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Developing Countries of the Wider Caribbean Region

Wider Caribbean Initiative for Ship-Generated Waste

Project Document
June 1994



THE WORLD BANK

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GEF Documentation

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**Document of
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Report No. 12868 LAC

**GLOBAL ENVIRONMENT FACILITY
MEMORANDUM AND RECOMMENDATION
OF THE DIRECTOR
LATIN AMERICA AND THE CARIBBEAN REGION
COUNTRY DEPARTMENT III
OF THE
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
TO THE
REGIONAL VICE PRESIDENT
ON A PROPOSED GRANT
FROM THE GLOBAL ENVIRONMENT TRUST FUND
IN AN AMOUNT EQUIVALENT TO SDR 3.9 MILLION
TO
THE INTERNATIONAL MARITIME ORGANIZATION
FOR A
WIDER CARIBBEAN INITIATIVE FOR SHIP-GENERATED WASTE PROJECT
TO BE IMPLEMENTED IN
THE DEVELOPING COUNTRIES OF THE WIDER CARIBBEAN REGION**

JUNE 30, 1994

**Infrastructure Operations Division
Country Department III
Latin America and the Caribbean Region**

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CURRENCY EQUIVALENTS

All transactions to be designated in US\$

FISCAL YEAR

January 1 to December 31

PRINCIPAL ABBREVIATIONS AND ACRONYMS USED

DCWCR	-	Developing Countries of the WCR (includes the following Caribbean countries with GDP per capita of less than US\$4,000 in 1989): Antigua & Barbuda; Belize; Colombia; Costa Rica; Cuba; Dominica; Dominican Republic; Grenada; Guatemala; Guyana; Haiti; Honduras; Jamaica; Mexico; Nicaragua; Panama; St. Kitts & Nevis; St. Lucia; St. Vincent & the Grenadines; Suriname; Trinidad & Tobago; Venezuela
GEF	-	Global Environment Facility
GET	-	Global Environment Trust Fund
IMO	-	International Maritime Organization
LIB	-	Limited International Bidding
MARPOL 73/78	-	International Convention for the Prevention of Pollution from Ships
MOE	-	Ministries of Environment
MOF	-	Ministries of Finance
NGOs	-	Non Governmental Organizations
OECS	-	Organization of Eastern Caribbean States
PCU	-	Project Coordinating Unit
PPA	-	Project Preparation Advance, grant provided by GET
SDR	-	Special Drawing Rights
WCISW	-	Wider Caribbean Initiative for Ship-Generated Waste
WCR	-	Wider Caribbean Region (includes the following countries/territories: Antigua & Barbuda; Aruba; Bahamas; Barbados; Belize; British Virgin Islands; Colombia; Costa Rica; Cuba; Dominica; Dominican Republic; French Antilles & Guiana; Grenada; Guatemala; Guyana; Haiti; Honduras; Jamaica; Mexico; Netherlands Antilles; Nicaragua; Panama; St. Kitts & Nevis; St. Lucia; St. Vincent & the Grenadines; Suriname; Trinidad & Tobago; United States; United States Virgin Islands, Venezuela)

DEVELOPING COUNTRIES OF THE WIDER CARIBBEAN REGION

WIDER CARIBBEAN INITIATIVE FOR SHIP-GENERATED WASTE

Grant and Project Summary

Recipient/Executing Agency: IMO

Beneficiaries: Developing Countries of the Wider Caribbean Region (DCWCR)
Ministries of Finance (MOF)
Ministries of Environment (MOE)
Port Authorities
Public Health/Waste Management Authorities
Maritime Authorities
Law Enforcement Authorities

Amount: SDR 3.9 million (US\$5.5 Million)

Terms: Grant

Financing Plan:

	Local	Foreign	Total
	(US\$ million)		
GEF	2.5	3.0	5.5

Economic Rate of Return: Not applicable

MAP: IBRD 25029R

WIDER CARIBBEAN INITIATIVE FOR SHIP-GENERATED WASTE PROJECT

1. **Background.** Almost all ship generated garbage is discharged at sea, polluting international waters and coastal zones, and in some areas threatening the tourist trade. To improve the quality of the world's oceans and coastlines and to protect international waters, the international community adopted MARPOL 73/78 Convention, which regulates operational discharges from ships. Specifically regulated by the Convention are: oil (Annex I); noxious liquid substances (Annex II); harmful substances in packaged form (Annex III); sewage (Annex IV); and garbage (Annex V). With the exception of Annex IV, all other annexes have entered into force. For a country to become a Contracting Party to the Convention, it must ratify Annexes I and II. A country may also elect to ratify any one or all of the optional annexes III, IV and V. Thus far, as of June 1993, 71 countries have ratified MARPOL 73/78.
2. In October 1990, the "Regional Workshop for the Wider Caribbean on Oil Spill Preparedness and Response and "Special Area" Status under Annex V of MARPOL 73/78" was held in Caracas, Venezuela. After much discussion, the Caracas Workshop determined that the threat to the Wider Caribbean sea from garbage was significant enough to seek special protection under the "Special Area" provisions of Annex V of MARPOL 73/78. An appropriate resolution was drafted and submitted to IMO's Marine Environment Protection Committee in July 1991. As a result, the WCR was designated as a "Special Area" under Annex V. Under the terms of Annex V relating to "special areas", ships of all sizes are prohibited from the discharge of all waste materials except food waste, which may be discharged 12 nautical miles (3 nautical miles in the Wider Caribbean) from land. The "Special Area" designation for the Wider Caribbean entered into force on April 4, 1993.
3. While most developed countries have ratified MARPOL 73/78, the record for ratification by the DCWCR is relatively incomplete. Among the 22 DCWCR only 9 countries have ratified the mandatory annexes and 6 have ratified Annex V. Moreover, among the 29 countries of the WCR only 14 have ratified the mandatory annexes, and 12 have ratified Annex V. The status of ratification of Annexes III and IV is less significant since Annex IV has not yet entered into force and Annex III is relatively simple to implement (i.e. adherence to the labelling, stowage and manifesting of dangerous goods according to an IMO code). The incomplete record of ratification is directly attributed to the requirements under MARPOL 73/78 for countries to provide adequate port reception facilities for receiving ship-generated waste, and the need to implement national legislation to enable enforcement of the Convention. For DCWCR, without the assistance of the international community, the economic burden is significant and the technical expertise to deal with associated legislative, institutional, waste management and enforcement issues is often lacking.
4. **Project Objectives.** The Project is conceived as the first phase of a longer term process of cleaning up and protecting the Caribbean Sea. The objective of this first phase program is to provide the basis for ratification and implementation of the MARPOL 73/78 Convention by the DCWCR. Project activities would contribute to this objective by providing

governments with: (i) information on legal, technical, and institutional measures needed on a regional and national basis to implement MARPOL 73/78; and (ii) a forum for considering options and for reaching a regional consensus on the actions to be taken. Assuming that the members of the DCWCR decide to ratify and implement MARPOL 73/78 building on this project's outputs, a second phase program could be agreed with international donor community support, consisting of investments in port reception facilities, waste management infrastructure, and institutional training programs, that would contribute to the longer term goal of ending the discharge of all ship-generated waste into international and territorial waters of the Caribbean Sea and thereby protecting the environmental integrity of Caribbean coastal and marine systems.

5. Project Description. Over the three year period, the Project would provide technical assistance to carry out studies and support coordination activities (Annex I) with the objective of producing a regional strategy to implement MARPOL 73/78. The strategy would include a regional legal framework, regional waste management programs, a regional public awareness programs, training and identification of national projects for reception and disposal facilities. The Project would finance consultant services and their logistical support to:

- assess existing legislation and regulations of the DCWCR affecting Annex I, II and V wastes;
- identify legal remedies available under international agreements such as MARPOL 73/78 or appropriate alternative strategies for promoting compliance with the "Special Area" designation in the WCR;
- assess existing waste management systems in the DCWCR, including the institutional setup;
- formulate regional engineering criteria for waste reception facilities at the ports;
- coordinate discussions with shipping and cruise lines on reducing waste at the source and recycling Annex I, II and V wastes;
- develop integrated regional waste management alternatives, including identification and evaluation of specific proposals;
- develop strategies for the integration of collection, treatment and disposal of Annexes I, II and V ship-generated wastes with associated existing national collection, treatment and disposal systems in DCWCR;
- assist ports in the DCWCR in defining the appropriate tariffs for receiving Annex I, II and V wastes, including cost recovery for waste management systems;

- develop proposals to ensure that DCWCR achieves full cost recovery of the collection, treatment and disposal costs associated with the reception of Annexes I, II and V wastes;
- assist DCWCR in implementing new waste management alternatives, including training local staff;
- develop strategies for public awareness programs in DCWCR in support of the project on a national as well as regional basis;
- brief potential donors, financing institutions, and NGOs on the status of MARPOL 73/78 in the WCR; and
- based on the foregoing, develop a strategy for dealing with Annex I, II and V ship-generated waste in the WCR, including investment proposals that could be supported by WCR governments and the international donor community.

6. Project activities would be carried out by consultants engaged by IMO and supervised by both IMO and the Bank. Consultants would work closely with national and regional organizations, and a special effort would be made to involve all the targeted countries in the process. It is envisaged that a team of three long term consultants consisting of a Project Coordinator, Technical, and Legal experts (terms of reference are attached as Annex III) would be engaged for about three years (estimated cost US\$1.2 million). Each consultant will have a specified work program, developed on a rolling annual basis according to agreed time limits specified in "Implementation Schedule" of key project activities, (Annex I), which they individually manage. Each consultant's work program includes a series of studies, monitoring activities, public relations, training and regional meetings aimed at providing the basis for ratification and implementation of MARPOL 73/78 Convention by the DCWCR. The public awareness strategy will be developed and implemented by a public awareness firm procured under LIB. To facilitate their work programs, the three long term consultants are expected to identify and incorporate, as necessary, the services of local consultants and NGO's from the DCWCR (estimated cost \$2.8 million). These consultants would be selected by IMO, in accordance with terms of reference agreed by the Bank, for tasks included in the respective consultant's approved work program. Estimated completion date is August 31, 1997 and the closing date is January 31, 1998.

7. Project Execution. IMO, with headquarters in London, is the United Nations organization responsible for promoting and monitoring MARPOL 73/78 implementation and for formulating technical regulations of shipping engaged in international trade. IMO's mission is to encourage and facilitate the global adoption of the highest practicable standards in matters concerning maritime safety, the efficiency of navigation and prevention and control of marine pollution from ships. Thus the IMO, as an international organization to which most countries of WCR are members, is the most suitable choice as an umbrella executing agency for the Project as

indicated in the Resolution (Annex II). IMO would rely on the participation of national ministries of environment (MOE) and finance (MOF), law enforcement authorities, maritime and port authorities as well as public health authorities in the DCWCR to implement the project. To the extent possible, regional and national NGO's would also be called upon to assist the long term consultants in the implementation of the project (para. 7). To facilitate project execution, a Project Coordinating Unit (PCU), managed by the Project Coordinator and staffed with Administrative Support, will be established for the duration of the project in Trinidad and Tobago. Discussions are underway to house the PCU at the UNDP office in Port of Spain.

8. Project Cost and Financing. The total cost of the project amounts to approximately US\$5.5 million which represent all expenditures required for project execution, including costs associated with the PCU (office space, office supplies and equipment, communications and secretarial support). The project will be financed by a grant from the Global Environmental Facility Trust Fund (GET) equivalent to SDR 3.9 million. The Grant would finance 100% of the cost of the services provided by consultants selected in accordance with Bank guidelines, as well as all expenditures related to planned workshops and the development of public awareness programs. IMO would be reimbursed for its incremental costs directly related to its role as executing agency, estimated at US\$357,000, equivalent to 6.5% of GET grant (Schedule A). For the purpose of facilitating the financing of the Project, IMO would open a Special Account in a commercial bank acceptable to the Bank. The initial deposit in the Special Account would be US\$250,000. The accounts of the Project, including the Special Account, would be audited on a semi-annual basis by IMO internal auditors and on an annual basis by independent auditors, satisfactory to the Bank. Copies of the audited statements would be sent to the Bank within one month of the end of each audited period. Administrative expenditure and workshop costs will be disbursed against statements of expenditure (SOEs) for which detail documentation evidencing expenditures would be reviewed by IMO and made available for required audit as well as Bank supervision missions.

9. Project Sustainability. By addressing the legal and institutional framework in addition to the issues of enforcement and coordination of user fees or cost recovery across countries, the project would help ensure adequate permanent financing for receiving and disposing of ship-generated waste.

10. Lessons from previous Bank/IDA Experience. There is no previous Bank experience with an international waters project benefiting a large number of countries. However, experience in preparing the GEF/World Bank financed Waste Management project for the six member countries of the Organization of Eastern Caribbean States (OECS) identified the need for strong project coordination, public awareness programs, and contracting local consultants to ensure effective project planning and coordination. These lessons have been integrated in the design of the WCISW project.

11. Rationale for GEF Funding. The project, the preparation of which was financed by a PPA, is designed to redress and prevent further pollution of an international waterway in an

area of the world which depends heavily on its coastal zone, now and in the future, for income and employment. Currently tourism and fishing revenues and public health are threatened by pollution of coastal zones, from both land and marine sources. To be effective, port reception and waste facilities need to be established throughout the WCR and a regulatory framework must be in effect throughout the region, otherwise pollution will travel with the currents. Therefore a regional approach is required under which simultaneous and coordinated efforts are initiated throughout the coastal countries and territories of the WCR. Protection of the coastal zone depends on the minimization of marine waste to the extent possible, proper land-based waste disposal and the effective management of land-based sources of pollution. The GEF funded project would lay the basis for reducing marine pollution as well as land-based sources of coastal zone pollution. This effort could provide a model for undertaking similar initiatives elsewhere in the world where multi-national cooperation on marine pollution initiatives is required, but where designation of "Special Area" status has yet to be specified. The objectives of the project would not be achieved without GEF involvement.

12. Monitoring and Evaluation. The Project Coordinator will include in the annual progress reports information on each participating country's performance against key indicators deemed to be influenced by the Project. Indicators would include the number of developing countries in the WCR adopting the following actions: (a) plans in support of waste minimization, recovery, recycling and improvement of the overall management of waste; (b) ratification of MARPOL 73/78 Convention; (c) legislation for the implementation and enforcement of MARPOL 73/78 Convention; and (d) dissemination of the Public Awareness Programs aimed at increased sensitivity to issues related to the MARPOL 73/78 Convention (Schedule C). Once the Project is declared effective, an annual set of activities and targets as per "Implementation Program" for key activities (Annex I) will be agreed upon between the Project Coordinator and the Consultants. This plan will include all activities to be undertaken for the next twelve months by each of the consultants and will be monitored by the Project Coordinator through quarterly progress reports to be submitted by each of the consultants. The plan will be revisited every nine months and extended for another year.

13. Agreements Reached.

- (a) With the countries of the WCR. As set forth in the Resolution (Annex II) drawn at the end of a WCISW Workshop held at IMO's headquarters from October 11 to 13, 1993, all countries in the WCR have agreed on the project objectives, role of IMO as a recipient and executing agency of the GET grant, costs, financing and organizational arrangements.
- (b) With IMO.

- (i) All consultancies are to be selected on the basis of the "Guidelines for the Use of Consultants by Bank Borrowers and by the World Bank as Executing Agency" published by the Bank in August 1981;
- (ii) Public awareness programs to be procured under LIB (para. 9);
- (iii) The Project is to be implemented according to the Terms of Reference shown at Annex III and the "Implementation Program" for key project activities as shown at Annex I;
- (iv) Progress reports will be furnished to the Bank, the first one 4 months after the effective date, and every 3 months thereafter; on an annual basis, these reports are to include information on each participating country's performance against key indicators deemed to be influenced by the project (para. 13);
- (v) The accounts of the Project, including the Special Account, to be audited on a semi annual basis by IMO auditors and on an annual basis by independent auditors, satisfactory to the Bank (para. 9);
- (vi) Copies of the audited statements to be sent to the Bank within one month of the end of each audited period (para. 9); and
- (vii) Rolling action plans describing the Project activities to be carried out during the following 12 months, will be furnished to the Bank 30 days after the effective date and every 9 months thereafter.

14. Conditions of Effectiveness.

- (a) Selection of the Project Coordinator; and
- (b) Submission of audit report covering all expenditures financed by the PPA in accordance with Bank guidelines.

15. Environmental Aspects. Technical advice provided under the Project would include the specification of Environmental Impact Assessment guidelines (World Bank guidelines) to be used for pre-feasibility studies of possible port reception facilities and waste disposal infrastructure in the DCWCR. The project could have significant environmental benefits over the long term, if countries of the WCR decide to ratify MARPOL 73/78 and implement the regional strategy developed under the WCISW. These benefits would include: minimizing discharge of MARPOL 73/78 waste into the international and territorial waters of the Wider Caribbean sea, protecting the environmental integrity of coastal and marine systems, and

reducing public health threats by strengthening national waste management systems throughout the WCR.

16. Project Benefits. The Project would provide the basis for member governments of the WCR to agree on a regional strategy for dealing with ship wastes and to move towards ratification of MARPOL 73/78. Such actions would, over the longer term, reap not only significant environmental and health benefits, but would also generate important economic benefits by reducing the threat to the tourist industry in the WCR caused by environmental degradation.

17. Project Risks. The project's main risks are associated with the need for many countries to act in a coordinated manner and to enter into timely agreements among themselves on regional waste management policy and international waste disposal programs. The Project Coordinator will be responsible for closely monitoring developments and for proposing to IMO mitigating actions. The risks can be kept at an acceptable level through the public awareness programs, use of NGO's whenever possible, contracting local consultants and through interactions among government representatives at the workshops.

Attachments
Washington, D. C.
June 1994

IMO¹**WIDER CARIBBEAN INITIATIVE FOR SHIP-GENERATED WASTE****Cost Estimates
(US\$ Thousands)**

Component	Local	Foreign	Total
1. Technical Assistance (of which cost of PCU)	2,450 (130)	1,503 (45)	3,953 (175)
2. Administration & Supervision		357	357
3. Workshops	50	400	450
4. Public Awareness Program		250	250
5. Contingency		490	490
TOTAL	2,500	3,000	5,500

**PROCUREMENT METHOD
(US\$ Thousands)**

Items	Other
(1) Technical Assistance	4,370
of which long term consultants	(1,137)
PCU	(189)
local consultants	(3,044)
(2) Administration & Supervision	357
(3) Workshops	497
(4) Public Awareness Program ²	276
TOTAL	5,500

^{1/} On behalf of the DCWCR.^{2/} Procurement through Limited International Bidding (LIB).

TOTAL DISBURSEMENT
(US\$ Thousands)

Items	Amount	% Financing
(1) Technical Assistance	3,953	100%
of which PCU	(175)	100%
(2) Administration & Supervision	357	100%
(3) Workshops	450	100%
(4) Public Awareness Program	250	100%
(5) Unallocated	490	
TOTAL	5,500	

ESTIMATED GRANT DISBURSEMENTS BY YEAR
(US\$ Thousands)

	CY94	CY95	CY96	CY97
Annual	290	2,100	2,300	810
Cumulative	290	2,390	4,690	5,500

Closing Date: January 31, 1998

SCHEDULE B

IMO*

WIDER CARIBBEAN INITIATIVE FOR SHIP-GENERATED WASTE

- (a) Time Taken to Prepare 6 months
- (b) Prepared by Consultants, on behalf of the DCWCR
with Bank Assistance financed by a PPA
- (c) First Bank Mission March 1993
- (d) Appraisal Mission Departure October 1993
- (e) Negotiations March 1994
- (f) Planned Date of Effectiveness June 1994
- (g) List of Relevant PCRs and PPARs None

*On behalf of the DCWCR

MONITORING INDICATORS

Indicators	Adoption by Countries (numbers)			
	CY94	CY95	CY96	CY97
(a) Actions in support of proper Waste Mgt.		4	4	6
(b) Ratification of MARPOL 73/78 Convention	8*		2	4
(c) Adoption of legislation in support of MARPOL 73/78 Convention				2
Dissemination of Public Awareness Programs		4	10	6

* Ratified MARPOL 73/78 Convention prior to June 1994.

WIDER CARIBBEAN INITIATIVE FOR SHIP GENERATED WASTE (WCISW)
IMPLEMENTATION PROGRAM

for the Developing Countries of the Wider Caribbean Region (DCWCR)

RESPONSIBILITY	EXPECTED OUTPUT	ESTIMATED COMPLETION DATE
IMO	- Conditions of Effectiveness. a- Selection of project coordinator b- Providing an acceptable legal opinion c- Auditing of the PPA - Hiring of the Technical and Legal Consultants	No later than 60 days from the date of effectiveness
Technical Consultant	a- Guide to Ports and Private Marinas requiring waste reception facilities. b- Report on the adequacy of existing Waste Management Systems to handle MARPOL 73/78 waste. c- Report on source reduction, recycling and recovery programs. d- 1st. Technical workshop. e- Report on Regional Waste Management Strategy including technical criteria for waste reception facilities at ports, harbors and marinas. f- 2nd. Technical workshop. g- Report on system deficiencies & potential remedial projects and programs. h- 3rd. Technical workshop. i- Public Awareness Program using multimedia such as T.V. and Radio in support of MARPOL 73/78 Convention.	Date from inception of the consultant's contract 9 months 9 months 9 months 12 months 21 months 24 months 26 months 30 months 24 months
Legal Consultant	a- Report to provide the rationale for a legal framework to ratify and implement MARPOL 73/78 Convention. b- 1st. Legal workshop. c- Report to include current and proposed alternatives to enforcing MARPOL 73/78 in the WCR. d- 2nd. Legal workshop.	9 months 12 months 21 months 24 months
Project Coordinator	a- Progress Report b- WCISW Final Report c- Final workshop. d- Chairman's report. e- Initiation of project completion report.	every 3 months 33 months 36 months 38 months 38 months

WIDER CARIBBEAN INITIATIVE FOR SHIP-GENERATED WASTE

RESOLUTION

Delegates representing the Governments of State and Territories in the Wider Caribbean Region, attending the Workshop on the Wider Caribbean Initiative for Ship-Generated Waste held in London (United Kingdom) from 11 to 13 October 1993;

CONCERNED that discharges of oily wastes, garbage and other substances from ships contribute significantly to the degradation of the marine and coastal environment of the Wider Caribbean Region.

RECOGNIZING that the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78) establishes the international framework for the regulation and control of such discharges,

RECOGNIZING that special arrangements are needed to provide adequate financial and technical resources to assist developing countries to develop sustainable programs to prevent and solve problems associated with all activities that threaten the marine environment,

BEING CONSCIOUS of the need to urgently undertake measures for the protection and conservation of the marine and coastal environment of the Wider Caribbean Region,

AWARE that not all States in the Wider Caribbean Region have ratified or acceded to MARPOL 73/78,

AWARE ALSO that States in the Wider Caribbean Region are in need of assistance in order to implement and enforce MARPOL 73/78,

WELCOME the Wider Caribbean Initiative for Ship-Generated Waste developed by the World Bank and funded by the Global Environment Facility, the Action Program included in it, and the assistance that will be provided under it,

RECOGNIZING that the World Bank is authorized to enter into arrangements and agreements with international organizations in order to administer and manage financing for the purpose of, and on terms consistent with, the Resolution establishing the Global Environment Facility,

INVITE the Governments concerned to ratify or accede to MARPOL 73/78 including its optional Annex V,

INVITE the international Maritime Organization to be the recipient of a Grant to be provided by the Global Environment Facility through the World Bank and act as executing agency for the Wider Caribbean Initiative for Ship-Generated Waste in cooperation with the World Bank and the Global Environment Facility,

FULLY SUPPORT the objectives of the Wider Caribbean Initiative for Ship-Generated Waste,

UNDERTAKE to cooperate to the fullest extent possible and necessary, taking into account the means available to them, in the Action Program of the Wider Caribbean Initiative for Ship-Generated Waste in order to ensure achievement of its objectives.

**Wider Caribbean Initiative for
Ship-Generated Waste
(WCISW)**

Terms of Reference for:

- *Technical Consultant*
- *Legal Consultant*
- *Project Coordinator*

The MARPOL Convention

1. Growing international concern for protection of the environment generally, including the marine environment in particular, led to the convening of the United Nations Conference on the Human Environment in 1972 which drew attention, amongst other things, to the need to protect the oceans from vessel-source pollution. A series of tanker casualties, the increasing amount of wastes dumped in the ocean and chronic pollution of beaches and coastal waters had drawn global attention to this problem.

2. The international community's response to the above concerns was the adoption, under the auspices of the International Maritime Organization (IMO) of the International Convention for the Prevention of Pollution from Ships (1973) and a Protocol to that Convention (1978), together normally referred to as MARPOL 73/78 with the aim of reducing and, if required, eliminating the long-standing practice of discharging wastes from ships into the marine environment.

3. MARPOL 73/78 requires both that ships retain their wastes on board, discharging them only at their first port of call, and that ports provide adequate reception facilities to receive these wastes.

4. Different types of substances or cargo carried by ships are addressed in the five Annexes of MARPOL 73/78 as follows:

- Annex I, oil;
- Annex II, noxious liquid substances in bulk;
- Annex III, harmful substances in packaged forms;
- Annex IV, sewage; and
- Annex V, garbage.

Ratification of MARPOL 73/78 by a State does not necessarily have to include all Annexes. Annexes III, IV and V are referred to as optional Annexes that need not be accepted by a State when it ratifies or accedes to MARPOL 73/78 (including its Annexes I and II). However, the optional Annexes cannot be ratified separately; these can only be ratified in combination with or after ratification of MARPOL 73/78 (including its Annexes I and II).

5. MARPOL 73/78 and its Annexes provide specific discharge standards for different substances. For some substances (e.g. plastics in Annex V) MARPOL 73/78 introduces a complete ban on their discharge. It also provides for the option of designating specific sea areas as 'special areas' under Annex I, II or V (or under a combination of these Annexes). Stricter discharge regulations apply to these special areas.

6. Following an IMO/UNEP sponsored workshop in Caracas, October 1990, and also the 30th session of the Marine Environment Protection Committee (MEPC) of the IMO, November 1990, several Governments in the Wider Caribbean Region (WCR) sought from the MEPC a 'Special Area' designation for the WCR's sea area under Annex V of MARPOL 73/78. Under this arrangement, ships are prohibited from discharging garbage at sea within the Gulf of Mexico and WCR. A proposal was presented to MEPC's 31st session where it was formally adopted on 4 July 1991 (MEPC Res. 48(31)). The amendment entered into force on 4 April 1993.

7. The States and Territories of the WCR were invited to examine in detail the implications of the 'Special Area' designation and to endeavor to provide adequate and acceptable reception facilities for Annex V wastes throughout the region. The 'Special Area' designation for the Wider Caribbean Region will only become effective one year after the required reception facilities are established and made operational in the ports of the region.

8. The provision of reception facilities is a major instrument in MARPOL 73/78's efforts to reduce or end the discharge of ship-generated wastes into the marine environment. Annexes I, II and V contain regulations with regard to the reception facilities that must be provided in ports, respectively for oily wastes, noxious liquid substances, and garbage. MARPOL 73/78's effectiveness in combating marine pollution from ships is as much determined by the effectiveness of its regulations regarding the provision of reception facilities as it is by the effectiveness of implementation and enforcement of its requirements concerning port inspection and reporting.

9. There are, however, other important elements that determine the effectiveness of MARPOL 73/78 worldwide and also in the WCR and more specifically, in the States and Territories of the WCR. These include that:

- the relevant national primary and secondary maritime legislation has to be in place and up to date and many of the important IMO Conventions other than MARPOL 73/78 are also ratified and implemented by adoption of national legislation;
- MARPOL 73/78, including its optional Annexes (in particular Annex V) be ratified;
- MARPOL 73/78's provisions are implemented by adoption of appropriate national legislation and that there exists an effective institutional framework both for the legislative processes for the drafting and adoption of the necessary laws and an effective maritime administration for the overview, implementation and enforcement thereof;
- MARPOL 73/78's provisions are actively enforced by the States and Territories in the WCR to ensure full compliance with its regulations;

- other relevant international instruments (e.g. the Cartagena Convention, the London Convention, the Vina del Mar Agreement, and the Basel Convention) should also be ratified and implemented; and
- reception facilities for ship-generated wastes be provided, the institutional arrangements for the effective operation of these facilities be in place, and strategies and infrastructure for the effective management (e.g. treatment, disposal) of these wastes also be developed.

10. In the WCR (and in other regions of the world for that matter), MARPOL 73/78 is not yet as effective as it could and should be. Whilst it is not possible precisely to analyze the causes within the framework of this document, it is possible to give some indications of the current situation.

11. National primary and secondary maritime legislation in many developing countries of the WCR needs to be further developed or updated. In some cases, there is not even legislation covering the main institutions of law, which is the necessary foundation of a maritime legal regime. In others general enabling and primary maritime legislation may be in place, but the necessary regulations and other measures necessary to give the enabling legislation practical effect have either not been developed or may not be up to date or effective. Some progress has been made in some countries in this area in respect of enactment of shipping legislation or updating outdated legislation, or both, as a result of, among other developments, bi-lateral projects, the appointment of a Regional Maritime Safety Adviser for the Caribbean by the IMO, and the appointment of a Regional Consultant on Marine Pollution, Port Safety and Security for the Wider Caribbean. Another important initiative is the LEGISMAR project in 5 Central American States established under UN auspices with the IMO as executing agency to promote adoption and implementation of comprehensive maritime legislation. In spite of the efforts through these and other projects, however, much remains to be done.

12. Many States and Territories in the Wider Caribbean have not ratified a substantial number of important safety related IMO Conventions. The Annex to this document provides an overview of the present status of ratification of such Conventions.

13. MARPOL 73/78 has not been ratified by a substantial number of States and Territories in the WCR. The Annex to this document also provides an overview of the present status of ratification of MARPOL 73/78.

14. The lack of national maritime legislation is especially great in relation to implementation of MARPOL 73/78 despite the excellent initiatives that have already been launched by the various IMO resident experts and numerous ad hoc consultants employed by the IMO and concerned States and international organizations in this area. In addition, coordination of legislation is lacking in the area as a whole and in most of its sub-regions. There is virtually a tabula rasa for development and enactment of the necessary primary and

secondary legislation, to encourage and enable ratification of MARPOL 73/78, etc.. This situation presents a unique opportunity to develop legislation in the region on a harmonized and a coordinated basis, which is vital to the successful operation of MARPOL 73/78 and especially its Annexes I, II and V.

15. Information with regard to the availability of the various types of reception facilities for the reception of wastes in the ports and harbors of the WCR is incomplete. A number of publications (Lloyd's Ports of the World 1993, a document by the International Chamber of Shipping submitted to the MEPC in 1990, and the MEPC Circular 234 containing information provided by Contracting Parties about reception facilities for oily wastes) provide information about the situation with regard to the availability of such facilities in ports in the WCR, but this information is in some cases several years old, and in all cases incomplete. A special survey reviewing port reception and disposal facilities for garbage in the Wider Caribbean was carried out in 1991 by Environmental Resources Ltd. for the IMO and the World Bank. It indicates that it is more than likely that facilities for the reception of ship-generated wastes are not available in many of the ports and harbors of the WCR.

16. It is generally recognized that the most important problem of ship-generated wastes may not be the reception of such wastes in ports, but the management and disposal or treatment of these wastes once they have been brought into ports. This issue was also addressed in the Environmental Resources Ltd. study of 1991.

Objectives

17. Project activities are conceived as the first phase of a longer term process of cleaning up and protecting the Wider Caribbean Seas. The objective of this first phase program is to provide the basis for ratification and implementation of the MARPOL 73/78 convention by the developing countries of the WCR. Project activities would contribute to this objective by providing governments with (i) information on legal, technical, and institutional measures needed on a regional and national basis to implement MARPOL 73/78; and (ii) a forum for considering options and for reaching a regional consensus on the actions to be taken. Assuming that the States and Territories of the WCR decide to ratify and implement MARPOL 73/78 building on this project's outputs, a second phase program could be agreed with international donor community support, consisting of investments in port reception facilities, waste management infrastructure, and institutional training programs, that would contribute to the longer term goal of ending the discharge of all ship-generated waste into international waters, exclusive economic zones and territorial seas of the Wider Caribbean, and thereby protecting the environmental integrity of Caribbean coastal and marine systems.

**Wider Caribbean Initiative for
Ship-Generated Waste**

Terms of Reference Technical Consultant

Action Program

The Technical Consultant's Task

1. The services to be provided under the Terms of Reference of the Wider Caribbean Initiative for Ship-Generated Wastes (WCISW) involve the completion of the following tasks to be carried out in conjunction with other international, regional and national organizations under the management of the Technical Consultant, in cooperation with the Project Coordinator based at the IMO, the Legal Consultant and the World Bank. The Technical Consultant's responsibilities are divided into three stages, of which stages 2 and 3 can to some extent be carried out concurrently.

2. Stage 1, Project Preparation

- (a) To develop cooperation with IMO's regional advisers including national, regional and international institutions involved in the issues addressed by the WCISW and to coordinate activities with the relevant ongoing activities of IMO's regional advisers as well as national and regional institutions in order to achieve optimal effectiveness of the various activities and initiatives, and to avoid duplication and/or incompatibility of efforts.
- (b) To carry out introductory and fact-finding visits relating to ongoing projects and other work of persons and other organizations involved therein, relevant to technical infrastructure for the implementation of MARPOL 73/78 including the land-based management of solid and liquid wastes as it affects ports. To identify local technical experts in this field.
- (c) In discussion with concerned government and regional agencies, to determine which commercial ports, harbors and anchorages in the developing countries of the WCR should ensure that port reception facilities are provided for Annex I, II and V wastes respectively.
- (d) To develop a complete and up-to-date inventory (and quality assessment) of port reception facilities for all types of wastes (including technical and operational details) available in commercial ports, harbors and anchorages in the WCR.
- (e) To develop a complete and up-to-date inventory (and quality assessment) of port reception facilities for waste (including technical and operational details) available in marinas in the WCR.
- (f) To review and evaluate existing waste management (collection, treatment and disposal) systems in each of the developing countries of the WCR, including the institutional set-up for these systems.

3. Stage 2, Activities Aimed at the Wider Caribbean Region

- (g) To identify specific technical requirements for the development of an effective system of enforcement of MARPOL 73/78 regulation in the WCR to ensure full compliance by all parties involved.**
- (h) To promote the reduction of wastes at source in coordination with shipping and cruise lines, non-governmental organizations and any other entities that might be able to provide a useful contribution, and to develop outline proposals for the operationalization of region-wide recycling and waste recovery initiatives.**
- (i) To develop awareness programs in close cooperation with relevant international and non-governmental organizations at the regional and sub-regional level to promote the objectives of the WCISW and the success of the activities carried out within the framework of the WCISW, in particular to ensure that the public in all the countries concerned understand the need and reasons for the measures to be taken, the need to ensure and, as appropriate, to participate in compliance therewith, and are fully aware of the benefits that they will derive therefrom.**

4. Stage 3, Activities Aimed at Individual States and Territories

- (j) To develop integrated national and/or regional waste management strategies. Typical strategy blueprints would be developed for groups of countries and/or territories with similar characteristics and conditions (e.g. small island states, large mainland ports etc.)**
- (k) To formulate detailed acceptable technical criteria that can be applied in the WCR and further refined for specific local conditions for waste reception facilities at ports for Annexes I, II and V wastes from ships, including collection, transport, treatment and disposal procedures, and taking into account the need for cost minimization, technical appropriateness, environmental considerations, etc.**
- (l) To develop methods, and provide guidelines, for the assessment and evaluation of the economic and environmental impact of reception facilities and associated waste management systems, and to develop tariffs for the use of these facilities including proposals for viable cost recovery systems.**
- (m) To develop and define the mechanisms for providing assistance and technical support to national and/or local Governments or port authorities in the operation of reception facilities and associated waste management systems as required by MARPOL 73/78 and in developing and implementing new waste management strategies. This effort should be closely coordinated with the World Bank and other potential donors.**

- (n) With the assistance of governments, regional agencies, NGOs and consultants as necessary, identify the key deficiencies in physical infrastructure and institutional arrangements which constitute constraints in the implementation of MARPOL 73/78 convention in each of the developing countries of the WCR. Attention must also be given to the organizational aspects of reception and management of wastes, including the financial and institutional aspects and the requirements for training of local staff. Identify actions and interventions required to address these deficiencies.

Scope of Work

5. The activities to be carried out by the consultants, coordinated closely with IMO and the World Bank, involved in the WCISW, will include the preparation of data inventories and reports, drafting of agreements and legislation, the convening of legal and technical workshops, and visits and high level missions to all the developing countries of the WCR when possible.

Six workshops are envisaged in the WCISW:

- two legal workshops, the first focusing on national legislation necessary for the implementation of MARPOL 73/78 and the second focusing on enforcement of MARPOL 73/78;
- three technical workshops, the first focusing on the reduction at source of wastes and the existing provision for port reception of wastes in the region, the second focusing on the strategy blueprints for reception and associated waste management systems and technical criteria for reception facilities, and the third on the country-specific key deficiencies identified, and possible mechanisms for addressing these deficiencies; and
- a final workshop to discuss the outcome of the WCISW, to discuss the actions required to bring about full effectiveness of the special area designation of the Caribbean under MARPOL, and to present these findings to the international funding agencies.

6. In recent years a considerable amount of work has already been undertaken on the review and assessment of maritime legislation in the WCR (though mostly in relation to ship safety) and of solid waste management systems by a variety of agencies including the IMO and regional bodies and Governments. It is important that any consultants involved in the WCISW avoid duplication of effort by reviewing in detail all studies carried out to date, by making full use of the results of the work that has already been carried out, and by coordinating their activities with others already active in similar fields of activity in the WCR, including the IMO Regional Maritime Safety Adviser for the Caribbean and the Regional Consultant on Marine Pollution (as indicated in the following paragraph).

7. The following list of persons, initiatives and activities is not exhaustive and provides an indication of other initiatives and activities with which some form of coordination or cooperation might be useful for the WCISW:

- Caribbean Action Plan and the Cartagena Convention;
- the IMO/Norway Cooperation Program's Regional Maritime Safety Adviser for the Caribbean;
- the Regional Consultant on Marine Pollution, Port Safety and Security (Wider Caribbean) financed by the US Coast Guard;
- IMO regional Coordinator on Marine Environment Protection for Latin America;
- ROCRAM, ROCRAM/CA;
- LEGISMAR project executed by the IMO and UNCTAD;
- The OECS (Organization of Eastern Caribbean States) Waste Management Project; and
- the efforts by IMO's Marine Environment Protection Committee (MEPC) to develop a Manual on Reception Facilities.

Furthermore, several regional and sub-regional organizations in the WCR may be active in areas that are relevant to the objectives of the Wider Caribbean Initiative for Ship-Generated Wastes.

8. The scope of work of the various activities of the Technical Consultant outlined in the previous chapter will be as follows:

9. Technical Consultant.

- (a) Cooperation and Coordination. A small technical steering committee composed by the Project Coordinator and the Technical Consultant, composed of high level representatives from among the developing countries of the WCR will be established to ensure progress of the WCISW, its Action Program and coordination with other initiatives. The representatives should total only five or six persons drawn from Government departments involved in providing for the technical infrastructure for the reception and management of wastes from ships (e.g. the Departments of Transport, Finance, Economic Affairs, Public Health, Environment, as appropriate, etc).

- (b) **Fact-finding regarding technical infrastructure.** The Technical Consultant will assist in the establishment of teams of technical experts in each developing country of the WCR (or combinations of countries) as task forces for managing the preparation of the development of reception facilities and related waste management systems. As in the case of the Steering Committee, these national task forces will include representatives both skilled and involved in developing such facilities drawn from Government departments involved in this process such as, possibly, Maritime Transport Departments, Port Authorities, Environment and Public Health Authorities as required. It should also be considered whether companies involved in the construction and operation of such facilities and systems can be involved in these task forces.
- (c) **Identification of ports that require reception facilities.** The Technical Consultant will determine which port reception facilities are required in the ports and harbors in the developing countries of the WCR in order to comply with the relevant Regulations of MARPOL 73/78. Criteria to be used are given in MARPOL 73/78:

In Annex I, Regulation 12(2) provides guidance as to which ports need Annex I reception facilities:

- (i) all ports and terminals in which crude oil is loaded into oil tankers where such tankers have immediately prior to arrival completed a ballast voyage of not more than 72 hours or not more than 1,200 nautical miles;
- (ii) all ports and terminals in which oil other than crude oil in bulk is loaded at an average quantity of more than 1,000 metric tons per day;
- (iii) all ports having ship repair yards or tank cleaning facilities;
- (iv) all ports and terminals which handle ships provided with the sludge tank(s) required by Regulation 17 of this Annex;
- (v) all ports in respect of oily bilge waters and other residues, which cannot be discharged in accordance with Regulation 9 of this Annex; and
- (vi) all loading ports for bulk cargoes in respect of oil residues from combination carriers which cannot be discharged in accordance with regulation 9 of this Annex.

In Annex II, Regulation 7(1) provides guidance as to which ports need Annex II reception facilities:

- (i) cargo loading and unloading ports and terminals shall have facilities for reception without undue delay to ships of such residues and mixtures containing noxious liquid substances as would remain for disposal from ships carrying them as a consequence of the application of this Annex; and
- (ii) ship repair ports undertaking repairs to chemical tankers shall have facilities adequate for the reception of residues and mixtures containing noxious liquid substances.

In Annex V, Regulation 7(1) provides guidance as to which ports need Annex V reception facilities. These are the most straightforward in this respect: all ports and terminals (including marinas) should have reception facilities for garbage.

- (d) Inventory of reception facilities in commercial ports, harbors and anchorages. The Technical Consultant will be responsible for compiling a detailed inventory of existing reception facilities in ports and harbors in the Region. This inventory will indicate which facilities are available in which ports and will also indicate which facilities still have to be developed. All commercial ports, harbors and anchorages in the developing countries of the WCR will be included in the inventory.
- (e) Inventory of reception facilities in marinas. The Technical Consultant will be responsible for compiling a detailed inventory of existing reception facilities in marinas in the developing countries of the WCR. The inventory should focus its attention on reception facilities for oily wastes and garbage.
- (f) Waste management systems assessment. The Technical Consultant will be responsible for compiling a detailed inventory of existing waste management facilities in the developing countries of the WCR as these relate to ports, harbors and marinas. Details of shore-based waste collection, treatment and disposal systems as they currently relate to or are likely to relate to port reception of MARPOL Annex I,II and V wastes will be collected and analyzed. Assessment will be made as to the adequacy of current arrangements. The Technical Consultant will collect any information available on the issue, including the information available as a result of the OECS Waste Management Project.
- (g) Technical requirements for enforcement. The results of the review of specific technical requirements for the development of an effective system of enforcement of MARPOL 73/78 regulations will be incorporated in the

enforcement strategy developed by the Legal Consultant for discussion at the second legal workshop.

- (h) Waste reduction at source. The options for waste reduction at source, waste recovery and recycling will be investigated by the Technical Consultant and proposals made to encourage such initiatives. In collaboration with the Project Coordinator, the Technical Consultant will organize the first technical workshop for and in cooperation with the industry involved (e.g. packaging industry, shipping and cruise lines, non-governmental organizations) to discuss options for the reduction of wastes at source (in particular with regard to limiting the amounts of packaging used for supplies). This first workshop will also discuss the coverage and adequacy of existing reception facilities in the Region.
- (i) Awareness Programs. Strategies will be developed by the Technical Consultant in close coordination with the Project Coordinator, the Legal Consultant and the IMO for developing public awareness programs to appreciate the need for and benefits to be derived from the adoption of legislation required to implement MARPOL 73/78, from compliance therewith and participation therein, and from the provision of reception facilities.
- (j) Development of National or Regional Waste Management Strategies. The Technical Consultant will be responsible for the development of waste management strategies at a national and regional level where appropriate. It is anticipated that generic strategies can be developed which will provide a blueprint for the development of individual country strategies (e.g. one for small island states, one for large mainland ports etc.). The opportunities for regional co-operation will have to be determined based on the experience of, and in close co-operation with the OECS Waste Management Project. Options for regional cooperation and the establishment of regional waste management (e.g. by strategic treatment centers) need to be considered, taking into account legal issues related to the export of wastes if wastes are to be treated at centers servicing more than one port and more than one country.
- (k) Technical Criteria for Reception Facilities. All three relevant Annexes of MARPOL 73/78 (I, II & V) provide guidance as to certain technical requirements and necessary capacity for the different types of reception facilities. The Technical Consultant will use these guidelines, the assessment of existing reception facilities and discussions with national governments in the region to develop technical criteria and guidelines for port reception facilities in the region, and for the associated waste management systems. At the second technical workshop the consultant would present for discussion the typical waste management strategies and the proposed technical criteria for reception facilities and associated waste management systems. Part of the workshop would focus on the work currently undertaken by the IMO to

develop a manual on reception facilities and would involve companies active in the field of constructing and operating such facilities. The objective would be to discuss and further develop technical criteria for use in the developing countries of the WCR. It could be useful to organize different sessions within the workshop for the three different Annexes of MARPOL 73/78; priority could then be given to reception facilities and waste management strategies for Annex V wastes.

- (l) Economic and environmental impact, costs and cost-recovery of reception facilities. The Technical Consultant, in collaboration with the Project Coordinator, the Legal Consultant, an economist and NGO's would establish guidelines for the evaluation of proposed port reception facilities and associated systems for the collection, treatment and disposal of wastes in terms of economic (and financial) feasibility, and environmental impact. The guidelines would focus on methods for evaluating economic benefits, potential cost recovery mechanisms, and the methodology for undertaking Environmental Impact Assessments (EIAs) for the facilities and systems. The EIA guidelines should focus in particular on the treatment and final disposal methods adopted for MARPOL Annex I, II and V wastes.
- (m) Assistance in the Operation of Reception Facilities and Waste Management Systems. The Technical Consultant, in discussion with regional and international organizations, NGOs and national governments, will develop mechanisms for assisting governments with the management, operation and maintenance of their port reception facilities and associated waste management systems. *Inter alia*, operational guidelines will be developed, and training and problem solving seminars will be organized for operators of reception facilities. These training sessions will also provide an opportunity to encourage and promote regional harmonization in the operation of such facilities and systems.
- (n) Identification of Key System Deficiencies and Potential Projects to Address These Deficiencies. The Technical Consultant will, with the assistance of governments, regional agencies, NGOs and consultants as necessary, identify the key deficiencies in physical infrastructure and institutional arrangements which constitute constraints to the provision of adequate port reception facilities and associated waste management systems in each of the Wider Caribbean countries. Attention will particularly be given to the organizational aspects of reception and management of wastes, including the financial, environmental and institutional elements of the systems and the requirements for training of local staff. The Technical Consultant, in discussion with all concerned parties, will then go on to identify actions and interventions required to address these deficiencies. The third technical seminar to be arranged by the Technical Consultant, in collaboration with IMO, the Project Coordinator and the , will discuss national and regional deficiencies and the

potential projects and programs required to address these deficiencies. It is anticipated that the potential projects and programs emerging from these discussions would constitute Phase II of the project and will be carried forward for presentation at the final WCISW Project Workshop.

Outputs

10. The Technical Consultant will provide brief (2 to 3 pages) quarterly reports on the progress of all activities relating to his/her scope of work based on a pre-agreed schedule of activities. These will be submitted to the Project Coordinator for consolidation with other progress reports and submitted to the IMO/.

Other specific outputs will be as follows:

11. Stage 1

I. Guide to port reception facilities in commercial ports

A guide to port reception facilities in commercial ports and harbors will be published 9 months after commencement of the contract.

II. Guide to port reception facilities in marinas

A guide to port reception facilities in marinas will be published 9 months after commencement of the contract.

III. Report on waste management systems

A report outlining, in brief, the adequacy of waste management systems in the Wider Caribbean serving the identified ports, harbors and marinas will be published 9 months from the date of the commencement of the contract.

IV. Source reduction, recycling and recovery of wastes

A action plan in support of waste minimization, recovery and recycling initiatives, and details of any proposed regional initiatives in this regard will be agreed and reported upon 9 months after the date of the commencement of the contract.

12. Stage 2 and 3

V. Technical Report on Technology available for Enforcement Efforts

A report will be incorporated in the strategy for enforcement developed by the Legal Consultant identifying practical and cost-effective technical means available to support efforts aimed at increasing compliance with MARPOL 73/78.

VI. Awareness Programs

Awareness Programs will be detailed in consultation with the Project Coordinator, Legal Consultant and the and presented 24 months after commencement of the contract.

VII. First Technical Workshop (to be undertaken within 12 months after the commencement of the contract)

The first Technical Workshop will discuss the reduction at source, recovery and recycling of waste and review the adequacy of existing facilities for the reception of MARPOL Annex I, II and V wastes. The Technical Consultant will prepare a report on the proceedings of this workshop focusing on agreed actions.

VIII. Regional Waste Management Strategy Report

A report will be published before the second Technical Workshop containing an assessment of the current waste management strategies and outlining proposals for new national and regional waste management strategies relating to MARPOL Annex I, II and V wastes.

IX. Technical Report on Port Reception Facilities

A report will be published before the second Technical Workshop with technical criteria for port reception facilities for ports and harbors in the developing countries of the WCR. This report will also include recommendations with regard to cost recovery, methods for an assessment and evaluation of the economic and environmental impact of such facilities, waste management (disposal, treatment, etc.) and other relevant issues.

X. Second Technical Workshop (to be undertaken after 12 months after the first workshop)

The Second Technical Workshop will discuss technical and economic issues related to the operation of port reception facilities and waste management systems, and associated requirements for economic and environmental assessment and evaluation. The Technical Consultant will prepare a report on the proceedings of this workshop focusing on agreed actions.

XI. System deficiencies and potential remedial projects and programs

Based on the earlier review of existing reception facilities and associated waste management systems (outputs III and IV), and on the outcome of the second technical workshop, the Technical Consultant will co-ordinate efforts in the developing countries of the WCR to develop projects and programs to address these deficiencies.

XII. Third Technical Workshop (to be undertaken within 6 months after the second workshop)

The Third Technical Workshop will discuss the national and regional programs and projects developed to enable the developing countries of the WCR to comply with the requirements of MARPOL 73/78 under Annexes I, II and V. The Technical Consultant will prepare a report on the proceedings of the workshop identifying and defining potential "hardware" and "software" project packages at the national and regional level. This report will be submitted to the Project Coordinator who will consolidate it with a similar final report from the Legal Consultant for distribution prior to the final workshop.

13. All the work to be covered under the WCISW initiative is expected to conclude within three years from the date of finalization of the contractual agreements with the consultants. Following the third technical workshop and the second legal workshop, the Project Coordinator, assisted by the two consultants, is expected to produce the final WCISW document that defines all the activities and investments proposed for Phase II of the initiative to be funded by donors, international and regional institutions and national governments. This document will be tabled at the final workshop.

Wider Caribbean Initiative for Ship-Generated Waste

Terms of Reference Legal Consultant

Action Program

The Legal Consultant's Task

1. It is envisaged that the services of both legal and technical consultants will be required to execute the Wider Caribbean Initiative for Ship-Generated Wastes (WCISW), supported by a Project Coordinator based at the International Maritime Organization (IMO) and that the legal and technical services will be carried out, to the extent possible, in parallel. The legal consultant will have to take cognizance of the fact that there is a variety of legal systems in the area, including civil and common law systems, and that legislation will need, as appropriate, to be drafted in the relevant languages (English, French, Dutch, Spanish).
2. The services to be provided under the Terms of Reference of the Wider Caribbean Initiative for Ship-Generated Wastes (WCISW) involve the completion of the following tasks to be carried out by the Legal Consultant in cooperation with the Project Coordinator based at the IMO and the Technical Consultant and the .
3. Stage 1, Project Preparation
 - (a) To identify the legal requirements available under MARPOL 73/78 and its Protocols and any national laws for achieving its objectives and promoting compliance available under other instruments, such as the London, Cartagena and Basel Conventions and the Vina del Mar Agreement on Port State Control, paying particular attention to their usefulness in achieving the Special Areas status accorded to the WCR under Annex V of MARPOL 73/78.
 - (b) To develop cooperation with IMO's regional advisers including national, regional and international institutions involved in the issues addressed by the WCISW and to coordinate activities with the relevant ongoing activities of IMO's regional advisers as well as national and regional institutions in order to achieve optimal effectiveness of the various activities and initiatives and to avoid duplication or incompatibility of efforts or both.
 - (c) To carry out studies and introductory fact-finding visits in order:
 - (i) to identify and assess ongoing projects and the work of individuals and organizations involved therein insofar as this is relevant to drafting and implementation and enforcement of related legislation;
 - (ii) to identify local lawyers and other experts who could be built into teams (task forces) for drafting legislation taking into account the need to include, as appropriate, technical and economic experts drawn from concerned Government departments, shipping and port authorities, public health and marine environment protection agencies;

- (iii) to evaluate the documentation provided by the developing countries of the WCR to the Workshop held at the IMO from 11-13 October 1993 on existing legislation and related matters, to identify gaps therein and to investigate the reasons therefore during the fact-finding visits.
- (d) To carry out introductory and fact-finding visits relating to ongoing projects and other work of persons and other organizations involved therein relevant to existing legislation.
- (e) To make an inventory of and to review and evaluate existing legislation and policy for the implementation of MARPOL 73/78 in the developing countries of the Wider Caribbean Region, including related collection, treatment and disposal of ship-generated waste and legislation relevant to promoting the "Special Area" status of the WCR.
- (f) To analyze the reasons why several developing countries of the WCR have not ratified MARPOL 73/78 and its optional Annexes.
- (g) To develop model legislation for the implementation and enforcement of MARPOL 73/78 that can be used by the developing countries of the WCR for the development of national legislation, taking into account, to the extent appropriate, the "Guidelines for the Drafting of Maritime Legislation" produced by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), the diversity of languages, legal systems and special requirements for some of the developing countries of the WCR such as the preservation of the "fruit fly free" status of Grenada and St. Vincent and the Grenadines *vis-à-vis* the United States of America.
- (h) To develop a strategy to increase the level of ratification of MARPOL 73/78 and its optional Annexes on the basis of the analysis indicated under f, in consultation with other concerned resident advisers in the region and various concerned regional and sub-regional organizations such as the CARICOM, and for development of the necessary legislation to remedy the deficiencies of the State, as required.

4. Stage 2, Activities Aimed at the Wider Caribbean Region

- (a) To make an inventory of and to assess current efforts for the enforcement of the discharge provisions of MARPOL 73/78 (through port State control and monitoring, surveillance and enforcement at sea in conformity with the requirements of international law) by countries in the WCR, whether by means of administrative measures or use of naval or air forces, non-military vessels or aircraft on official Government duties.
- (b) To prepare a strategy to improve and coordinate efforts for the enforcement of the discharge provisions of MARPOL 73/78 (through port State control and at sea) and

other means of compliance therewith by the developing countries of the WCR individually or through cooperative efforts by all or several States based on the analysis developed under (a), taking account of developments concerning the conclusion of a Memorandum of Understanding on Port State Control for the WCR following the models of the Paris and Vina del Mar agreements.

- (c) To assist the Technical Consultant in the development of public awareness in the need for and benefits to be derived from full compliance with MARPOL 73/78 Convention

5. Stage 3. Activities Aimed at Individual States and Territories

- (a) To actively assist those States in the WCR which the evaluations have shown to have no (adequate) national legislation for the implementation of MARPOL 73/78 and its optional Annexes in the development or improvement of such legislation and the building or improving of the required institutional arrangements for drafting of such legislation and providing an effective maritime administrative administration for its implementation, including by relevant Government departments, agencies and port authorities.
- (b) To plan and assist in cooperation with the IMO, and other concerned international and regional institutions, training sessions for legal draftsmen and others involved in the drafting of legislation and technical regulations for the implementation of MARPOL 73/78.
- (c) Similarly, to plan and assist training sessions for those involved in the enforcement of MARPOL 73/78.

Scope of Work

6. The activities to be carried out by the consultants, coordinated closely with IMO and the , involved in the WCISW will include the preparation of data inventories and reports, drafting of agreements and legislation, the convening of legal and technical workshops, visits and high level missions to all developing countries of the WCR as and when possible.

Six workshops are envisaged in the WCISW:

- two legal workshops, the first focusing on national legislation necessary for the implementation of MARPOL 73/78 and the second focusing on enforcement of MARPOL 73/78;
- three technical workshops, the first focusing on the source reduction of wastes and the existing provision for port reception of wastes in the region, the second focusing on the strategy blueprints for reception and associated waste management systems

and technical criteria for reception facilities, and the third on the country-specific key deficiencies identified, and possible mechanisms for addressing these deficiencies; and

- a final workshop to discuss the outcome of the WCISW, to discuss the actions required to bring about full effectiveness of the special area designation of the Caribbean under MARPOL, and to present these findings to the international funding agencies.

7. In recent years a considerable amount of work has already been undertaken on the review and assessment of maritime legislation in the WCR (though mostly in relation to ship safety) and of solid waste management systems by a variety of agencies including the IMO and regional bodies and Governments. It is important that any consultants involved in the WCISW avoid duplication of effort by reviewing in detail all studies carried out to date, by making full use of the results of the work that has already been carried out and by coordinating their activities with others already active in similar fields of activity in the WCR, including the IMO Regional Maritime Safety Adviser for the Caribbean and the Regional Consultant on Marine Pollution (as indicated in the following paragraph).

8. The following list of persons, initiatives and activities is not exhaustive and provides an indication of other initiatives and activities with which some form of coordination or cooperation might be useful for the WCISW:

- Caribbean Action Plan and the Cartagena Convention;
- the IMO/Norway Cooperation Program's Regional Maritime Safety Adviser for the Caribbean;
- the Regional Consultant on Marine Pollution, Port Safety and Security (Wider Caribbean) financed by the US Coast Guard;
- IMO regional Coordinator on Marine Environment Protection for Latin America;
- ROCRAM, ROCRAM/CA;
- LEGISMAR project executed by the IMO and UNCTAD;
- The OECS (Organization of Eastern Caribbean States) Waste Management Project; and
- the efforts by IMO's Marine Environment Protection Committee (MEPC) to develop a Manual on Reception Facilities.

Furthermore, several regional and sub-regional organizations in the WCR may be active in areas that are relevant to the objectives of the WCISW.

9. The scope of work of the various activities of the Legal Consultant outlined in the previous chapter will be as follows:

10. Legal Consultant

- (a) Identification of legal requirements and remedies. This effort is aimed at promoting an appropriate national/regional legal and institutional framework to facilitate compliance with MARPOL 73/78 throughout the WCR.
- (b) Cooperation and coordination. A small legal steering committee composed by the Project Coordinator and the Legal Consultant, comprising high level representatives from the WCR's Spanish, English, Dutch and French speaking countries will be established to ensure progress of the WCISW, its Action Program and coordination with other initiatives. The representatives should total as a maximum only five or six persons drawn from Government Departments involved in drafting maritime legislation (e.g. the Attorney General's Office, Departments of Transport, Finance, Economic Affairs, Public Health, Environment, as appropriate), CARICOM, etc.
- (c) Studies and fact-finding regarding legislation and local expertise. Teams of legal and other experts will be established in each country (or in combinations of countries) as task forces for drafting legislation. As in the case of the steering committee, these national task forces will include representatives skilled in and involved in drafting of maritime legislation drawn from Government departments involved in this process such as possibly Attorney General Offices, Maritime Transport Departments, Port Authorities, Environment and Public Health Authorities as required for the particular laws and regulations in issue.
- (d) Inventory of existing national legislation. The inventory and analysis will address and take account of the following issues:
 - availability and adequacy of primary legislation that is relevant to maritime legislation in general and to legislation for the implementation and enforcement of MARPOL 73/78 in particular, taking due account of the differences in the legal systems in the region,
 - current status of national legislation with respect to the prevention of marine pollution from ships,

- availability and adequacy of institutional and other administrative arrangements in the maritime field in general and for the prevention of marine pollution from ships in particular,
- ongoing efforts to improve or develop maritime legislation in general and legislation for the implementation and enforcement of MARPOL 73/78 in particular, and
- identification of developing countries of the WCR that will require assistance or further assistance in improving or developing maritime legislation in general and legislation for the implementation and enforcement of MARPOL 73/78 in particular including secondary legislation for implementation of its Annexes and regulations. A first legal workshop will be organized at a later date to discuss such proposals or requests as have been made concerning countries that require assistance in order to develop the necessary national legislation and the form such assistance should take. The Legal Consultant may him/herself offer assistance with drafting or arrange for a suitably qualified (i.e. in respect of language and legal systems and maritime expertise) expert to provide assistance. This workshop should also discuss such strategies as have been proposed for increasing the level of ratification of MARPOL 73/78. If the number of countries requiring assistance is high, the workshop should consider identifying countries or groups of countries, or both, for which pilot projects will be developed. The possibilities of model legislation or guidelines for drafting maritime legislation should also be considered at this stage and any drafts developed should be put before the workshop.

- (e) Analysis of reasons why MARPOL 73/78 has not been ratified by some of the developing countries of the WCR. By the time of the first legal workshop the consultant, having reviewed the information available, including the information on their national legislation made available to IMO by the delegates to the London Workshop and appraised him/herself of deficiencies in the region concerning legislation, will report his/her analysis of the reasons for this, which will be discussed by the workshop with a view to developing and implementing a strategy to overcome these.
- (f) Model legislation. Model legislation should be developed. The ESCAP Guidelines for Maritime Legislation might form a basis for this but more specific and detailed models are likely to be required which will take account of the differences in legal systems and languages and the special requirements of particular countries. The model legislation that is to be developed should provide a basis for harmonization on a regional basis of the laws developed within each of legal systems (i.e. in each of the different language and legal system areas) such as to enable an effective regime for implementation and enforcement of MARPOL 73/78 throughout the region so

that no safe havens are created where otherwise illegal discharges may legally take place.

- (g) MARPOL ratification strategy. The first legal workshop should discuss the strategy to increase the level of ratification of MARPOL 73/78 as well as proposals concerning which developing countries in the WCR should be given assistance for the development of the necessary national legislation (as indicated under (c)).
- (h) Analysis of efforts to enforce and ensure compliance. An analysis of enforcement/compliance efforts will be carried out after the necessary data have first been gathered. A report thereon will be presented to the second legal workshop. The analysis will relate to the types and number of vessels and aircraft used in surveillance and enforcement, the number and nature of violations reported to flag States concerned, the most cost-effective methods, the economic and practical benefits of joint enforcement schemes, and identification of possible models for this. Alternative methods of enforcement by inspections in port and reports to flag States and IMO will also be analyzed as well as the possible harmonization of such inspections as addressed in ongoing efforts by the IMO based on models such as the Paris and Vina del Mar agreements.
- (i) Strategy to improve enforcement/compliance efforts. The second legal workshop will discuss the strategy for the enforcement of the discharge provisions of MARPOL 73/78 and decide on specific activities to be undertaken to that effect and any other further institution building that may be required. The need for harmonized criteria or guidelines for port inspections will be considered as will the harmonization of fines and other penalties and sanctions throughout the WCR as a whole.
- (j) Development of national legislation (including legal institution building). The first legal workshop, if necessary divided in different sessions for the different language and legal system areas, will discuss what laws need to be developed and, if possible, where efforts should be directed in developing specific legal action programs for the various countries and what special needs have to be provided for such as e.g. Grenada's 'fruit fly free' status with the United States of America. Task forces will be established nationally in each country, in consultation with the Legal Consultant, consisting of local lawyers, technical and economic experts for the purpose of drafting legislation to implement MARPOL 73/78, including the required regulations. The likely need of outside assistance for these task forces will be evaluated and discussed at the first legal workshop.
- (k) Training sessions for drafting of legislation. Training programs and/or problem solving seminars, as and when appropriate, will be organized on a sub-regional basis to assist legal draftsmen and others concerned in the enactment of legislation to solve

any problems they may encounter in developing this legislation for their respective countries. To the extent possible, experts from the countries within the sub-regions will be encouraged to assist each other by organizing such training and problem-solving sessions or exchanging experts within the different language and legal system areas. Such training sessions may be organized either in conjunction with the first and second workshops or separately, according to which is determined to be the most cost-effective option.

- (l) Training sessions for enforcement efforts. Training programs will be developed for legal draftsmen, enforcement officers, port officials and others involved in the enforcement processes, including surveyors and others operating the port State inspection system introduced by MARPOL 73/78. **Outputs**

11. The Legal Consultant will provide brief (2 to 3 pages) quarterly reports on the progress of all activities relating to his/her scope of work based on a pre-agreed schedule of activities. These will be submitted to the project Coordinator for consolidation with other progress reports to be submitted to the IMO/.

Other specific outputs will be as follows:

12. Stage 1.

I. Legal Inventory.

A report will be published before the first legal workshop containing the following elements:

- an inventory and analysis of existing legislation for the implementation of MARPOL 73/78 in all the developing countries in the WCR;
- proposals for model legislation as appropriate for the different language and legal system areas (French, English, Dutch and Spanish) in the developing countries of the WCR;
- an analysis of reasons why MARPOL 73/78 and/or its optional Annexes have not been ratified (where appropriate);
- a strategy to increase ratification of MARPOL 73/78 and its optional Annexes.

II. First Legal Workshop.

The first Legal Workshop will be held at the end of the first year after the commencement of the contract. This workshop will discuss the Legal Inventory (see I) and should result in:

- the identification of countries that require assistance in order to develop the necessary national legislation,
- a strategy to increase the level of ratification of MARPOL 73/78, and
- a strategy for the enforcement of and compliance with the provisions of MARPOL 73/78.

13. The Legal Consultant will prepare a report on the proceedings of the workshop identifying all agreements reached.

14. Stage 2 and 3.

III. Enforcement and Compliance Report.

A report will be published before the second Legal Workshop containing an evaluation of current enforcement efforts and a strategy to improve enforcement of MARPOL 73/78.

IV. Second Legal Workshop

The second Legal Workshop (to be held 1 year after the first workshop) will discuss the Enforcement and Compliance Report and the status of MARPOL 73/78 ratification (status of activities agreed during the first workshop) and should result in:

- an agreed strategy to improve the enforcement and ratification of MARPOL 73/78 in the WCR, and
- proposals for the harmonization of enforcement efforts and of fines and other penalties and sanctions throughout the WCR.

The Legal Consultant will prepare a report on the proceedings of the workshop identifying the follow up plan of action.

15. All the work to be covered under the WCISW initiative is expected to conclude within three years from the date of finalization of the contractual agreements with the consultants. Following the third technical workshop and the second legal workshop, the Project

Coordinator, assisted by the two consultants, is expected to produce the final WCISW document that defines all the activities and investments proposed for Phase II of the initiative to be funded by donors, international and regional institutions and national governments. This document will be tabled at the final workshop.

Wider Caribbean Initiative for Ship-Generated Waste

Terms of Reference Project Coordinator

Action Program

The Project Coordinator's Task

1. It is envisaged that the services of both legal and technical consultants, supported by the Project Coordinator, will be required to execute the Wider Caribbean Initiative for Ship-Generated Wastes (WCISW), and that their services will be carried out, to the extent possible, in parallel.
2. The services to be provided under the Terms of Reference of the WCISW involve the completion of the following tasks to be carried out by a Project Coordinator in cooperation with the Legal Consultant and the Technical Consultant.
 - (a) To assist IMO in the selection of legal and technical consultants, in accordance with guidelines, to carry out the tasks identified for the WCISW.
 - (b) To liaise with the developing countries of the WCR in order to achieve optimal effectiveness of the WCISW and to be involved in missions to visit Governments of these countries.
 - (c) To develop cooperation with IMO's regional advisers including national, regional and international institutions involved in the issues addressed by the WCISW and to coordinate activities with the relevant ongoing activities of IMO's regional advisers as well as national and regional institutions in order to achieve optimal effectiveness of the various activities and initiatives and to avoid duplication or incompatibility of efforts or both.
 - (d) To liaise with the and to brief GEF Members, developing countries of the WCR, potential donors, financing institutions and non-governmental organizations with specific projects that might result from the WCISW.
 - (e) To facilitate whatever special institutional arrangements are necessary to ensure that appropriate mechanisms are established to facilitate adequate coordination between the consultants and countries, and international and regional organizations involved.
 - (f) To undertake overall coordination and administration of the WCISW and its Action Program and provision of support to the legal and technical consultants.
 - (g) To facilitate the execution of workshops, seminars and training sessions to be undertaken as part of the WCISW.
 - (h) Together with the Technical Consultant, develop strategies for public awareness programs and reach agreements with the countries of the Wider Caribbean region to disseminate the programs within their national boundaries.

- (i) Produce the final WCISW document, assisted by the Technical as well as the Legal Consultant, that defines all the activities and investment proposed for Phase II of the initiative to be funded by donors, international and regional institutions and national governments. This document will be tabled at the final workshop.

Scope of Work

3. The activities to be carried out by the consultants, coordinated closely with IMO and the , will include the preparation of data inventories and reports, drafting of agreements and legislation, the convening of legal and technical workshops, visits and high level missions to all the developing countries of the WCR as and when possible.

Six workshops are envisaged in the WCISW:

- two legal workshops, the first focusing on national legislation necessary for the implementation of MARPOL 73/78 and the second focusing on enforcement of and compliance with MARPOL 73/78;
- three technical workshops, the first focusing on the source reduction of wastes and the existing provision for port reception of wastes in the region, the second focusing on the strategy blueprints for reception and associated waste management systems and technical criteria for reception facilities , and the third on the country specific key deficiencies identified, and possible mechanisms for addressing these deficiencies; and
- the sixth and final workshop to discuss the outcome of the WCISW, to discuss the actions required to bring about full effectiveness of the special area designation of the Caribbean under MARPOL, and to present these findings to the international funding agencies.

4. In recent years a considerable amount of work has already been undertaken on the review and assessment of maritime legislation in the WCR (mostly in relation to ship safety) and of solid waste management systems by a variety of agencies including the IMO and regional bodies and Governments. It is important that any consultants involved in the WCISW avoid duplication of effort by reviewing in detail all studies carried out to date and by making full use of the results of the work that has already been carried out and by coordinating their activities with others already active in similar fields of activity in the WCR, including the IMO Regional Maritime Safety Adviser for the Caribbean and the Regional Consultant on Marine Pollution as indicated in the following paragraph.

5. The following list of persons, initiatives and activities is not exhaustive and provides an indication of other initiatives and activities with which some form of coordination or cooperation might be useful for the WCISW:

- Caribbean Action Plan and the Cartagena Convention;
- the IMO/Norway Cooperation Program's Regional Maritime Safety Adviser for the Caribbean;
- the Regional Consultant on Marine Pollution, Port Safety and Security (Wider Caribbean) financed by USAID in conjunction with the US Coast Guard;
- IMO Regional Coordinator on Marine Environment Protection for Latin America;
- ROCRAM, ROCRAM/CA;
- LEGISMAR project executed by the IMO and UNCTAD;
- The OECS (Organization of Eastern Caribbean States) Waste Management Project; and
- the efforts by IMO's Marine Environment Protection Committee (MEPC) to develop a Manual on Reception Facilities.

Furthermore, several regional and sub-regional organizations in the WCR may be active in areas that are relevant to the objectives of the WCISW.

6. The scope of work of the various activities of the Project Coordinator outlined in the previous chapter will be as follows.

7. Project Coordinator

- (a) Selection of consultants. The Project Coordinator will, in cooperation with the IMO, assist in the selection of the other long term consultants, one Legal Consultant and one Technical Consultant
- (b) Cooperation and coordination with States and Territories. Two small steering committees, one legal and one technical, composed by the Project Coordinator and the appropriate Consultant, composed of high level representatives from the countries of the WCR's Spanish, English, Dutch, and French speaking countries will be established to ensure progress of the WCISW, its Action Program and coordination with other initiatives. The representatives should total as a maximum only five or six persons. The Project Coordinator will also assist the Legal and Technical Consultants in collecting data from Caribbean States and Territories with regard to

the present situation regarding legislation, reception facilities and waste management systems.

- (c) Cooperation and coordination with others involved. The two small steering committees indicated under (b). will also be important to ensure coordination with others such as international and regional organizations. The Project Coordinator will be responsible for fostering regional cooperation through the project. It will be the duty of the Project Coordinator to use the WCISW to encourage closer coordination and the establishment of as many common approaches and standards as possible. The Project Coordinator, supported by the steering committee (or steering committees), will liaise closely with international and regional organizations and others involved in work that might be relevant to the WCISW to ensure complementarity of WCISW activities with those of others.
- (d) Development of necessary institutional arrangements. The Project coordinator will set up the coordinative and support mechanisms necessary to ensure that the consultants are able to complete the project tasks in an efficient manner. In particular, the Project Coordinator will assist in setting up a system of contact points in each country which will enable the consultants to organize their activities in each of these countries effectively.
- (e) Overall administration of the project. The Project Coordinator will be responsible for all administrative and monitoring of project progress including financial allocations and disbursements, to be reported on a quarterly basis as part of the Quarterly Reports.
- (f) Organization of workshops. The Project Coordinator will, in discussion with the legal and technical consultants (as appropriate), assist as necessary in the development and organization of workshops and training sessions.
- (g) Progress reporting and final evaluation of the WCISW project. The Project Coordinator will provide a quarterly report to WB and IMO describing progress and achievement information on his own tasks and incorporating consolidated information taken from the reports submitted quarterly by the Technical and Legal Consultants. The Coordinator will also prepare a report evaluating project achievement on the completion of the Study.

Outputs

8. The Project Coordinator will provide IMO/ quarterly reports on the progress of all activities relating to the WCISW project based on a pre-agreed work program.

Other specific outputs will be as follows:

- I. With the assistance of the technical and legal consultants, publish and disseminate on a timely basis, throughout the Caribbean, all reports produced under the WCISW project.**
- II. Contribute to the public awareness strategy and reach agreement with the respective countries on its dissemination in the region.**
- III. Prepare and submit to IMO and the quarterly/annual progress reports on the Project.**
- IV. Prepare the final WCISW report that defines all the activities and investments proposed for Phase II of the initiative to be funded by donors, international and regional institutions and national governments.**
- V. Prepare the Chairman's report on the proceedings of the sixth Workshop and distribute it to all participants.**
- VI. Prepare the project evaluation document in accordance with guidelines for Project Completion Reports.**

MARPOL 73/78

Country	MARPOL Annexes				
	I	II	III	IV	V
1. <u>Antigua and Barbuda</u>	x	x	x	x	x
2. <u>Aruba</u>	x	x	x		x
3. <u>Bahamas</u>	x	x	x		x
4. <u>Barbados</u>					
5. <u>Belize</u>					
6. <u>Colombia</u>	x	x	x	x	x
7. <u>Costa Rica</u>					
8. <u>Cuba</u>	x	x			
9. <u>Dominica</u>					
10. <u>Dominican Republic</u>					
11. <u>French Antilles and Guyana</u> (Guadeloupe, Martinique, St. Martin, St. Barthelemy, French Guyana)	x	x	x	x	x
12. <u>Grenada</u>					
13. <u>Guatemala</u>					
14. <u>Guyana</u>					
15. <u>Haiti</u>					
16. <u>Honduras</u>					
17. <u>Jamaica</u>	x	x	x	x	x
18. <u>Mexico</u>	x	x			
19. <u>Netherlands Antilles</u> (Bonaire, Curacao, Saba, St. Eustasius, St. Maarten)	x	x	x		x
20. <u>Nicaragua</u>					
21. <u>Panama</u>	x	x	x	x	x
22. <u>St. Kitts and Nevis</u>					
23. <u>St. Lucia</u>					
24. <u>St. Vincent and the Grenadines</u>	x	x	x	x	x
25. <u>Suriname</u>	x	x	x	x	x
26. <u>Trinidad and Tobago</u>					
27. <u>United Kingdom</u> Anguilla British Virgin Islands Cayman Islands Montserrat Turks and Caicos Islands					
28. <u>United States of America</u>	x	x	x		x
29. <u>Venezuela</u>					

**WIDER CARIBBEAN INITIATIVE FOR SHIP GENERATED WASTE
(WCISW)**



