

CONVENTION ON THE PROTECTION OF THE MARINE
ENVIRONMENT OF THE BALTIC SEA AREA

HELSINKI COMMISSION - Baltic Marine
Environment Protection Commission

17th Meeting
Helsinki, 12-14 March 1996

HELCOM 17/96
17/1
Annex 20

HELCOM RECOMMENDATION 17/11

Adoted 13 March 1996, having regard to
Article 7 of the Helsinki Convention

RECEPTION FACILITIES

THE COMMISSION,

RECALLING the 1992 Helsinki Convention which stipulates a need for development and application of uniform requirements for the provision of reception facilities in the Baltic Sea Area,

RECALLING ALSO the 1988 Ministerial Declaration which urges the Contracting Parties to work together to promote the use of shore reception facilities for residues and wastes from ships making such facilities and services available at reasonable costs or without charging special fees to the individual ships,

RECALLING FURTHER that Annexes I, II, III and V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78) are in force,

BEARING IN MIND that the provisions of Regulation 7 of Annex IV of the 1974 Helsinki Convention and Regulation 5 of Annex IV of the 1992 Helsinki Convention, in which each Contracting Party undertakes to ensure the provision of facilities at its ports and terminals of the Baltic Sea Area for the reception of sewage, without causing undue delay to ships, adequate to meet the needs of the ships using them,

NOTING that the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) has adopted guidelines on the provision of adequate reception facilities in ports for oily wastes, residues and mixtures containing noxious liquid substances, sewage, and garbage to assist Governments in implementing the requirements of MARPOL 73/78,

DESIRING to protect the Baltic Sea Area against harmful effects by pollution from ships including pleasure craft,

CONSCIOUS of the international nature of shipping and of the importance of a harmonized system for the provision of reception facilities and relevant financial arrangements covering the Baltic Sea Area,

CONSCIOUS ALSO of the importance of applying an effective harmonized penal system having a deterrent effect on the illegal operational discharges thereby encouraging the use of reception facilities,

I AGREES:

1. That primarily a system shall be established in the Convention Area for the control of ships' discharges to reception facilities and waste management on board ships. A prerequisite for an efficient control system aiming at a better enforcement is the exchange of information on whether a ship has used a port reception facility in the Area and an estimation of the amount of waste generated on board any ship. A suitable communication system with an accompanying data base should be introduced for this purpose. It is important that the control is exercised under the responsibility of the Administration in order to minimize distortion of competition between ports;
2. That, as a matter of priority, a harmonized fee system shall be established with the dual purpose of encouraging ships to deliver waste ashore and to avoid undesirable waste streams between ports thereby encouraging a sound sharing of the waste burden in the Convention Area. The "no-special-fee" system constitutes such a system and will, when applied by all Contracting Parties in a harmonized way, serve both purposes. In this context the "no-special-fee" system is defined as a charging system where the cost for reception, handling and disposal of ship-generated waste is included in the harbour fee or otherwise charged to the ship irrespective of whether wastes are delivered or not;
3. That mandatory regulations shall be developed for ships to deliver all garbage to a port reception facility before leaving port, taking into account the need for special arrangements for e.g. passenger ferries and ships engaged in short voyages;
4. That harmonized, mandatory rules shall be developed and applied within the Helsinki Convention context to new fishing vessels, working vessels and pleasure craft, which are not covered by the existing regulations, in respect of toilet retention systems and holding tanks for sewage. Sufficient onboard storage possibilities are to be provided also for other wastes generated on board such vessels. Existing fishing vessels, working vessels and pleasure craft shall, to the widest possible extent, become equivalently equipped, or if this is not possible, in the case of sewage, be equipped with portable toilets in order to make reception of sewage for municipal treatment possible thereby minimizing discharges into the marine environment;
5. That, in order to facilitate the enforcement of existing discharge regulations through an expeditious and effective legal mechanism, the responsibility for the evaluation of evidence presented in cases of illegal operational discharges from ships to the widest possible extent shall be centralized on a national level and assigned to persons/institutions having adequate expertise in matters related to violation of international marine environment protection regulations in respect of shipping;
6. That all necessary steps are taken as soon as possible to elaborate a system harmonized to the widest possible extent for determining the severity of sanctions to be imposed on, including calculating the level of fines to be charged, when ships violate the Convention's regulations in respect of operational requirements,

II REQUESTS the Maritime Committee to finalize the follow-up actions related to Section I as soon as possible and to report on the status of this work to the Commission at its meeting in 1998,

III AGREES ALSO to seek cooperation with the North Sea region with the aim to develop uniform requirements including financial arrangements and proper operation of reception facilities in both regions,

IV RECOMMENDS that the Governments of the Contracting Parties to the Helsinki Convention take appropriate action before 1 January 1998, in order to ensure:

1. That measures shall be taken and procedures shall be applied on board ships aiming at the minimization of waste production and waste segregation. The Contracting Parties should encourage both their shipping and ship supplying industries when requisitioning bonded stores and ships' provisions to apply the substitutionary principle in order to prevent, already at an early stage, the generation of unnecessary waste on board ships. The development and application of improved technology with the aim of eliminating the adverse environmental effects from shipping should also be encouraged and the education of ships' crews and management at all levels on the importance of waste management should be promoted;
2. That cost-effective technical and practical solutions shall be applied both on board ships and in ports for separation of oily bilge water or water extraction from oily residues in order to avoid expensive long-distance transportation of large amounts of contaminated water and to make it possible to recycle the oil, or as an alternative, to utilize the extracted oil as an energy resource at the place of its appropriate thermal destruction;
3. That port requirements, procedures and conditions for reception and disposal of ship-generated wastes shall to the widest possible extent be harmonized with the IMO's Manual on Shipboard Waste Management in order to promote and simplify the reception of wastes from ships^{*)};
4. That the reception procedures and waste handling shall be harmonized between port authorities and shipping companies for passenger vessels and passenger ferries engaged in so-called dedicated trade in order to promote and simplify the waste reception and thereby to avoid unnecessary burdens of costs as well as to make recycling of wastes possible to the greatest extent;
5. That marinas, fuelling stations, fishing harbours, etc. for pleasure craft and small vessels shall be equipped with installations for simple and convenient reception of sewage and other wastes as a normal service. The establishment of a network of such installations should be encouraged by e.g. a national plan in order to ensure an extensive coverage of waste reception;
6. That any contradictive economic, procedural, operational, technical, etc. hindrances for the use of port reception facilities for ship-generated wastes shall be eliminated. In particular customs, health and environmental formalities should be as simple and expeditious as possible in order to avoid undue delay of ships. In this context it should be particularly observed that any fees charged for the use of reception facilities, whether included in the harbour fee or not, should not serve lucrative purposes but reflect the real costs entailed by the port for the reception and final disposal of the wastes,

^{*)} The IMO Manual has not yet been adopted

V RECOMMENDS ALSO to the Governments of the Contracting Parties to facilitate the implementation of these measures by providing technical assistance and expertise including organizing arrangements for financial support to the countries in transition,

VI URGES the Governments of the Contracting Parties to assign one authority responsible for the coordination of the implementation of this Recommendation on national level.