

ANNEX 8

RESOLUTION MEPC 31(26)  
Adopted on 9 September 1988

ESTABLISHMENT OF THE DATE OF APPLICATION OF THE PROVISIONS OF  
REGULATION 5 OF ANNEX V OF THE INTERNATIONAL CONVENTION FOR  
THE PREVENTION OF POLLUTION FROM SHIPS, 1973 AS MODIFIED  
BY THE PROTOCOL OF 1978 RELATING THERETO ON THE  
DISCHARGE OF GARBAGE IN THE BALTIC SEA AREA

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38 of the Convention on the International Maritime  
Organization concerning the functions of the Committee,

NOTING Annex V of the International Convention for the Prevention of  
Pollution from Ships, 1973, as modified by the Protocol of 1978 relating  
thereto (MARPOL 73/78), hereinafter referred to as Annex V, enters into force  
on 31 December 1988,

NOTING ALSO the provision of Annex V, designating the Baltic Sea area as  
a "Special Area", i.e. a sea area where for recognized technical reasons in  
relation to its oceanographical and ecological condition and to the particular  
character of its traffic the adoption of special mandatory methods for the  
prevention of pollution of the sea by garbage is required,

RECALLING that the Convention on the Protection of the Marine Environment  
of the Baltic Sea Area, 1974 (Helsinki Convention) contains in its Annex IV in  
substance the same provisions concerning the discharge of garbage and the  
provision of reception facilities as Annex V of MARPOL 73/78 with respect to  
Special Areas and that these provisions have been in force for ships flying  
the flags of Parties to the Helsinki Convention since 3 May 1980,

NOTING FURTHER the communication received from the Government of Finland  
in accordance with the provisions of regulation 5(4)(b) of Annex V, notifying

on behalf of and with the authorization of all the States bordering the Baltic Sea - Denmark, Finland, the German Democratic Republic, the Federal Republic of Germany, Poland, Sweden, the Union of Soviet Socialist Republics, that adequate reception facilities are provided in all ports within the Baltic Sea area,

TAKING NOTE of resolution MEPC 9(17) by which it recommended that the Governments of States, which are not Parties to the Helsinki Convention, urge ships flying their flag to apply the provisions of the Annex concerning the prohibition of discharge of garbage when operating in the Baltic Sea area,

HAVING CONSIDERED the request of the Baltic States to establish the earliest possible date from which the requirements of regulation 5 of Annex V in respect of the Baltic Sea area shall take effect, which should be no later than 1 October 1989,

1. DECIDES that the requirements of regulation 5 of Annex V in respect of the Baltic Sea area shall take effect on 1 October 1989;
2. REQUESTS the Secretary-General to notify, in conformity with regulation 5(4)(b), all Members of the Organization and all Parties of the aforementioned decision;
3. RECOMMENDS that the Governments of States which are not Parties to the Helsinki Convention urge ships flying their flags to observe the provisions of Annex V in respect of the Baltic Sea area as a Special Area as from the entry into force of Annex V on 31 December 1988.

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