

IMPLEMENTATION OF INTERNATIONAL CONVENTION RELATING TO SHIP BASED MARINE POLLUTION IN SRI LANKA

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International shipping transports more than 80 percent of global trade to peoples and communities all over the world and is the most efficient and cost-effective and environmentally safe methods of international transportation for most goods. The environmental impacts generated by shipping operations have increasingly become a burning issue discussed heavily at environmental forums. Marine pollution from ships may occur from accidental oil spills, exhaust gas emissions (air pollution), disposes of solid wastes, sewage, chemicals and other waste materials and introduction of Alien Invasive Species (AIS) from ballast water discharges. International Maritime Organization (IMO) which is under the United Nations creates a regulatory framework for the shipping industry that is fair and effective, universally adopted and implemented mainly under three categories; maritime safety, prevention of marine pollution and liability & compensation, especially in relation to damage caused by pollution. Sri Lanka ensures a fast growing shipping sector by expanding harbor facilities and policy changes. Expansion of the shipping sector cause high risk of environmental pollution, highlighting the country as one of the IMO membership countries, the importance of giving effect to the marine pollution related conventions at its earliest.

The main objective of this study is to evaluate the present status of the implementation of IMO international conventions related to marine pollution and liability & compensation in Sri Lanka. Marine Pollution Prevention Act no. 35 of 2008 (MPPA) was analyzed in order to identify the legislations which are included in the act as per the regulations of international conventions which were ratified in Sri Lanka. Sri Lanka has become a party to following International Conventions related to marine pollution and liability and compensation as follows. International Convention on the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997 (MARPOL73/78) Annex I to V, International Convention on Civil Liability for Oil Pollution Damage (CLC), 1969 and 1992 Protocol to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND 1992).

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Although the country has legislation to directly deal with ship based marine pollution, MPPA has incorporated some provisions of the above conventions. However by today, it is very clear that the country has is no comprehensive legislation to give full effect to the above conventions. The comprehensive policies and legislation mechanism should be introduced to give full effect to IMO marine environment related legislations and its efficient enforcement of these legislations within the country ensuring the optimal development of the shipping sector, protection of the marine environment and maritime related industries.

Key words: *International Convention, International Maritime Organization, Ship based Marine Pollution*