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THE BALTIC STRATEGY

A report on the progress of the Baltic Strategy for Port Reception Facilities for Ship-generated Wastes and Associated Issues.



Photo: Stichting Werkgroep Noortzee

Ships' Waste in the Marine Environment – a Problem that can be Solved!

Pollution from shipping is a global problem. In all regional seas, on the open sea and on the coasts of the world discharges from ships are causing a number of negative environmental effects. Birds are killed by oil, marine mammals are entangled in marine debris and lost or discarded fishing gear continues to fish as ghost nets.

However, there are now good examples of how these important issues can be effectively addressed through international global and regional co-operation.

The Baltic Sea Area – a Special Sea requiring Special Rules

Actions to deal with the environmental problems caused by discharges of wastes from ships have been part of the international Baltic co-operation ever since the first Convention on the Protection of the Marine Environment of the Baltic Sea Area (the Helsinki Convention) was signed in 1974.

In addition, the Baltic Sea Area has also been designated a Special Area under the International Convention for the Prevention of Pollution from Ships, 1973 as amended by a protocol in 1978 (MARPOL 73/78). Such status is given to sea areas which, because of their special oceanographic or ecological characteristics are regarded as particularly sensitive to environmental disturbances.

As a consequence, regulations concerning discharges of oil and other types of ship-generated wastes are particularly strict in the Baltic Sea Area. In principle, all wastes should be delivered to reception facilities ashore.

However, despite 20 years of international co-operation within the Helsinki Commission (HELCOM) framework as well as in IMO to control and eventually eliminate the environmental problems caused by discharges of wastes from ships, such illegal discharges remain a serious environmental problem in the Baltic Sea Area. Several hundred oil spills, consisting mainly of oily wastes from ships' machinery spaces, are registered in the area every year. To this should be added a probably even larger number of spills that are never registered by the surveillance programmes. Statistics show that the number of spills detected actually increased during the first part of the 1990s.

Several factors are thought to be behind this negative trend:

- Increased traffic in the Baltic by sub-standard ships, with crews that are either unaware of, or do not re-



Photo: Stichting Werkgroep Noortzee

spect existing rules and with a low environmental awareness;

- Lack of port reception facilities in some of the countries in the region;
- High costs for using facilities;
- Lack of surveillance at sea which minimises the risks of being detected while discharging waste at sea;
- Bureaucracy and complicated rules for securing evidence that can tie a specific ship to a certain discharge, thus making it difficult to prosecute and punish offenders; etc.

The Baltic Strategy for Reception Facilities for Ship-generated Waste

In order to address those issues outlined in the previous sections, the countries around the Baltic Sea Area agreed on a comprehensive set of measures to tackle problems with ship-generated waste. The Baltic Strategy for Reception Facilities for Ship-generated Waste and Associated Issues was adopted by HELCOM in March 1996.

Since its adoption the Strategy has been given additional political strength and support at meetings of Heads of Governments, Ministers for Foreign Affairs and from Environment Ministers representing all the Baltic countries.



Photo: SafePorts AB

- A fair and harmonised system between the countries on how ports shall recover their costs for receiving and treating ship-generated wastes in an environmentally sound way is to be introduced. In other words it will no longer be profitable to discharge the wastes at sea or keep them onboard until the ship calls at a “cheap” port;
- It will be mandatory for ships to deliver all their wastes to a reception facility before leaving port;
- International information and monitoring systems shall be established which allows the management of waste onboard a specific ships to be effectively monitored;
- Countries shall co-operate to make surveillance at sea more effective and to assist each other to prosecute those who violate the rules. There will be no free zones where ships that choose not to comply with the regulations can hide and get away;
- Investment funds should be made available to build new or improve existing reception facilities in Estonia, Latvia, Lithuania, Poland and Russia.

Principles and systems for the reception of ship-generated wastes

In order for the implementation of the Baltic Strategy to be fully successful the whole waste chain from the ships, via the reception facilities, the transport on land and the final treatment and disposal (recycling, incineration or depositing) must function efficiently and smoothly.

In general, the amounts of ship-generated wastes delivered to reception facilities ashore will be small compared to the total quantities of wastes that have to be handled by those cities where the ports are situated.

From an economic as well as an environmental point of view it is thus, important that issues associated with the handling of ship-generated wastes are not considered separately and apart from the management of other wastes generated within the port or in the respective societies as a whole. Obviously, ships waste is part of a port's total waste stream, which in turn is part of the cities total waste stream. If a port waste management plan is designated as an integral part of a comprehensive local, regional or national waste management strategy, it will provide the best prospects for an effective reception, treatment and final disposal of ship-generated wastes.

The main objective of the Strategy is to substantially decrease operational and to eliminate illegal disposal of ship's wastes and thus, prevent pollution of the Baltic Sea Area. Another objective is to highlight the need for developing environmentally sound treatment of ship-generated wastes when these wastes have been delivered to reception facilities ashore, as part of the overall waste management systems of the countries concerned.

The Strategy includes all types of wastes generated onboard ships, being it a large merchant ship, fishing vessel, working vessel or pleasure craft.

In practice, this means that:

- Reception facilities for ship-generated wastes shall be available in all ports around the Baltic. These facilities must be easily accessible and adequately equipped;

From principles to implementation

At the 1998 HELCOM Ministerial meeting a number of important decisions were taken to operationalize the various provisions of the Baltic Strategy.

A no-special fee for reception of ship-generated waste will be applied

Various systems for charging the vessels the costs for delivering waste to reception facilities have been intensely internationally debated for many years.

As part of the Baltic Strategy, the countries around the Baltic Sea agreed to introduce a harmonised fee system. The overarching principle is that ships should not be able to save money by discharging their wastes into the sea. After careful discussions all countries agreed on the no-special fee system, which means that the ports charge the reception and treatment costs to all ships calling as part of their harbour fee, irrespective of whether a certain ship delivers any waste or not and irrespective of amounts discharged.

The countries have also agreed on a number of additional measures such as:

- Installation of garbage retention appliances and toilet retention systems and standard connections for sewage on board fishing vessels, working vessels and pleasure craft;
- Guidelines for holding tanks and oily water separating or filtering equipment for ships of less than 400 tons;
- A uniform format for the notification of ship's wastes to facilitate for the ports to receive ship-generated wastes;
- Development of port waste management plans;
- Basic principles for ashore handling of ship-generated wastes; and
- A harmonised system of fines in case a ship violates anti-pollution regulations.

Most of these rules will come into effect starting with oily wastes from machinery spaces of ships on 1 July 2000 and the other types of wastes two years later.



Photo: Swedish Maritime Administration

Implementation through national action

MARPOL 73/78 Special Area status does not only put strict regulations on ships not to discharge oil or oily wastes at sea. It also lays down mandatory obligations on the countries bordering Special Areas to ensure that facilities for the reception of wastes are available in all ports and harbours.

Availability of reception facilities in all ports in the

Such a fee, if uniformly applied, results in a more balanced distribution of the quantities of waste between the countries and ports of the region. Thus, unnecessary and inappropriate transports of wastes between ports and across the seas are avoided.

In addition, the countries of the Baltic Sea Area have decided on a mandatory discharge of all wastes to port reception facilities before leaving port.

Baltic Sea Area with adequate capacity to receive ship-generated wastes to meet the needs of the ships using them is thus one of the most important prerequisites for the successful implementation of the Baltic Strategy.

As part of their commitment to implement the Strategy, all Baltic countries have had to review their present national legislation as well as their capacity and systems to receive and handle various types of ship-generated wastes in an environmentally proper way.

Studies have shown that reception facilities for ship-generated wastes corresponding to international standards exist in almost all ports used by commercial shipping in Denmark, Finland, Germany and Sweden. However, in many cases technical as well as administrative measures are needed to further improve the availability and performance of these facilities.

Sweden

Since the late 1970s, Swedish municipalities have the responsibility to receive, treat and dispose of such oily wastes, sewage and garbage which are prohibited to be discharged at sea. Ports shall provide appropriate reception facilities for such wastes.

Sweden has, since the beginning of the 1980s, applied the no-special fee system for the reception of ship-generated wastes. However, a recent review of the existing systems for reception of waste from ships has shown that improvements must be made to increase the availability and performance of these facilities.

Special action programmes for working vessels, fishing vessels and pleasure craft have been or are presently being developed in co-operation between all stakeholders concerned. The programme on pleasure craft includes issues such as waste management on board, reception of wastes including sewage ashore and the establishment of more reception facilities for waste from

working vessels, fishing vessels and pleasure craft. As a result, an increasing number of marinas, smaller harbours and fuelling stations for small vessels are being equipped with reception facilities for solid waste and sewage.

An inquest to get at the illegal oil discharges

A Government commission consisting of lawyers and representatives of the authorities involved in the prosecution of offenders and the detection and clean-up of oil spills and other harmful substances respectively, presented their official report to the Government of Sweden in the beginning of 1999.

The assignment of the commission was to investigate matters concerning intervention in conjunction with oil discharges and discharges of other harmful substances at sea for the purpose of improving the legal possibilities to prosecute illegal discharges. The assignment involved a survey and assessment of the manner in which the current regulatory system in the area works in practice and, against the background of this assessment and a general overview of legislation, submission of proposals for measures which can lead to a more effective intervention on the part of governmental authorities. The assignment also included making proposals on issuing Swedish jurisdiction with respect to illegal oil discharges and discharges of other harmful substances in Sweden's exclusive economic zone.



Photo: Port of Göteborg AB



Reception facilities in Estonia, Latvia, Lithuania, Poland and Russia

The availability of modern reception facilities for ship-generated wastes in the ports of Estonia, Latvia, Lithuania, Poland and the Russian Federation has been a matter of concern in the Baltic Sea Region in recent years.

Improvements needed

An international survey of the situation in the ports concerned was made during the first part of the 1990s. The general conclusions were that most reception facilities were in a poor condition and the capacity, technology, labour safety and environmental conditions did not comply with neither the needs of the ships that should use them nor with modern standards. Most of the facilities were built during the 1970s and are currently in urgent need of extensive renovation, modernisation and should in many cases be replaced by new facilities.

Baltic Co-operation to improve the capacity to receive ship-generated wastes

As part of the international co-operation for the rapid implementation of the Baltic Strategy, pre-investment studies have been carried out for a number of major

ports in Estonia, Latvia, Lithuania, Poland and the Russian Federation. In addition, port waste management plans are presently being developed for some of these ports.

Financing of the new or upgraded reception facilities does not seem to pose any major problems. Several of the major International Financial Institutions presently operating in the Baltic Sea Region, have indicated their willingness to participate in the financing of reception facilities in Estonia, Latvia, Lithuania, Poland and Russia. These include the Nordic Investment Bank, the Nordic Environment Financing Corporation, the World Bank, the European Bank for Reconstruction and Development and EU Phare.

Legislation, capacity building and training

Not only investments in "hard ware" such as tank trucks, oil-separators and storage tanks, etc., are needed in order to ensure smooth, effective and environmentally safe systems for the whole waste management chain from the ships to the final treatment and disposal. Such equipment does not necessarily have to be provided by the ports. They can be owned by private contractors, who are licensed by the appropriate authorities, and with whom the ports have agreements on the provision of reception facilities.

In the feasibility/pre-investment studies carried out a number of major institutional problems related to the handling of ship-generated wastes have been identified. These include:

- Lack of an efficient fee system that encourages disposal of wastes in ports;
- Mix-up between responsibilities and the performance (carrying out) of the various tasks related to the collection, treatment and disposal of ship-generated waste.
- Lack of well defined control functions;
- Lack of conformity between national legislation and the provisions/regulations of the international instruments such as the MARPOL 73/78 and the 1974 and the 1992 Helsinki Conventions.

The establishment of a process for continuous institutional strengthening, capacity building and training, particularly at the local level will be essential to deal with these matters. In this context, a system of twinning arrangements (e.g. port-to-port, between cities etc.) might be considered. The Baltic Ports Organization (BPO) is an example of an organisation that already for some years has been active in this field.

Additional issues

In accordance with the Baltic Strategy, facilities should also be provided in ports and marinas where fishing vessels, working vessels and pleasure craft can deliver their wastes. In most of the Baltic Sea countries such facilities are often lacking in smaller ports and marinas. Significant efforts will be needed in all countries of the Region to provide a sufficient number of reception facilities for these vessels in smaller harbours and marinas.

The need for reception facilities, particularly for sewage and garbage, in marinas and other harbours used mainly by pleasure craft should, however, also be considered in the context of tourism development including an increasing number of pleasure craft etc.



The Concept is spreading

It is widely recognised that pollution from shipping, by its very nature, has transboundary implications. Thus, actions to reduce the environmental impact of shipping is needed in a wide international context.

It should be noted that the no-special fee system works best if implemented in a larger geographical region. If just a single country or a single port applies the system, ships will keep their waste on board for discharge in that country or port, which will increase costs and thus, also affect the competitiveness of that country or port negatively.

An important positive effect of the no-special fee system is that as ports provide the reception facilities, most often by the use of private contractors, costs will be kept at the lowest possible level, as ports are in competition with each other and they are in a far better bargaining position towards the waste collectors than every single ship.

The application of the concepts embedded in the Baltic Strategy (e.g. the no-special fee system and mandatory delivery of all wastes ashore) to a wider geographical region e.g. the North Sea or North-east Atlantic Region would be important steps towards further reducing the effects of shipping on the marine and coastal environments.

Some initiatives have already been taken in this respect and a number of additional ones are presently being developed.

At the Fourth North Sea Conference, in 1995, the Environment Ministers of all the North Sea States agreed on a number of actions to prevent and/or reduce the disposal of waste from ships into the North Sea. Among others the Ministers decided to take further action to improve surveillance and control of wastes from ships in order to prevent illegal disposal at sea and to request IMO to develop and implement techniques for waste treatment on board; to request the Port Authorities or other competent authorities to develop waste stream management plans in every port; to increase information on existing regulations and environmental effects in order to raise the public awareness of the problem, and to develop regulations making it mandatory to dispose all garbage to a port reception facility before leaving port.

In August 1999 Northwest European waters (all waters from Brest in the south to Bergen in the north including the waters of Ireland, United Kingdom, the Shetland Islands and the Faroe Islands) will become a special area under MARPOL Annex I.

The European Union, EU, is expected to adopt a Council Directive on Port Reception Facilities for Ship-generated Waste and Residues from Ships. The main objective of the Directive is to reduce the discharges of ship-generated waste and cargo residues into the sea, especially illegal discharges, from ships using ports in the European Community. A number of the basic principles of the Baltic Strategy are expected to be integrated into the new EC Directive.

Further information

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