

# **MTCC CARIBBEAN**

## **2<sup>nd</sup> REGIONAL WORKSHOP**

### **Comparative Review of the Legal and Institutional Framework Between 2017 and 2019 With Respect to the Implementation of MARPOL Annex VI**

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# Content

- **2017 – 2019 Ratification/Implementation Overview**
- **Challenges**
- **Looking to the Future**



## IMSAS Audit

INSTRUMENT	RATIFICATION	% RATIFICATION	LEGISLATED	% LEGISLATED
COLREG 1972	12	86%	10	83%
LL 1966	14	100%	9	64%
LL PROT 1988	11	79%	7	64%
MARPOL ANNEX I/II	13	93%	4	31%
<b>MARPOL ANNEX VI</b>	<b>10</b>	<b>71%</b>	<b>3</b>	<b>30%</b>
SOLAS 1974	14	100%	8	57%
SOLAS PROT 1988	11	79%	7	64%
STCW 1978	14	100%	8	57%
TONNAGE 1969	13	93%	9	69%

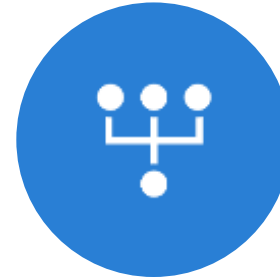
CMoU  
Instruments

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STCW 1978	14	100%	8	57%
TONNAGE 1969	13	93%	9	69%
AFS 2001	7	50%	1	14%
BUNKERS 2001	10	71%	2	20%
BWM 2004	9	64%	1	11%
CLC 1969	2	14%	0	0%
CLC PROT 1992	12	86%	5	42%
MARPOL ANNEX III	12	86%	4	33%
MARPOL ANNEX IV	11	79%	3	27%
MARPOL ANNEX V	12	86%	5	42%
NAIROBI WRC 2007	5	36%	1	20%
CCSS Code	14	100%	4	29%
SCV Code	14	100%	4	29%

# Challenges



Marine environment protection legislation requires multi-agency coordination



Rejection of the tacit procedure *“Alam Selarus v Diamond Cay”*



Maritime lawyers with sound knowledge of IMO conventions but less experience in legislative drafting and experienced legislative drafters with no or little knowledge of maritime law and IMO conventions



Lack of clear and articulate drafting instructions (so called “policy instructions”) also appeared to be a hindrance to legislative drafters in carrying out their work in implementing IMO instruments



Increasing collaboration among states to build on efforts at the local, national and regional levels to improve the appreciation/understanding of the value of the Blue Economy



Encouraging the full and active involvement of all actors including the private sector in the development of the Blue Economy and advancement of SDG 14 as well as the gathering, sharing and analysis of data in order to inform policies that will enable this development



Continuing to enhance the full and effective implementation of the IMO and ILO instruments related to maritime safety and security, marine environment protection, facilitation of maritime traffic, the human element and living and working conditions on board ships; and in particular the full implementation of the response, liability and compensation regimes as well as the **MARPOL Convention**, ensuring, among other things, the provision of adequate waste reception facilities

# High Level Symposium – Ministers Committed to



Providing, as far as reasonably possible, the necessary means and support at the national and regional levels for adequate marine environmental research, monitoring and evaluation, in order to maintain the ecological integrity of the marine and coastal waters of the Caribbean Sea given its critical socio-economic, and environmental importance to Member States



Enhancing the enabling environment for non-party stakeholders to participate in maritime climate action and that Maritime Transport is included in National climate change policies and more specifically included in the Nationally Determined Contributions (NDCs)

High Level Symposium – Ministers Committed to

## High Level Symposium – Ministers

Recognized the importance of giving full and complete effect to IMO and ILO Instruments and Regional Safety Codes by the timely promulgation of national maritime legislation

Endorsed the creation of a working group of maritime administrators that will support the development of the blue economy



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## Senior Maritime Administrators

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Invited IMO to facilitate the increased delivery of national or regional workshops and /or training courses for legal drafters as well as their inclusion in such activities

# International Maritime Organization

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