**REPUBLIQUE DE CÔTE D'IVOIRE**

**Subject: Transmission of questionnaire**

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Dear Cabinet Director

I have the honor to send you, herewith, the questionnaire relating to the contribution of the Ivory Coast for the elaboration of the thematic report of the special rapporteur on the Human Rights and the Toxic Substances, centered on the analysis of impact of the International Maritime Organization (IMO)

Organization (IMO). Please accept, Madam Director of Cabinet, the expression of my respects.

The Director of Cabinet

**1. What are the 3-5 main issues concerning protection of human health and the environment that the IMO should strengthen?**

- Strengthen assistance to Coastal States and Port States in the implementation of the ship-generated waste instruments in terms of training of personnel and provision of equipment;

- Encourage and assist port States to meet their obligations for adequate port reception facilities to collect all types of ship generated waste;

- Encourage States to ratify the Cape Town Agreement on Fishing Vessel Safety as soon as possible, to ensure that shipowners and fishermen take environmental issues into account.

**2. What is the status of implementation of the IMO Conventions by your Government? What is the status of implementation of IMO international regulations, global standards, conventions and codes (including the IMDG Code to regulate the transportation of hazardous materials) related to the carriage of dangerous goods and pollution in your country?**

The main relevant IMO instruments have been ratified by Cote d'Ivoire, including the IMDG Code

However, the most recent conventions such as the 2001 International Convention on the Control of Harmful Anti-Fouling Systems on Ships (AFS Convention), the International Convention on the Control of Harmful Substances in International Shipping (BWMS) and the 2006 Maritime Labor Convention have not been ratified to date.

The 1969 International Convention on Civil Liability for Oil Pollution Damage (CLC) and the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage have been ratified by Cote d'Ivoire. However, the 1992 Protocols to these two instruments have not yet been ratified.

The Convention on the Prevention of Marine Pollution by Dumping of Wastes (Dumping Convention) has been ratified.

**3. In your experience, what, which are the main obstacles towards the ratification and implementation of IMO conventions, including the Fund Convention and Bunkers Convention, as amended, relating to oil pollution damage?**

The main obstacles to ratification of the relevant IMO instruments are related to:

✓ Administrative cumbersomeness,

✓ Real absence of a maritime policy

✓ Structurally, the Directorate General of Maritime and Port Affairs in charge of the implementation of the relevant instruments has been for several years scattered in several ministries that often do not understand the importance of ratifying IMO instruments.

**4. What kind of support, including trainings, capacity building and technical cooperation, do you receive from the IMO in order to improve such implementation?**

Cote d'Ivoire hosts the IMO's Francophone West Africa Regional Office.

As such, it benefits from a wide range of technical assistance projects in the form of:

✓ Organization of several regional, international and national workshops and seminars organized directly or funded by the IMO

✓ Participation of several DGAMP officials in international, regional, and national training events.

However other capacity building needs of some technical staff of DGAMP remain MARPOL to be met:

Capacity building for Ship Safety Inspectors

**5. What measures has your country taken to address the risks posed by heavy fuel oil (HFO)?**

No measures have been taken by Cote d'Ivoire to address the risks posed by Heavy Fuel Oil (HFO): In accordance with Annex VI of MARPOL, foreign vessels entering Ivorian ports are subject to control to verify compliance with the said Annex: - Have an international certificate on the prevention of pollution of the atmosphere (IAPP); - The rate of sulfur must not exceed the values imposed by the convention; - Verify that the bunkering receipts are kept on board for at least two years.

**6. What challenges has your country faced in implementing the recommendations of the IMO’s Audit Scheme?**

Cote d'Ivoire was the first country in the world to undergo the mandatory audit program of the IMO. To date, it is working to implement all the recommendations made by the IMO auditors. The major challenges are the ratification of the conventions and their transposition into national legislation.

**7. How could the transparency of the IMO be further enhanced?**

The IMO should be less influenced by interest groups in decision making and give more attention to member states.

**8. What measures has your country taken to address fraudulent registries of vessels?**

The main measure taken by Cote d'Ivoire to fight against fraudulent ship registration and verify the authenticity of documents provided by the shipowner and especially to require the certificate of deletion and non-mortgage from the previous flag. Establishment of a register.

**9. How could access to IMO instruments and official documents be enhanced free of cost, such as access to the IMDG Code?**

Make the documents available in electronic format on the IMODOCS website.

**10. How could the effectiveness of IMO instruments be further enhanced? In this regard, how could capacity building further be strengthened to enhance effectiveness of IMO instruments?**

To grant more full scholarships to officials of maritime administrations for their training in IMO institutions and training schools (WMU, IMLI, IMSSEA).

**11. How could the IMO make further progress to reduce emissions of greenhouse gases from vessels and contribute to the Paris Agreement on Climate Change’s objectives? Which measures and good practices have been implemented by your country to reduce air pollution associated with marine shipping and to regulate greenhouse gas emissions from international shipping?**

Encourage and take Member States to implement the Strategy for Reducing Greenhouse Gas Emissions from Shipping adopted at the 72nd session of the IMO Marine Environment Protection Committee (MEPC 72), which took place at the Organization's headquarters in London, United Kingdom, from 9 to 13 April 2018.

**12. What has been your country’s experience with traffic lanes and routes, emission control areas, and particularly sensitive sea areas?**

No specific area or sea route determined for the moment

**13. Which good practices, protocols and security measures have been implemented with regard to the carriage of hazardous materials? Which measures, protocols and good practices have been implemented to end the occurrence of accidental spills, including oil spills, Hazardous and Noxious Substance (HNS) spills, spills associated with these nonhazardous cargos, and to mitigate their impacts in case an accident occurs? Can you indicate any example of remedies or compensation provided to victims of accidental spills?**

At the national level, beyond the port areas, no control is carried out by the maritime authority. However, at the port level, the port authorities apply the IMDG measures in accordance with their port policy regulations.

**14. Which standards and security measures have you implemented in order to ensure sustainable ship recycling across the board? Do you have any experience in addressing the practice of beaching of vessels for shipbreaking?**

The Ivorian Maritime Code gives precedence to the management of wrecks by the Maritime Authority outside the port area and to the Port Authority within the port area. There is a wreck declaration commission in the ports that have set up procedures:

Any ship before its dismantling must be declared a wreck by the Commission - Any ship dismantled must be preceded by an inspection by the environmental services (Ivorian Anti-Pollution Center CIAPOL) whose mission is to verify that the ship is free of hazardous materials. The dismantling is monitored by CIAPOL to ensure that no debris remains in the water and on the shore. Through this wreck commission instituted in the ports, Cote d'Ivoire has a long experience in the fight against the practice of beaching ships for the dismantling of ships

**15. What remedies are available to persons in your country for pollution damages related to shipping? What obstacles do persons in your country face in accessing effective remedies for pollution related to shipping?**

Since international pollution compensation regimes are not well enforced, the only recourse for pollution victims is the State. The obstacle will be the willingness of the Government to compensate or not.

**16. Which kind of protocols and good practices concerning maritime security measures, including with regard to ship and port facilities, have been put in place by your Excellency’s Government?**

Cote d'Ivoire fully applies the ISPS Code both in port facilities and on board foreign vessels calling at Ivorian ports, according to security levels. In addition, strict measures for controlling access to ports with pedestrian, vehicle and lagoon patrols have been put in place by security forces and by private operators who also have a video surveillance system

**17. Which kind of good practices and protocols concerning health and security on ships have been implemented in your country?**

In Côte d'Ivoire, there is a system of mandatory annual check-ups for seafarers carried out by seafarers' doctors. Also, seafarers undergo a check-up before embarkation if they come out of illness or accident. Also, preventive and sanitary security measures are put in place to face pandemics such as the Coronavirus.

**18. Which measures and good practices have been implemented by your Government in the security communication field?**

Coastal radio station and MRCC for the collection, editing and dissemination of information related to maritime safety

**19. Can you provide any example of good practices which aim to ensure participation of civil society, including of indigenous communities and vulnerable categories, within the context of the consultation process with IMO bodies?**

Invitation to IMO meetings

Awareness of safety culture

Involvement in sustainable coastal management

**20. What are the main contributions of the IMO to the effective enjoyment of human rights in the context of shipping and hazardous substances and wastes?**

Right to training for seafarers through the implementation of the STCW Convention Protection and safeguarding of life through the adoption of the SAR and SOLAS Conventions Support for crews through the issuing of directives, in particular those relating to seafarers' rest periods and crew rotations during this period of COVID

**21. Do you discuss human rights relating to shipping with the IMO or with other countries relating to the IMO?**

There are occasions when Côte d'Ivoire exchanges at the IMO and the ILO on the rights of seafarers and even with flag states whose vessels are based in Côte d'Ivoire