



transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA

**2024 WRITTEN SUBMISSION ON MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS)  
AMENDMENT BILL**

**Comments from World Wide Fund for Nature (WWF)**

Clauses	Proposal	DOT Response
	<p>WWF proposes the inclusion of greenhouse gases in the definition of pollutants (emissions) associated with shipping. Their proposal is based on the following:</p> <ul style="list-style-type: none"><li>- According to the United Nations Environment Programme, (UNEP) air pollution also includes greenhouse gases such as carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>) and nitrogen oxides (NO<sub>x</sub>).</li><li>- Anthropogenic greenhouse gases (GHGs) from activities such as shipping are known to cause global warming and climate change leading to “substantial damages, and increasingly irreversible losses, in terrestrial, freshwater, cryosphere, and coastal and open ocean ecosystems”.</li></ul>	<p><b>On GHG</b></p> <p>Matters raised here are part of the considerations being given by the IMO’s Marine Environment Protection Committee as it reviews with the aim to strengthen the present regulations in line with the ambitions of the present IMO’s GHG Strategy. Until the IMO GHG discussions and improved regulations are concluded, it would be premature for South Africa to unilaterally impose measures which may be preemptive of the outcome of the negotiations. The biggest challenge that must be considered is the enforcement capacity particularly in cases where we seek to go beyond the current text limits of the provisions of Annexes IV and VI.</p>



transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA

**2024 WRITTEN SUBMISSION ON MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS)  
AMENDMENT BILL**

- Greenhouse gas emissions (GHGs) from shipping are mainly in the form of carbon dioxide (CO<sub>2</sub>) from the combustion engine.

- ships powered by Liquefied Natural Gas (LNG) have a methane slip of about 6%4, which means that 6% of the fuel (mostly methane) escapes uncombusted in the engine and methane is a potent greenhouse gas which has 29.8 times the greenhouse gas warming potential of CO<sub>2</sub> measured over a 100-year period.

- shipping industry contributes approximately 3% of annual greenhouse gases emissions globally, it is therefore imperative that greenhouse gas emissions from this industry are reduced so as to lower the impact of climate change.

***Recommendation***

*South African should continue working with the IMO in the development of future regulations aiming at giving full effect to the IMO GHG Strategy. South Africa must therefore prepare as appropriate new amendments soon after the approval by the relevant IMO organ of any new GHG regulation measure. Therefore, the priority must be given to incorporating the Annexes IV and VI.*



transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA

**2024 WRITTEN SUBMISSION ON MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS)  
AMENDMENT BILL**

	<p>WWF is of the opinion that the Bill also needs to make to address noise pollution emanating from ships, particularly when transversing through sensitive habitat, e.g. core foraging grounds for African penguins. Mitigation could relate to reducing ship speed in these areas as one mitigation measure or to avoid the area if possible and to prohibit bunkering at sea in these sensitive areas.</p> <p>-They hold the view that prohibiting bunkering in the said sensitive areas has a dual role in mitigating noise pollution and reduces the risk of oil spillage and impact on the environment.</p>	<p><b>On Noise</b></p> <p>There is currently no mandatory international agreement regulating noise pollution from international shipping. However, from a safety of shipping point of view especially concerning <b>onboard ship</b> noise there is an IMO Code on Noise Levels (the Noise Code) enforced by administrations for the design of new ships and operations of existing ships. For all the ships calling at South African ports, SAMSA does check compliance with the Noise Code by the ships.</p>
--	---	--



transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA

**2024 WRITTEN SUBMISSION ON MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS)  
AMENDMENT BILL**

<p>-It is further proposed that noise pollution emanating through seismic surveys should also be reduced to lower decibel levels that are considered safe for the environment and should be use alternative methods to the air gun array.</p>	<p><b>Noise outside</b> the ships and its impact to the marine environment there is no internationally accepted treaty that South Africa is party to on the basis of which we can draft domestic legislation. Even if there was, this will require a completely new process that must go through the Executive before it is presented to Parliament.</p> <p><b>Seismic surveys</b> Pollution emanating from seismic surveys must be considered by the approving or licensing authority so that it is incorporated in the seismic survey agreements/ licensing.</p> <p><b>Recommendation</b></p>
---	---



transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA

**2024 WRITTEN SUBMISSION ON MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS)  
AMENDMENT BILL**

		<p><i>It is recommended that the proposed amendments as proposed by the present bill in its current form be given priority considering the fact that the aim is to incorporate treaties that South Africa has already ratified. Matters relating to outside noise from ships be not considered and that the Department should continue engaging with relevant organs of state and the environmental organisations in finding the best way forward with an approach to regulate issue of noise during licensing for these activities</i></p>
	<p>Proposes the need to better regulate other pollution forms from ships, such as hypersaline water and warm water</p>	<p><b><i>Other pollution forms</i></b></p>



transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA

**2024 WRITTEN SUBMISSION ON MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS)  
AMENDMENT BILL**

discharged from ships emanating through alternative gas-generated energy. Department's attention is drawn to the fact that this has already led to several environmental organisations taking legal actions against companies seeking to do such activities on the South African coastline.

*Although these proposals make a lot of sense, they however require a global instrument in order for measures to be globally applied to ensure effectiveness and impact. South Africa working on her own in this globally regulated industry could have unintended consequences more especially in cases of having no enforcement capacity and non-existence of technical capacity within government for regulating this kind of activities.*

***Recommendation:***

*For this reason, we will not recommend that we regulate this activity at this stage but we should continue working with the environmental*



transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA

**2024 WRITTEN SUBMISSION ON MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS)  
AMENDMENT BILL**

		<i>organizations to study and build the required technical capacity to understand and regulate the matter in no distant future.</i>
	It is also proposed that light pollution from ships needs attention to mitigate the negative impacts on the environment. An example here is the squid fishery that uses bright lights in coastal waters at night to attract squid to the surface, however the unintended consequence is the impact on flying insects' ability to navigate, which may result in many pollinating flying insects being lost at sea. This would need further investigation to better understand the impact and to introduce mitigation measures if need be.	Pollution emanating from light pollution must be considered by the approving or licensing Authority of that particular activity attracting pollution so that it is incorporated in the approved methods used in squid fishery agreements/ licensing. We agree that in order to regulate matters raised under this point more scientific research and investigations will be necessary. <b>Recommendation</b> <i>It is recommended that the proposed amendments as proposed by the present bill in</i>



transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA

**2024 WRITTEN SUBMISSION ON MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS)  
AMENDMENT BILL**

		<p><i>its current form, be given priority considering the fact that the aim is to incorporate treaties that South Africa has already ratified. Matters relating to light pollution during the squid fishing process be not considered and that the Department should continue engaging with relevant organs of state and the environmental organisations in finding the best way forward with an approach to regulate issue of light during licensing for these activities</i></p>
--	--	--