

KIMO RESOLUTION

Tackling Pollution from Lost Containers – a Responsible and Fair Approach

Introduction

Cargo from lost containers serves as a significant source of pollution of coastlines, creating an environmental, operational and financial burden on coastal communities unless the ship owner's insurance has been willing to meet the cost.

In addition to the visible pollution on the coastline, cargo spills also end up on the seafloor where it serves as severe source of pollution. Clean-up on the seafloor is very costly and is often not fully executed according to the 'polluter pays', meaning that a comprehensive clean often rely on volunteers, such as professional divers. The absence of EU standards on how clean the seafloor must be to achieve good ecological status and the absence of a common mechanism to measure progress poses a problem for how cargo spills are dealt with.

KIMO is of the opinion that too much litter is left behind on the coast and on the seafloor and clean-up efforts are too heavily dependent on public funds from national and/or local governments that have not caused the issue in the first place. This is partly because of poor settlements with shipping companies and too slow responses from these companies. This is neither the way we should treat our seas, nor our communities and it serves as a stark contrast to how we maintain our living environment on land.

Background

Over the last 10-20 years there have been many shipping container incidents, losing from 99 to 1816 containers per incident. Many as a result of storms and adverse weather conditions causing vessels to destabilize and containers to fall overboard, even when properly lashed and secured. Other human causes include poorly stacking of containers, overloading a vessel, or failing to secure units adequately. Apart from this, mis-tracking and poor document management can make tracing and accounting for lost units and hence clean-up efforts challenging.

KIMO first raised the issue of pollution from container ships losing cargo and the related lack of robust compensation regimes in 1995 at the 4th North Sea Ministerial Conference in Esbjerg and subsequently at the 5th Ministerial Conference in Bergen 2002 where Ministers agreed to "To make coordinated efforts within IMO to review, strengthen and introduce, if appropriate, further compensation and liability regimes."

Despite these assurances and campaigning by KIMO and other stakeholders the reality remains that the shipping industry is not taking enough responsibility, and that national and local governments are left with a disproportionate burden.

The disaster with the MSC Zoe (2019) serves as frightening example as volunteers, salvors and governments in Germany and the Netherlands cleaned up a lot, but in the end the Dutch

government decided to leave 800.000 kg of rubbish behind. The official reason being that the CO2 emissions of the salvage ships are worse for the environment than leaving the rubbish, but the real reason was a lack of allocated budget for tackling such an incident. As a response several NGOs have joined forces in cleaning up litter in the North Sea from this and other incidents.

KIMO's position

RECOGNIZING the need to prevent the loss of containers and to mitigate their environmental impact, including on coastal communities.

RECOGNIZING the need to set standards for how clean the seafloor should be and the extend of clean-up required when a shipping incident occurs.

RECOGNIZING the need to establish environmental liability and to ensure that the polluter pays for the costs of clean-up so that litter is not left behind for years after incidents have occurred.

RECOGNIZING the need for a shared pool of finances that enable and support national and local governments to respond rapidly to cargo spills.

KIMO URGES:

- National Governments, the European Commission, OSPAR, HELCOM and other stakeholders to influence the International Maritime Organization to apply the “polluter pays” principle by issuing and adopting a convention that commits shipping companies to compensate national and local governments for the clean-up costs that they incur.
- The European Commission to implement a directive requiring EU members to clean-up cargo lost at sea.
- European Governments and the European Commission to establish a European fund providing the financial support needed for national and local governments to respond rapidly and properly to litter from lost containers.
- National Governments to take a stance against the ongoing pollution of the seafloor from litter from lost containers and to be better prepared so that clean-up efforts are not heavily reliant on volunteer help.

KIMO'S MEMBERS agree to submit this Resolution to all National Governments, the European Commission, the International Maritime Organization, HELCOM, OSPAR, and other relevant organisations.