



Document title	Incineration of ship-generated wastes on board ships
Code	4-5
Category	DEC
Agenda Item	4 - Airborne emissions from ships and related measures
Submission date	14.10.2014
Submitted by	Secretariat
Reference	Helsinki Convention, Annex IV, Regulation 7

Background

On 11 June 2014 the Secretariat circulated information from Germany (cf. **Attachment** to this document) regarding the interpretation of the interrelationship between the rules of the Helsinki Convention (Annex IV, Regulation 7) and the revised Annex VI of the MARPOL Convention regarding incineration on board ships. The Contracting Parties were requested, if possible, to provide information on their national legal interpretation of the issue by 25 June 2014. So far, one non-English reply has been received by the Secretariat.

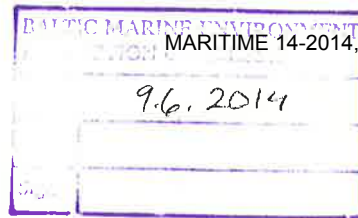
Action required

The Contracting Parties are invited to provide information on the national legal interpretation regarding the interrelationship between the rules of the Helsinki Convention (Annex IV, Regulation 7) and the revised Annex VI of the MARPOL Convention regarding incineration on board ships

The Meeting is invited to decide as appropriate.



Federal Ministry for the
Environment, Nature Conservation,
Building and Nuclear Safety



MARITIME 14-2014, 4-5, Attachment

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Change of German law regarding the incineration of ship-generated waste

Reference: WR I 5 - 20215/04

Bonn, 05.06.2014

Dear Ms. Stankiewicz,

This is to inform you on a change of German law regarding the incineration of ship-generated waste.

According to the rules of the Vienna Convention on the Law of the Treaties (VC) the German interpretation concerning the regulations on the incineration of ship-generated waste is as follows:

Article 10 and Annex V Regulation 7 of the Helsinki Convention and Annex VI Regulation 16 of the MARPOL Convention address the same subject-matter. Since the Russian Federation has ratified Annex VI of MARPOL and none of the HELCOM Parties has formulated a reservation (Art. 19 VC) when ratifying MARPOL VI, Article 30 para. 3 VC has to be applied on this matter. For this reason the above mentioned rules of the Helsinki Convention are superseded by Regulation 16 of MARPOL VI. Consequently Germany adapted her national law accordingly: sanctions are now foreseen for violations of Regulation 16 of MARPOL VI, but no longer for violations of Article 10 and Annex V Regulation 7 of the Helsinki Convention.

Kind regards,

For the Ministry

Romy Schroeder

