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Shaping the Future of Shipping

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28 November 2019

ENV(19)11

To: ENVIRONMENT SUB-COMMITTEE

Copy: All Full and Associate Members (for information)

UPDATE ON PROHIBITIONS ON SINGLE USE PLASTICS

Action required: Members are requested to note the information provided on prohibitions on single use plastic on board ships and circulate it to their memberships. Furthermore, members are requested to provide any reports or information concerning refusals of plastic waste discharges to port reception facilities, and any equivalent prohibitions to the undersigned (john.stawpert@ics-shipping.org) at the earliest opportunity.

Members will recall ENV(19)10, concerning India's prohibition on the carriage and use of single-use plastics and, the subsequent raising of industry concerns with respect to its application. Members are advised that the Indian Directorate General of Shipping (DGS), which has confirmed that all vessels including cruise vessels are allowed to enter Indian ports and use reception facilities, where required. DGS has also requested provide constructive feedback on a practically implementable plan to achieve reduction in the use of single use plastics on ships, and ICS has provided comments to this process, stressing the need for MARPOL compliance, the provision of port reception facilities for plastic waste and proposing that a global strategy is needed with respect to the minimisation of plastic litter, rather than unilateral action on a state by state basis.

Further to the above, members are advised that from 1 January 2020, Kuwait will also place a prohibition on the use and discharge of single use plastic products onboard its ships and for ships calling at its ports. The Directive ordering the prohibition is provided at **Annex A**. The prohibition bans the carriage of a number of items with immediate effect, requires foreign flagged ships to make a log entry identifying the single use plastic items onboard and, requires that those items are stored prior to entry into Kuwaiti waters. The discharge of single use plastic items to port reception facilities is prohibited under the order.

It will be recalled that whilst ICS supports measures to reduce plastic waste in general, and single use plastics in particular, unilateral prohibitions by States are likely to be impractical and to the detriment of seafarers' wellbeing and the safe operation of ships. The discharge of plastics into the marine environment is prohibited by MARPOL Annex V, and the provision of adequate port reception facilities for all garbage, including plastic, is fundamental to the instrument. Banning ships from discharging these wastes therefore strains the practicability of MARPOL and is also likely to constitute a breach of State obligations under the Convention. Practical measures to achieve the elimination of single waste needs to be holistic and pragmatic, taking into account the entire waste stream and ensuring that reduction to the fullest extent possible can be carried out in a measured manner that accounts for the roles played by all involved parties.

Members are requested to note the information provided and circulate it to their memberships. The Secretariat will continue to assess the prohibition orders and work through appropriate mechanisms to seek pragmatic solutions that respect the realities of shipboard operations and the requirements of MARPOL. Members are requested to provide any reports or information concerning refusals of plastic waste discharges to port reception facilities, and any equivalent prohibitions to those of Kuwait and India to the undersigned (john.stawpert@ics-shipping.org) at the earliest opportunity.

John Stawpert
Manager (Environment and Trade)