**RESPONSE BY THE REPUBLIC OF CROATIA**

**Questionnaire of the Special Rapporteur on toxics and human rights**

**Impact analysis of the IMO**

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

1. IMO should continue efforts to fully implement its initial greenhouse gas emission strategy consistent with the temperature goals of the Paris Agreement.

In this context implementation of mandatory technical and operational measures will effectively contribute to the achievement of the IMO’s objective of reducing carbon intensity of international shipping while moving towards the decarbonisation of the sector.

IMO has already made significant progress in reducing the levels of sulphur emissions (SOx) from shipping by introducing the global sulphur cap which **set a global limit for sulphur in fuel oil on board ships of 0.5 % m/m.**

**It is important to continue the work on energy efficiency of ships and new fuels for shipping.**

**2. What is the status of implementation of the IMO Conventions by your government? What is the status 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?**

1. All IMO Conventions to which Croatia is a party, as well as related IMO Codes and Resolutions are implemented by Croatia based on relevant national Laws and by-laws in the area of safety of navigation, pollution prevention, search and rescue and maritime security.

In the area of carriage of dangerous and polluting goods at sea, MARPOL Convention and IMO Codes are implemented by Croatia: IMDG, IGC, IBC and IMSBC. Most important parts of Croatian national legislation dealing with such issues are Maritime Code and Ordinance on handling dangerous goods, the conditions and method of transport in maritime traffic, loading and unloading of dangerous goods, bulk and other cargo in ports and the method of preventing the spreading of oil spills in ports.

**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?**

1. Croatia is party to a number of IMO Conventions relating to oil pollution damage including the 1992 Fund Convention, the Supplementary Fund Protocol and the 2001 Bunkers Convention.

The ratification and implementation of relevant international standards and instruments relating to oil pollution damage is in the interest of all states and in particular coastal states.

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

1. Croatia is not receiving any training, capacity building or technical cooperation from the IMO in order to improve implementation of IMO Conventions.

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

1. Regarding the heavy fuel oil (HFO) transported by ships as cargo or as bunkers, in Croatian maritime National Single Window information platform, we record all types and quantities in real time, and for all ships calling to Croatian ports, to have complete information in order to respond adequately in the event of oil spill. In the event of oil spills we activate our County contingency plans, National contingency plan, and if necessary also Sub regional (Adriatic Sea) contingency plan may be activated.

This is also applicable to question 13.

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

1. We did not face any challenges in implementation of IMO Audit Scheme.

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

1. It is important to promote access to information and transparency at IMO as fundamental principles which help to improve standards of integrity and efficiency of the Organization.

In the extraordinary situation caused by the COVID-19 pandemic IMO continued working and conducting meetings remotely via videoconferences.

With increased use of the new technologies and improved access to information, issues that involve confidentiality and security would still need to be discussed.

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

1. Croatia follows best practices recommended by the IMO such as in document LEG.1/Circ.10.

We also support development of further measures to prevent and suppress fraudulent acts in the maritime sector.

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

9. We strongly support the idea to have important IMO documents available on-line and free of charge i.e. IMDG Code.

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

1. The effectiveness of IMO instruments depends for the most part on the Member states and their capacity for efficient implementation of the standards contained therein.

Therefore, we see the need for capacity building including the exchange of information, the establishment of awareness campaigns and training.

**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?**

11. IMO should continue efforts to fully implement the Initial GHG emission strategy. In this context efficient implementation of mandatory technical and operational measures is of utmost importance. However, the long term decarbonisation goals may only be achieved by the uptake of low- and zero-carbon fuels, also having in mind the lifecycle fuel emissions.

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

12. Traffic Separation Schemes (TSS) have been established in the North Adriatic Sea, and approved by the IMO.

Emission control area does not exist in the Adriatic Sea, but activities were implemented by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) on the possible designation of the whole Mediterranean Sea as SOx Emission Control Area.

Designation of the Adriatic Sea as the PSSA was considered by the experts of the coastal states, within the working group initiated by Croatia. The possible draft proposal contained additional protective measures related to the ships ballast waters. The proposal was never submitted to the IMO. The BWM Convention came into force in 2017 and the measures under consideration are no longer relevant.

**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 Substances (HNS) spills, spills associated with these non-hazardous 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?**

13. Please see answer under question 5.

**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?**

14. Croatia has ratified the Hong Kong International Convention for the safe and environmentally sound recycling of ships, 2009. We also directly apply the Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC.

We do not have any experience with beaching of vessels for shipbreaking.

**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?**

15. Persons may initiate Court proceedings for pollution damages against the shipowner in accordance with the relevant Civil Liability Convention.

IOPC Funds pays compensation to those who have suffered oil pollution damage in a Member State who cannot obtain full compensation for the pollution damage from the shipowner.

**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?**

16. We apply the Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security; regulation 11 of the special measures to enhance maritime security of the SOLAS Convention and International Ship and Port Facility Security Code of the IMO, in its up-to-date version.

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

17. Regarding the health and security issues, in Croatian maritime National Single Window information platform all ships on international voyages are obliged to provide in digital form all the information regarding health or security issues that may could occur on board. This information is available to all administrations in our ports (ISPS, harbourmasters, border, customs and sanitary officers).

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

18. The communication between relevant services and authorities in the field of security of Croatian ports and the security of Croatian ships is regulated by the port security plans and ship security plans respectively. Analysis of security threats and, if necessary, changes of the security levels are coordinated by the Ministry of the interior. All relevant security information, including the changes in security levels, is provided to the port authorities and ships by the Maritime Rescue Coordination Centre (MRCC).

**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?**

19. Representatives of shipowners/employers and seafarers/workers as well as representatives of vulnerable categories, such as persons with disabilities, are consulted as needed in the preparation of the participation of Croatian delegations at the IMO meetings.

**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?**

20. The IMO as the United Nation’s specialized agency has a key role in development and adoption of important international standards in the field of maritime safety, security and the protection of the marine environment from ship source pollution.

The importance of the adoption of international standards is emphasized by the global nature of shipping and underpinned by the importance of international shipping for the global economy.

Therefore, IMO has a crucial role in addressing adverse impacts on the environment by shipping and in promoting of vital importance of environmentally sound shipping.

In this context we also see the role of IMO in relation to its contribution to the effective enjoyment of human rights.

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

21. Human rights relating to shipping are discussed to the extent that they are covered by the standards discussed and developed under the auspices of the IMO.

One example would be the issue of climate change, which has profound impacts on a wide variety of human rights, and the IMO is addressing climate change by trying to reduce, and if possible eliminate negative impacts by shipping.