IMO, ICS and Environmental Compliance

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Abstract

This paper briefly introduces the role of the International Chamber of Shipping and the International Maritime Organization with respect to the protection of the Marine Environment. It then explains the relevance of globally applicable regulation to a unique international industry that cannot operate efficiently when faced with regional or national regulations whose requirements differ from the international baseline. The role of international shipping relative to globalization and to the continuing growth in world trade sets the background for discussion of the industry’s environmental performance, and ICS policy on environmental compliance is explained. Then using examples from IMO regulations, currently under debate, lessons are drawn on impediments to ratification and to compliance. In an attempt to streamline the IMO process some procedural proposals are offered for consideration and discussion.

The International Chamber of Shipping (ICS) is an association of associations whose origin can be traced back to 1928; our members are 37 national shipowner associations spread widely across the world. Of particular relevance, to this Conference it will be worth noting that the Singapore Shipping Association, the Australian Shipowners’ Association, the Japanese Shipowners’ Association and the Chamber of Shipping of America are all full members of ICS.

¹ Marine Director, International Chamber of Shipping. The author’s PowerPoint presentation can be viewed on the accompanying CD.
These national associations in turn offer membership to shipowners operating in their own country. Thus ICS has established a worldwide membership of the main ship owning nations that qualifies us to represent around 75% of the world’s shipping tonnage and to speak with authority on the views of all sectors of the shipping industry – to look beyond sectoral needs and indeed sometimes to look beyond short term commercial expedience.

ICS exists to develop an international consensus on issues of concern to shipowners worldwide and to represent those views in debate at the International Maritime Organization and on other platforms such as this one, and thank you for giving me this opportunity today.

IMO is the specialised agency of the United Nations dealing with international maritime issues. Physically it is a secretariat of around 350 people based in London. The job of the secretariat is to facilitate meetings between the member governments, to draft the supporting documentation and to be the receptacle for information related to the conventions adopted by the Member States. Conceptually IMO is no more than the collective political will of its 167 member Governments.

Working under the umbrella of the UN Convention of the Law of the Sea, it has an enviable reputation built upon consensus building and effective legislation that addresses the needs of the unique global industry that is international shipping.

Taken as a whole, the IMO Conventions, SOLAS, MARPOL and the range of single subject conventions such as Anti-fouling and Ballast Water Management provide a legislative framework that regulates the design, construction and operation of the world’s merchant fleet and thereby protects the world’s environment and commercial well-being. But the framework of legislation depends entirely on individual IMO Member States taking the next step of incorporating the adopted convention text into national law and ratifying the convention. I do not need to tell this audience that such conventions cannot and do not enter into force until the ratification criteria (normally a number of countries whose combined