of Annex II approved by the Plenary the previous day.

Mr. DUCLAUX (France) thought it would be premature to take a decision on the text of Annex I until the Drafting Committee had completed its work, and until the Plenary had adopted the Articles as a whole.

The text contained in MP/CONF/WP.5/Corr.1 was approved.

Text of Appendix III of Annex I, agreed by the Drafting Committee (MP/CONF/WP.5/Add.1)

Mr. DUCLAUX (France) drew attention to a number of minor drafting amendments that should be made to the French text of the paper.

Captain BELL (USA) pointed out some similar editorial changes that should be made to the English text.

The text contained in MP/CONF/WP.5/Add.1, as amended, was approved.

Draft Text of Regulations of Annex I, as agreed by the Drafting Committee (MP/CONF/WP.5)

Mr. HAREIDE (Norway) pointed out that on page 45, under the heading "Part A", the second sentence should read "For ships of 400 tons gross tonnage and above". The corresponding sentence further down the paragraph should read "For ships of 10,000 tons gross tonnage and above".

The text of Annex I contained in MP/CONF/WP.5, as amended, was unanimously adopted.

Text of Annex V as agreed by the Drafting Committee (MP/CONF/WP.10)

Mr. SPINELLI (Italy) suggested that the text should be amended to bring it into line with decisions taken that morning. In Regulation 1, paragraph (2), the words "international law" should be substituted for "the Geneva Convention on the Territorial Sea and the Contiguous Zone, 1958", and in paragraph (3) the words "the particular character of its" should be substituted for "its peculiar transportation". Under Regulation 5, paragraph (1) the words "Gulf area" should be substituted for "Gulfs area". In paragraph (1)(c) the square brackets enclosing "41°N" should be deleted.

Mr. STEEN (Sweden) suggested that the text already adopted for Annex II, Regulation 5, paragraph 13(a) and contained in MP/CONF/WP.3 should be substituted for the text of Regulation 5, paragraph 4(b) of Annex V in the paper under discussion, because the situation envisaged in both paragraphs was similar. The meaning of the phrase "upon receipt of sufficient notification" was not clear to his delegation; did it imply that it would be enough if only one Contracting Party to the Convention which had established adequate reception facilities under paragraph 4(a) were to notify IMCO of the measures taken, for IMCO to establish a date from which the requirements of the Regulation would take effect?

Dr. BREUER (Federal Republic of Germany) supported the Swedish proposal. The Organization would be in a difficult position if it had to decide at what point the requirements of paragraph 4(a) were sufficiently supported. That decision should be taken by the Contracting Governments of the special areas concerned.

Mr. SPINELLI (Italy) pointed out that the text of Annex V had already been brought into line with that of Annex I; the change proposed by the Swedish representative to bring it into line with Annex II was a major one. The question had already been discussed at length in Committee II.

Mr. STEEN (Sweden) said the text under discussion was only partly in line with Annex I, since provisions for the Baltic, the Mediterranean and the Black Sea were quite different; the text only applied to the Red Sea and the Persian Gulf.

The Swedish proposal was rejected by 11 votes in favour, 7 against, with 29 abstentions.

The text of Annex V contained in MP/CONF/WP.10, as amended, was unanimously adopted.

Annex IV (MP/CONF/WP.11, MP/CONF/WP.13)

Mr. SPINELLI (Italy) pointed out that paragraph (5) of Regulation 2 should be brought into line with the comparable paragraph in Annex I (Regulation 1, paragraph 9) and start with the words: "Nearest land". The term "from the nearest land" means". Likewise, the phrase "Geneva Convention 1958" should be replaced by "international law".

Mr. DANIELSON (Sweden) said that it had been a guiding principle in other annexes to specify discharge criteria so that delegations would know precisely what they were accepting. But Annex IV, and particularly Regulation 8, was an exception. Yet the water nearest to the coast was, from the point of view of the inhabitants of a country, the most important part of the marine environment to be protected from sewage pollution. It was, therefore, unfortunate that no defined specifications or criteria for the operation of the sewage treatment plant referred to in sub-paragraph (b) were given in the regulation, although they had been discussed in the Committee. It would be difficult to judge the implications of Annex IV until the work of the Organization in developing standards and test methods referred to in Regulation 3(1)(a)(i), had been completed. Consequently, his delegation wished to stress the importance and urgency of the Draft Resolution on the Provision of Standards and Test Methods Concerning Discharge of Sewage (MP/CONF/DR/3, p.4). It also hoped that in developing such standards and test methods, consideration would be given to the environmental characteristics of water areas.

Mr. URROZ (Mexico) said that he supported the proposed amendment to Regulations 3 and 8 contained in MP/CONF/WP.13. He felt that the addition of the requirement to disinfect the sewage would strengthen Regulation 8. If the addition was adopted, he proposed, for the sake of completeness, adding to the Certificate in the Appendix to Annex IV, sub-paragraph (1)(b), the requirement "Standard of sewage after disinfection".

Mr. ANDRUSHATIS (USSR) said that the delegations which had submitted MP/CONF/WP.13 were very much concerned by the existing situation. The provisions concerning sewage were too weak both from the hygienic and microbiological points of view.

Small ships which came nearest to coasts would come under national flags. But specialists were agreed that sewage from ships of more than 200 t sailing near coasts on international voyages presented epidemiological dangers. The sponsors of the proposal felt that chlorine disinfection was called for.

Mr. ARCHER (UK) said that, while sharing the concern for the environment of the sponsors of the amendment, he felt that such strict requirements were not necessary. They would involve fitting sewage treatment plants in many more ships than at present, together with coliform requirements. It had been the general view in the Committee that such requirements were too strict and that the research on which they were based was not convincing.

Mr. SUGIHARA (Japan) agreed with the United Kingdom representative. He was not sure whether disinfecting sewage might not lead to secondary pollution of the sea.

Mr. MAGI (Italy) said that his delegation was happy to see that several delegations had followed up the Italian proposal that all necessary steps should be taken to see that sewage was neutralized. He therefore supported the amendment.

Mr. PARSONS (Canada) said that Regulation 8 referred to some form of sewage treatment plant, but made no mention of a mileage limitation and spoke of tests and standards yet to be developed. It was, therefore, in effect inoperable. Sub-paragraph (c) mentioned a possible relaxation of standards - but there were no standards. The proposal in MP/CONF/WP.13 was an attempt to give some meaning to Regulation 8. Simple and inexpensive chlorinating equipment was available which would reduce pathogenic organisms to a minimum. The residual chlorine was usually only 5 ppm which would not give rise to secondary pollution.

Mr. RAMADAN (Egypt) agreed with the comments of the previous speaker. He added that if a comminutor-chlorinator was used, the coliform requirement mentioned by the United Kingdom representative was unnecessary, as it was only the residual chlorine which mattered. There was no other effective means of safeguarding coastal waters from sewage pollution.

Mr. LAMBIJER (Netherlands) said he could not support the proposed amendment. Regulation 8 as it stood would provide sufficient protection. He agreed with the United Kingdom and Japanese representatives that disinfection might itself be a serious danger.

Mr. BREUER (Federal Republic of Germany) said that his delegation could accept Regulation 8 as it stood and felt that the draft resolution in MP/CONF/DR/3 served the necessary purpose.

Mr. SASAKURA (Deputy Executive Secretary) reminded the Conference that paragraph 7 of Regulation 7 should be replaced by the wording used in the comparable paragraph of Annex I (MP/CONF/WP.5, page 10).

The proposed amendments to Regulations 3 and 8 of Annex IV contained in MP/CONF/WP.13 were adopted by 28 votes to 9 with 14 abstentions.

Mr. URROZ (Mexico) said that as the amendments had been adopted, a decision should now be taken on his proposal that the new requirement should be reflected in the Certificate where standards had to be indicated.

Mr. ANDRUSHATIS (USSR) seconded the Mexican proposal.

The Mexican proposal was adopted by 22 votes to none with 26 abstentions.

Mr. DUCLAUX (France) pointed out that in the French text, on page 12, the second footnote should read "Les paramètres doivent être indiqués".

Mr. BREUER (Federal Republic of Germany) said that the phrase "in the waters of a State" should be "in the waters under the jurisdiction of a State", or some such wording.

The PRESIDENT said that the Secretariat would deal with that editorial point.

Annex IV, as amended, was adopted by 49 votes to none with 5 abstentions.

The meeting rose at 5.15 p.m.