

## Three Minor Treaty Actions

### Introduction

- 6.1 Minor treaty actions are generally technical amendments to existing treaties which do not impact significantly on the national interest.
- 6.2 Minor treaty actions are presented to the Joint Standing Committee on Treaties with a one-page explanatory statement and are listed on the Committee's website. The Committee has the discretion to formally inquire into these treaty actions or indicate its acceptance of them without a formal inquiry and report.

### Minor treaty actions

- 6.3 There are three minor treaty actions reviewed in this chapter. The Committee determined not to hold a formal inquiry into these treaty actions and agreed that binding treaty action may be taken for all three.

### Amendments to the Schedule of the International Convention on the Regulation of Whaling.

- 6.4 The proposed minor treaty action extends the operation of the zero catch limit on commercial whaling established under the *Schedule to the International Convention for the Regulation of Whaling* for another year. It also extends Aboriginal Subsistence Whaling quotas allocated to aboriginal communities in the Russian Federation, the United States of America (USA) and St. Vincent and the Grenadines under the Schedule for a further six year-period (until 2018).
- 6.5 Australia does not propose to lodge an objection to these amendments and no active binding treaty action is required to be taken by Australia. The

amendments will not alter Australia's obligations under the Convention and in fact extend the life of the moratorium, which Australia strongly supports.

### **MARPOL Resolution MEPC.216(63): Regional arrangements for port reception facilities under MARPOL Annexes I, II, IV and V**

- 6.6 The treaty matter proposed will amend international regulations for the prevention of pollution from ships (MARPOL Annex I, II, IV and V) relating to the provision of reception facilities for waste generated on board ships.
- 6.7 These Annexes place obligations on port States to provide adequate reception facilities in all ports and terminals for waste generated on board ships. The obligation to provide adequate reception facilities has been recognised by the International Maritime Organization as a barrier to some States' ratification of MARPOL, particularly small island developing states.
- 6.8 In March 2010, the MEPC considered a proposal to allow small island developing states to meet their obligations to provide waste reception facilities through regional arrangements, by entering into a Regional Reception Facilities Plan (RRFP). MEPC adopted the amendments in March 2012. The amendments to the Annexes will not impose any new obligations on Australia or require it to enter into a RRFP.
- 6.9 It is recommended that Australia support the amendments to assist our neighbours, many of which are small island developing states. It is expected that the amendments will assist these states in compliance with waste reception facilities provisions contained in MARPOL.

### **MARPOL Resolution MEPC.217(63): Regional arrangements for port reception facilities under MARPOL Annex VI and Certification of marine diesel engines fitted with Selective Catalytic Reduction systems under the NO<sub>x</sub> Technical Code 2008**

- 6.10 The treaty matter proposed will amend international regulations for the prevention of air pollution from ships (MARPOL Annex VI relating to the provision of reception facilities for waste generated on board ships and the NO<sub>x</sub> Technical Code 2008 relating to certification of marine diesel engines fitted with Selective Catalytic Reduction systems).
- 6.11 The "NO<sub>x</sub> Technical Code 2008" (NTC) is the *Technical Code on Control of Emission of Nitrogen Oxides from Marine Diesel Engines*, adopted by the International Maritime Organization in 2008.

- 6.12 The amendments will result in a procedure for certain engines where their size, construction and delivery schedule precludes test-bed testing, whereby such engines may instead be subject to an onboard test.
- 6.13 The amendments to the NTC would not impose any additional costs on Australian shipping. This is because the amendments provide for alternate test methods for NOx emissions from ship engines but do not alter the standards that ships are required to meet for certification.
- 6.14 It is recommended that Australia support the amendments to assist our neighbours, many of which are small island developing states. It is expected that the amendments will assist these states in compliance with NTC provisions contained in MARPOL.

**Kelvin Thomson MP**

**Chair**

