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Subject: GHG Emission control measures at Marine Environment Protection Committee (MEPC)-65- reg.

While dealing with the issues related with the climate change in the international scenario, India had always maintained the position that the present global threat of climate change is not due to the current level of GHG emissions alone, but primarily due to the cumulative effect of accumulated GHG in the planetary atmosphere, generated through long-term, intensive industrial growth, particularly in the developed countries. It is for this fundamental historical reasoning that India and other developing countries have always upheld the principle of "Common But Differentiated Responsibility and Respective Capabilities (CBDR-RC)" promulgated by the United Nations Framework Convention on Climate Change (UNFCCC), at all climate-change negotiations, including at the IMO, recognizing the historical differences in the contributions of the developed and the developing countries to global environmental pollution.

When IMO ambitiously embarked upon the introduction of GHG emission control regulatory regime in the maritime sector, India, along with like minded countries viz. Brazil, China, Argentina, South Africa and Saudi Arabia had maintained a collective position that any GHG emission control measure from IMO must respect the fundamental principles of the UNFCCC and its Kyoto Protocol, particularly Article 4.7 of UNFCCC, which clearly links any obligation of the developing countries to undertake climate change related measures, to the technological and financial support received from the developed countries.

Subsequent to vigorous pursuance by India along with the block of like-minded countries, an MEPC Resolution on financial, technological and capacity-building


support for **developing countries** has now been adopted by the MEPC-65, with clear references to the UNFCCC & CBDR-RC, despite strong reservations from developed countries. The inherent principles of no more favourable treatment and non-discrimination of the IMO, have however been preserved in the Resolution.

The draft MEPC Resolution 65/J/10 on 'Promotion of Technical Cooperation and Transfer of Technology relating to the improvement of Energy efficiency of Ships' is released herewith for the information of all concerned, along with the statement from the Secretary (Shipping) to the GOI on the floor of the IMO on 17.05.2013, carrying the essence of the position of India on the matter.

All stakeholders, particularly, shipyards, ship designers, training institutes and other professional organizations are urged to take cognizance of the provisions of the said Resolution and to suggest viable project proposals for the capacity-building initiatives leading to effective implementation of the GHG emission control measures, in the maritime sector of the country.

Further details on the decisions of the MEPC-65 is available on the official website of the International Maritime Organization (IMO)- www.imo.org.

This is issued with the approval of the Director-General and Ex-officio Addl. Secretary to the GOI.


(Ajithkumar Sukumaran)
Engineer & Ship Surveyor cum
Deputy Director General (Tech)

To,

1. The Secretary to the GOI, Ministry of Shipping,
2. The Secretary to the GOI, Ministry of Environment & Forests
3. The Secretary to the GOI, Ministry of Commerce
4. The Secretary to the GOI, Ministry of Civil Aviation
5. The Principal Officers/ Mercantile Marine Department, Mumbai/Kolkata/ Chennai/ Kandla/Cochin.
6. The Surveyor-in-charge, Mercantile Marine Department, Goa/Jamnagar/Port Blair /Visakhapatnam /Tuticorin /Delhi /Haldia/ Paradip /Mangalore.
7. All Classification Societies.
8. Indian National Shippers Association (INSA), Mumbai
9. All Shipping Companies
10. All branches of the DGS.
11. Guard file.
12. Computer Cell.



INTERNATIONAL
MARITIME
ORGANIZATION

MARINE ENVIRONMENT PROTECTION COMMITTEE 65TH SESSION

Statement by the Secretary (Shipping), Govt. of India

Mr. Chairman, distinguished delegates from member states,

At the outset, India congratulates you, Mr. Chairman, and the Chairman of the Working Group Mr. Arsenio Dominguez for your able leadership, without which this Resolution for Technology Transfer and Capacity Building would never have been materialized. Though we also have come far away from our initial position on the issue, our agreement to this resolution is India's endorsement of the views of this organization, that 'sustainable development', is the only way forward for the international community to address the current climate change issues.

We also thank the member states, particularly the developed states for recognising that the reference to the UNFCCC and the CBDR in the resolution are essential for the effective implementation of the GHG emission control measures, which is being ambitiously promulgated by the world community, including the IMO.

Distinguished delegates, by accepting UNFCCC and CBDR, we are only recognizing the historical realities of contrasting contributions of the developed and the developing countries to global environmental problems and the undeniable differences in the economic and technical capacities of both these groups of countries to address the climate related issues. **This has been the position of India in all fora of climate change negotiations, which now stands vindicated in this floor as well.**

However, we are still apprehensive of the extent to which, the spirit of this resolution is going to be transformed to reality. Hence, India strongly requests the Organization to put in place effective mechanisms to continuously assess and monitor the effectiveness of implementation of this resolution, so that the support materially reaches the entitled developing nations.

Climate Change negotiations are taking place against the backdrop of an increasingly globalized and interdependent world economy. Development must, therefore, remain at the centre of the global discourse and should not impose conditionalities or additional burdens on developing countries. It must not sharpen the division of the world between an affluent North and an impoverished South, and justify this with a green label.

It is India's view that the planetary atmospheric space is a common resource of humanity and each citizen of the globe has an equal entitlement to that space. The principle of equity, therefore, implies that, over a period of time, there should be a convergence in per capita emissions.

Mr. Chairman, India believes that with the adoption of this resolution, at least in this present form is our first collective step towards this. We hope that the implementation of this resolution will also take place in the same spirit.

Thank You Mr. Chairman.

**DRAFT RESOLUTION ON PROMOTION OF TECHNICAL COOPERATION AND
TRANSFER OF TECHNOLOGY RELATING TO THE IMPROVEMENT OF
ENERGY EFFICIENCY OF SHIPS**

Submitted by the Chairman

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING article 38(a) of the Convention on the International Maritime Organization (the Organization) concerning the functions of the Marine Environment Protection Committee (the Committee) conferred upon it by international conventions for the prevention and control of marine pollution from ships,

HAVING ADOPTED, by resolution MEPC.203(62), the amendments to MARPOL Annex VI for inclusion of regulations on energy efficiency for ships,

BEING COGNIZANT of the principles enshrined in the Convention on the Organization, including the principle of non-discrimination, as well as the principle of no more favourable treatment enshrined in MARPOL and other IMO Conventions,

BEING COGNIZANT ALSO of the principles enshrined in the UNFCCC and its Kyoto Protocol including the principle of common but differentiated responsibilities and respective capabilities,

BEING AWARE that Parties to MARPOL Annex VI are expected to give full and complete effect to chapter 4 of MARPOL Annex VI,

1 REQUESTS the Organization, through its various programmes, to provide technical assistance to Member States to enable cooperation in the transfer of energy efficient technologies to developing countries in particular; and further assist in the sourcing of funding for capacity-building and support to States, in particular developing States, which have requested technology transfer.

2 INVITES international and regional organizations, non-governmental organizations and the industry to contribute in any manner possible and as appropriate to enhancing the effective implementation of chapter 4 of MARPOL Annex VI;

3 DECIDES to establish, with full stakeholder participation, an Ad hoc Expert Working Group on facilitation of Transfer of Technology for ships (AHEWG-TT) with a mandate to:

- .1 assess the potential implications and impacts of the implementation of the regulations in chapter 4 of MARPOL Annex VI, in particular, on developing States, as a means to identify their technology transfer and financial needs, if any;
- .2 identify and create an inventory of energy efficiency technologies for ships; identify barriers to transfer of technology, in particular to developing States, including associated costs, and possible sources of funding and make recommendations, including the development of a model agreement enabling the transfer of financial and technological resources and

capacity-building between Parties, for the implementation of the regulations in chapter 4 of MARPOL Annex VI; and

.3 report to MEPC;

4 RECOGNIZES that the transfer of technology needs to respect property rights, including intellectual property rights, and to be on mutually agreed terms and conditions;

5 REQUESTS Member States, in cooperation with the Organization and other international bodies, other interested countries and industry programmes, to promote the provision directly, or through the Organization, of support to States, in particular to developing States, that need and request technical assistance for the assessment of the implications of becoming a Party to the regulations in chapter 4 of MARPOL Annex VI;

6 URGES also Member States with an ability to do so, and subject to their respective national laws, regulations and policies, to promote the provision directly, or through the Organization, of support especially to developing States and including, but not limited with regard to:

.1 transfer of energy efficiency technologies for ships;

.2 research and development for the improvement of energy efficiency of ships;

.3 training of personnel, for the effective implementation and enforcement of the regulations in chapter 4 of MARPOL Annex VI; and

.4 the exchange of information and technical co-operation relating to the improvement of energy efficiency for ships;

7 INVITES the Secretary-General of the Organization to make adequate provisions in its integrated Technical Co-operation Programme (ITCP) related to the effective implementation and enforcement of the requirements of chapter 4 of MARPOL Annex VI by developing countries, particularly the Least Developed Countries (LDCs) and Small Islands Developing States (SIDS); and

8 AGREES to keep under review the implementation of measures for the promotion of technical cooperation related to the energy efficiency of ships, as set out in this resolution.
