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European Maritime Safety Agency
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Portugal

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Breaches of MARPOL Regulations during livestock sea transport

Dear European Maritime Safety Agency,

We are writing to you regarding the environmental impact of the increasing livestock sea transport from the European Union and from non-EU countries to Israel, Turkey, Egypt, Lebanon, Libya, Algeria and Morocco through the Mediterranean Sea. Our organization, Animal Welfare Foundation is concerned about two main points: the discharge of manure and the discharge of animal carcasses into the Mediterranean Sea by livestock vessels operating in Europe. Using the example of livestock trade between EU and Israel we would like to demonstrate that maritime policies are not effectively implemented.

A. DISCHARGE OF ANIMAL CARCASSES INTO THE MEDITERRANEAN SEA:

Annex V of MARPOL 73/78 contains a set of regulations regarding the discharge of carcasses of animals carried on board as cargo which died during the voyage. According to the regulation, Mediterranean Sea is one of special areas where it is forbidden to discharge carcasses of dead animals. Carcass discharge there constitutes a gross violation of MARPOL regulation. Commanders of vessels involved are due to be heavily fined. According to MARPOL, Annex V, the vessels are bound to document the disposal of residues in a special Garbage Record Book applying a stipulated protocol, recording the day, time, position, type of garbage¹, etc. and to submit them to the Port State Control Officer of the Port State Control of a signatory state.

However, according to our research and the statements of livestock transporting vessel captains, it is not possible to dispose of carcasses of animals in the main ports of destination in the Middle East. In ANNEX I of the present letter, we included all the detailed information of 9 journeys of 2 livestock vessels that departed in 2019 from EU ports loaded with live animals. These vessels had confirmed dead animals on board during the voyage². We know that these vessels unloaded live animals in Israeli ports and after the unloading, the

1 Garbage, as defined in MARPOL Annex V, means all kind of food wastes, domestic wastes and operational wastes, all plastics, cargo residues, incinerator ashes, cooking oil, fishing gear and animal carcasses generated during the normal operation of the ship and liable to be disposed of continuously or periodically, except those substances which are defined or listed in other Annexes to the Convention (point 2). Quarantine waste refers to waste that requires segregation and special handling due to its potential to spread diseases or plant and animal pests (point 10).

2 De Levi's report.

vessels went directly to an EU port to load a new consignment of animals³ without any other stop. In all these specific cases, the European ports of destination after Israel (Setubal, Rasa, Sète, Koper, Sines) have no reception facilities for animal carcasses⁴. Israel officially confirmed that they do not allow the disposal of any animal carcasses coming from vessels transporting European animals⁵ due to fear of introducing epidemic plagues or animal diseases. Therefore, if it is not possible to dispose of the animal carcasses neither in Israel nor in the next port destination in the EU, it can be assumed that the animals dying during sea journeys are illegally disposed of in the special area of the Mediterranean Sea.

B. DISCHARGE OF MANURE PRODUCED BY ANIMALS INTO THE MEDITERRANEAN SEA:

Annex IV of MARPOL 73/78 contains a set of regulations regarding the discharge of sewage into the sea from vessels, including regulations on the vessels' equipment and systems for the control of sewage discharge, the provision of port reception facilities for sewage, and requirements for survey and certification. It is generally considered that on the high seas, the oceans are capable of assimilating and dealing with raw sewage through natural bacterial action. Therefore, the regulations in Annex IV of MARPOL prohibit the discharge of sewage into the sea within a specified distance from the nearest land, unless otherwise provided⁶.

According to MARPOL regulation, livestock transporting vessels may discharge their sewage into the sea if the aforementioned conditions have been complied with and if they are at least 12 nautical miles away from the nearest land. Still, the livestock vessels are known to use pellets and straw as litter material on their decks. In practice, the livestock vessels leave the destination port, reach the 12 nautical miles line and discharge the excrements and litter with a high-pressure water jet into the sea. This means sewage is mixed with solid materials. Thus, according to Annex V, Regulation 6, the discharge of excrements from livestock transporting vessel is a violation of the MARPOL 73/78 Convention.

Moreover, according to our research and the statements of livestock vessel captains, it is not possible to legally dispose of animal excrements in the main ports of destination in the Middle East. The reason could be the fear of introducing epidemic plagues or animal diseases. Furthermore, disposal at sea has the following advantages for shipping companies: costs of disposal are saved and lay time at the port are reduced allowing for even more cost-saving.

In ANNEX II of this letter, we included all the detailed information of 48 journeys of 11 livestock vessels that departed in 2019 from EU ports loaded with live animals. These vessels unloaded the animals in Israeli ports and after the unloading of the animals, the vessel went directly to an EU port to load a new consignment of animals⁷ without any other stop. In all these specific cases, the European ports of destination (Setubal, Rasa, Sète, Koper, Sines) have no reception facilities for operational wastes⁸ and Israel officially confirmed that they do not allow the disposal of animal excrements coming from vessels that are transporting European animals⁹. Therefore, if it is not possible to dispose of the animal excrements neither in Israel and nor in the next port destination in EU, it can be assumed that this amount is discharged/disposed of either as solid material

³ www.marinetraffic.com

⁴ <https://webaccounts.imo.org>

⁵ <https://gis.imo.org/Public/PRF/Browse.aspx>

⁶ <http://www.imo.org/en/OurWork/Environment/PollutionPrevention/Sewage>

⁷ www.marinetraffic.com

⁸ <https://webaccounts.imo.org>

⁹ <https://gis.imo.org/Public/PRF/Browse.aspx>

(pellets, dung absorbed by litter) or in the liquid form right into the waters of the Mediterranean Sea. This information has been confirmed to us by ship captains.

Based on scientific research done at Cologne University¹⁰ on manure production by cattle, it has been calculated that 100 cattle produce about 55 litres (5.5 m³) of manure per day. This amount equals the quantity of water and food the animal consumes each day. In case of sheep, on the other hand, if fed with pellets or hay each animal drinks about three to four litres of water each day, up to five to seven litres in very hot weather. From this, each animal produces at most about 2 litres of excrements each day, which usually are dry (of low moisture content). Ship journeys between the ports of Southern Europe, like Sète (France), Tarragona (Spain), Cartagena (Spain), Koper (Slovenia), Rasa (Croatia), Midia (Romania), Sines (Portugal) and the ports in the Middle East last about five to eight days, if there are no major incidents (machine breakdown, problems at the destination ports, etc.).

Assuming the export by sea of 1 million cattle per year this means that about 55,000,000 litres (55,000 m³) of manure is produced by all cattle (1,000,000 x 55 litres) each day. Multiplying this with the transportation days (a journey of at least 5 days) this means production of minimum 275,000,000 litres (275,000 m³) of cattle manure. Furthermore, assuming the export by sea of 3 million sheep per year, this means that about 6,000,000 litres (6,000 m³) of manure are produced by all sheep each day (3,000,000 x 2 litres). Multiplying this with the transportation days (a journey of at least 5 days) this means production of minimum 30,000,000 litres (30,000 m³) of sheep manure. In the period of 7 years from 2013 to 2019, in total about 2,135,000,000 litres of manure/dung from sheep and cattle were accumulated on the vessels and most possibly discharged on the Mediterranean Sea (305,000,000 x 7 years).

It is the responsibility of the Member States to put systems in place to ensure that Council Regulation 1/2005 and MARPOL regulation (Port State Controls) is observed and enforced until the destination in a Third Country. According to article 33 of MARPOL regulation, individual ports may need to comply with varying local requirements for specialized handling (such as quarantine) of certain types of MARPOL wastes/residues, such as animal (Garbage named G), plant and food wastes (Garbage named F) generated on board of ships. Therefore, before arrival in a port, ship operators should check with local agents, port authorities, harbor masters or reception facility providers for port-specific requirements to plan for and accommodate any special handling requirements for that particular port, including any additional segregation that may need to take place on board well in advance of arrival. This information should be incorporated into the company's environmental management plan and should be taken into consideration in voyage planning according to MARPOL regulation.

But the reality is that once EU animals leave European Ports the European Member States, except Ireland, do not even require feedback information, such as the number of animals that became injured, sick, or died during the sea transport, unloading or upon arrival at the destination in the Third Country.

After the clear evidence exposed above of the ongoing discharge of manure and animal carcasses into the Mediterranean Sea every year, we urge the European Maritime Safety Agency to investigate on violations of the MARPOL regulations committed by the livestock vessels included in the annexes to this letter, and any other livestock vessels currently operating in the Mediterranean Sea, Black Sea and Baltic Sea.

¹⁰ http://www.uni-koeln.de/phil-fak/paedsem/psych/energie_zukunft/information/modul2/m2_biogas4.htm

We are afraid that EMSA has been overlooking the environmental impact of the huge number of livestock vessels in special maritime areas. We request that EMSA instruct the authorities in charge of Port State Controls to:

- Inspect MARPOL certificate ISPP (International Sewage Pollution Prevention Certificate) of livestock vessels.
- Investigate the number of dead animals (bill of lading and masters' reports) and check the procedures for the disposal dead animal bodies.
- Calculate the amount of manure (bill of lading and masters' reports) and check the procedures for the disposal of manure.

Yours sincerely,



Iris Baumgärtner
Vice-Chair
Animal Welfare Foundation

ANNEX I: ANNEX I_ ANIMAL CARCASSES PRODUCED DURING SEA JOURNEY_2019_AWF_IALS (pdf.)

ANNEX II: ANNEX II_ MANURE PRODUCED DURING SEA JOURNEY_2019_AWF_IALS (pdf.)

Copy to:

European Commission

- DG Health and Food Safety (SANTE)
- DG Environment (ENVI)
- DG Maritime Affairs and Fisheries (MARE)