

ANNEX 5

**RESOLUTION MEPC.363(79)
(adopted on 16 December 2022)**

**AMENDMENTS TO THE 2012 GUIDELINES FOR THE DEVELOPMENT OF A
REGIONAL RECEPTION FACILITIES PLAN (RESOLUTION MEPC.221(63))**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

NOTING resolution MEPC.221(63), by which it adopted the *2012 Guidelines for the development of a Regional Reception Facilities Plan* (2012 Guidelines),

NOTING ALSO resolutions MEPC.359(79), MEPC.360(79) and MEPC.362(79), by which it adopted amendments to MARPOL Annexes I, II, IV, V and VI, respectively, to provide for regional arrangements as an acceptable way to satisfy MARPOL obligations to provide port reception facilities for States the coastline of which borders on Arctic waters, provided that regional arrangements shall cover only ports within Arctic waters of those States, where a Regional Reception Facilities Plan has been developed taking into account the Guidelines developed by the Organization,

RECOGNIZING the need to align the relevant provisions of the 2012 Guidelines with the above-mentioned amendments to MARPOL Annexes I, II, IV, V and VI,

HAVING CONSIDERED, at its seventy-ninth session, proposed amendments to the 2012 Guidelines,

1 ADOPTS amendments to the *2012 Guidelines for the development of a Regional Reception Facilities Plan*, the text of which is set out in the annex to the present resolution;

2 INVITES Governments to apply the 2012 Guidelines, as amended, when considering the development of a Regional Reception Facilities Plan, upon the entry into force of the amendments to MARPOL Annexes I, II, IV, V and VI on regional reception facilities within Arctic waters.

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**AMENDMENTS TO THE 2012 GUIDELINES FOR THE DEVELOPMENT OF A
REGIONAL RECEPTION FACILITIES PLAN (RESOLUTION MEPC.221(63))**

Part 1 – Development of a Regional Reception Facilities Plan (RRFP)

1 Paragraphs 4 and 5 are replaced by the following:

"4 *Identification of the region to be covered by a RRFP* – For the purposes of an RRFP, a region should include the participating States and the ports that will be covered by the plan. A map should be provided, clearly showing the participating States and all ports within the region. The majority of States participating in an RRFP should be either (i) small island developing States (SIDS) or (ii) States the coastline of which borders on Arctic waters, provided that regional arrangements shall cover only ports within Arctic waters of those States. Although non-SIDS *and States with ports adjacent to Arctic waters* may participate, they should do so only so far as their ports may be Regional Waste Reception Centres. The obligations of non-SIDS or States with ports adjacent to Arctic waters to provide adequate reception facilities in all its ports and terminals will not be satisfied by RAs.

5 *Identification of the nature of the unique circumstances that impact on the ability to provide adequate port reception facilities* – A clear understanding of such unique circumstances will lead to a logical approach to designing RAs that most efficiently address those circumstances. Generally, such circumstances will include practical difficulties on the part of a State to manage its own domestic waste, or a disproportionate additional burden from ships to the domestic waste stream. Distances between ports and suitable waste processing facilities may result in unacceptable costs for transport which may increase the risk of inappropriate treatment. A State's small geographical size may limit the space available to process or dispose of ship-generated wastes and cargo residues, as may geomorphology (for example high water table, unstable land areas on low-lying islands or melting permafrost and coastal erosion in Arctic States). Ports in Arctic waters subject to closure during winter months or to substantial seasonal operational limitations due to ice conditions may result in challenges to establishing and managing PRFs in such areas. A small population may limit the ability to provide staff to receive and process ship-generated wastes and cargo residues at times convenient to ships. In addition to these examples, other unique circumstances may be present and should be fully described in the RRFP."
