

REPORT
MARPOL/PORT RECEPTION FACILITIES TRAINING WORKHOP

11TH - 13TH MARCH 2024

ORGANISED BY

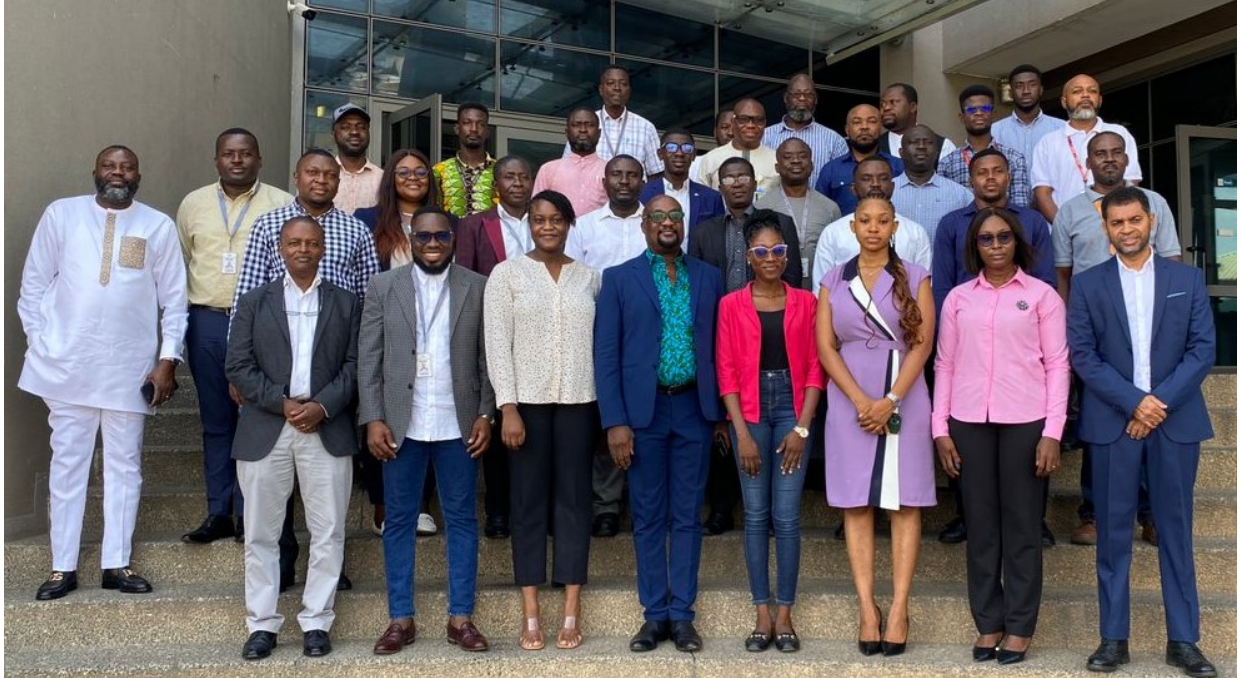


IN COLLABORATION WITH



THEME:

**WORKING TOGETHER ON ENVIRONMENTALLY SOUND MANAGEMENT OF SHIP
WASTES: CHALLENGES & OPPORTUNITIES**



Introduction

PENAF in collaboration with PMAWCA and GPHA organized a three-day training workshop on the implementation of the MARPOL Convention and operationalisation of Port Reception Facilities. The workshop, held in Tema,-Ghana between the 11th to 13th of March, 2024 was for Port Reception Facility operators and associated port authority officials and state actors.

A brief summary by PENAF on the 2022 workshop, which brought together various agencies and stakeholders connected with MARPOL implementation and PRF operation in Ghana together and a subsequent study visit to The Netherlands, with the outcome of recommendations from the Customs Division of the Ghana Revenue Authority for PRF operators to form an association to pursue their common interest, set the premise for the workshop to begin interactively with openness and confident disclosure in a bid to have objective and honest discussions that would lead to achieving the workshop's intended objective.

Objective

The workshop, which was part of PENAF's capacity building programme for the improvement of environmental sustainability performance in African ports, had the specific objectives of:

- Supporting the human capital development of operators of port reception facilities within West and Central Africa to improve their operations and services.
- Having the operators of port reception facilities within West and Central Africa initiate the forming themselves into associations with common front and voice at the local level

of their ports and at the regional, to take up agency and define the rules and norms for their operation and functioning in common and harmonised approaches.

The workshop brought together 38 participants from Ghana, the Democratic Republic of Congo, Cape Verde and Gambia (see Appendix 1 for full list of participants).

Expected Outcome

This was to have participants put together a common workable action plan for establishing an association both locally and regionally.

WORKSHOP STRUCTURE/FORMAT

Each day of the workshop was dedicated to a particular sub-theme. These were:

- **Sub-theme 1 (Day One): Legal & Regulatory Requirements** – This focused on presentations on the legal and regulatory framework relating to MARPOL and the Port Reception Facility.
- **Sub-theme 2 (Day Two): Port Reception Facility (PRF) Implementation in Practice**- This focused on the practical implementation of PRF from the environmental communication, customs, collaborative/partnership, and market-based perspectives.
- **Sub-theme 3 (Day 3): Pragmatic & Efficient PRF Operationalization**- This focused on Initiating a voluntary approach in enhancing PRF & Services and contributing to GPHA's sustainable development.

A. **SUB-THEME 1: LEGAL & REGULATORY REQUIREMENTS** – This focused on presentations on the legal and regulatory framework relating to MARPOL and the port reception facility.

This theme covered four (4) areas.

The first was an Introduction to MARPOL and PRF where the presenter delved into the broad outline of the MARPOL 73/78 Convention looking at the factors that led to the Convention by tracing it to the famous TITANIC disaster. The adoption of the Technical Annexes in 1978 as a Protocol to the MARPOL Convention which had been adopted in 1973 but not come into force, and therefore the Protocol absorbing the parent Convention for it to become known as MARPOL 73/78, combining both adoption years of the Convention and the Protocol, was explained. The Convention has since become the most important multilateral marine environment intervention for preventing pollution of the marine environment by ships.

The second part of sub-theme 1 considered the Rights and Obligations under the MARPOL Convention. The speaker explained the rights to include the setting of regulations and standards relating to the various types of maritime pollution from shipping. Obligations were clarified as the role of Port, Flag and Coastal states in enforcing the set regulations and standards and ensuring compliance within their jurisdiction. Enforcement of these rights and obligations are aimed at minimizing maritime pollution and protecting the marine environment. Violations by actors attract sanctions and penalties and sanctions.

The third part of sub-theme one centred on Environmental Assessment for PRF Installation and Operations. This sought to highlight the critical role of the Environmental Protection Agencies (EPA), particularly of Ghana but also of other countries, in granting the permit and license to PRF operators using internationally recognized best practices.

The final part of the sub-theme 1 focused on the MARPOL Annexes. It covered the technical augmentation to the Convention, for preventing and minimizing accidental and routine operational pollution from ships. They outline a guiding blueprint for the installation of Port Reception Facilities (PRFs) by ports to receive, manage, and dispose ship generated waste in an environmentally sustainable way.

B. SUB-THEME 2: PORT RECEPTION FACILITY(PRF) IMPLEMENTATION IN PRACTICE-

This focused on the practical implementation of PRF from environmental communication, customs, collaborative/partnership, and market-based perspectives.

This theme also covered four (4) areas:

The first part of sub-theme two covered Functions of Environmental Communication. The presentation centred on how best activities about the environmental sustainability can be well communicated to sensitize and conscientise major players in the maritime industry and ordinary persons who are connected or contribute to issues of environmental sustainability. The benefit of environmental communication helping to improve the environment as well as making people conscious about better living with cleaner and greener practices were highlighted. Other values as awareness raising, behavioural change, shaping of public opinion, prompting new policies, preventing conflicts, as well as creating shared interest in protecting the environment, all towards a healthy environment were enumerated. MARPOL placing a duty of care

on PRF operators to communicate with relevant agencies and stakeholders through reportage on incidents was emphasised. Participants were thus encouraged to talk about environmental impact of PRF services, environmentally friendly actions, how others can also help, and encourage each other to act while they change and adopt more environmentally friendly business practices.

The difficulty to sometimes communicate effectively with some assigned personnel with limited knowledge about PRF operation came to the fore.

The second part of the sub-theme 2 covered the Role of the Customs Division of the Ghana Revenue Authority in the Operations of PRF. This looked at the need for the major players in the PRF in Ghana to consolidate their efforts in enhancing their efficiency and effectiveness. Statistics for commercial vessels calling the Port of Tema in January 2024 was given as 258. This indicated that volumes of ship generated waste passing through the port cannot be under-estimated. How Customs is therefore facilitating its role effectively in this regard by developing in-house procedures for escorting PRF trucks from the port to treatment facilities and terminals was explained. It was further made clear that MARPOL waste does not attract taxes and that Ghana's Tax Exemptions Act 1083 (2022) was available to provide tax incentives to PRF operators for the cost of importing the machinery and spare parts needed in the implementation and operation of their facilities. This could be the same in the case of other African countries and needed to be explored. Ghana's PRF operators were encouraged to take the recommendation of coming together to form an association very serious. Such association will give PRF operators a united front and a firm voice that will help in their advocacy and request for tax incentives and waivers on their vehicles, machinery and parts.

The third part of the sub-theme two was on Environmental Financing. The details looked at employing market-based environmental policy instruments and mechanisms to improve ecological impact of business strategies. It explored various ways of financing issues relating to environmental sustainability including finding projects and initiatives aimed mitigating environmental degradation, promoting renewable energy and conserving natural resources. Various regional and sub-regional, global, and governmental options were discussed with the view to bridging the financing gap in the environmental sustainability endeavour. Participants were advised to keep up with current trends in the maritime industry and make informed decisions when procuring equipment for their operations and expansion.

The fourth part of the sub-theme two teased out the important role of innovating a regional ship waste governance mechanism for Africa that will help develop coherent

policies and strategies aimed at enhancing port environmental sustainability. The focus was on cooperative arrangements and collaborative partnerships to work together in harmonizing the different and fragmented domestic ship waste management policies and practices in a regionalised approach. The presentation emphasised the potential threat of increasing shipping on illegal discharge of ship-generated waste and dumping of toxic waste within the sub-region with negative implications for marine life, public health and socio-economic development. The need for effective implementation and efficient PRF operation in Africa is thus becoming more crucial than ever requiring pragmatic action. The cases of toxic waste dumping in Koko (Nigeria) and Abidjan (Cote d'Ivoire) in 1988 and 2006 respectively were cited to buttress that point. An innovative governance mechanism with agency, architecture, inclusion, adaptiveness and coherence as elements was put forward and its benefits for institutionalising a regionalised approach for improving port environmental sustainability explained.

C. SUB-THEME 3: PRAGMATIC & EFFICIENT PRF OPERATIONALISATION-

This focused on organizing for sustainability governance in forging a common front and echoing one voice. The purpose was to introduce participants to the fundamentals of sustainability governance and finally get them to explore ways of utilising the fundamentals by operationalising them in a draft action plan for initiating an own voluntary approach for working together in enhancing PRF services and contributing to sustainable development of their ports.

This theme therefore unlike the other two (2) had a presentation part and a breakout session.

The breakout session got the participants in four (4) groups to brainstorm on how to organise the formation of cooperative and collaborative associations at the two levels of port (local) and regional to work together on their common goals for improving the provision of efficient PRFs and towards the effective implementation of the MARPOL 73/78 Convention.

REFLECTIONS & RECOMMENDATIONS

Reflecting on the workshop, participants agreed in unison that their expectations had been met and that the workshop was highly informative with content very relevant for improving their operational activities. They highlighted the presentation on environmental financing as the best bit. It was new information for them and very insightful. Participants from countries other than

Ghana also found the 'compulsory user fee' structure used by Ghana ports for calling vessels, as quite intriguing and probably a best practice to be considered by other ports in the sub-region.

Recommendations were made for a tariff regime to be developed to encourage PRF operators to receive and treat ship-generated waste from other countries that lack the facilities and resources. It was further recommended that different categories of PRF operators be established depending on operational capacity in order to distinguish between those who only receive and those who receive and treat before disposal.

The overarching recommendation was the PRF operators to come together to pursue the agenda of forming an association or platform at both port and regional levels in order to collaborate and pull resources together to commonly achieve their goals while strengthening the implementation of MARPOL as well as the contributing to the sustainable development of their ports.

APPENDIX 1: SEMINAR PARTICIPANTS LIST

FOREIGN PARTICIPANTS					
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APPENDIX 2: SEMINAR PROGRAMME

MARPOL/PORT RECEPTION FACILITIES TRAINING WORKSHOP

Date: 11TH – 13TH MARCH 2024

Venue: **GPHA HEADQUARTERS, TEMA -
GHANA**

Organised by



in Collaboration with



Theme:

**'Working Together on Environmentally Sound Management
of Ship Wastes: Challenges and Opportunities'**

DAY 1 (11 th March 2024)			
Sub-Theme: Legal & Regulatory Requirements			
TIME	TOPIC	CONTENT	PRESENTER
08:30 – 09:00	Registration		GPHA
09:00 – 09:07	Welcome		Secretary General (PMAWCA)
09:07 – 09:15	Opening remarks		PENAF
09:15 – 09:25	Purpose of the Workshop	General Introduction & Explanation of the Workshop + Agenda	Participants
09:25 – 10:00	Individual introductions	Name + Organisation & Expectations from the Workshop	Participants
10:00 – 10:30	Tea/Coffee Break/Photo Session		
10:30 – 11:00	Introduction to MARPOL & PRF	Broad outline of the Convention/PRF Implementation	Capt. Dan Quartey, GPHA ✓
11:00 – 11:30	Questions and Discussions	Reflections from presentation	Presenter + Participants
11:30 – 12:00	Rights and Obligations under the MARPOL Convention	Responsibilities and roles of actors involved in implementation	Capt. Francis Micah, Managing Consultant, Botse Marine Services ✓
12:00 – 12:30	Questions and Discussions	Reflections from presentation	Presenter + Participants
12:30 – 13:00	Environmental Assessment for PRF installation and operation	Requirements and procedures for obtaining environmental permit	Mr. Kwabena Biritwum, Deputy Director, (EPA) ✓
13:00 – 13:30	Questions and Discussions	Reflections from presentation	Presenter + Participants
13:30 – 14:30	Lunch		
14:30 – 15:30	MARPOL Annexes	Technical augmentations to the Convention, for preventing and minimizing accidental and routine operational pollution from ships	Capt. Dan Quartey, Deputy Harbour Master, GPHA ✓
15:30 – 17:00	Questions and Discussions	Reflections from presentation	Presenters + Participants
17:00 – 17:10	Recap of the day	Highlights of the day's activities	PENAF
17:10	End of Day One		

DAY 2 (12 th March 2024) Sub-Theme: PRF Implementation in Practice			
TIME	TOPIC	CONTENT	PRESENTER
09:00 – 09:10	Introduction to the sub-theme for the day	General explanation of the day's agenda	PENAF
09:00 – 09:30	Functions of Environmental Communication	Port Environmental Communication	Dr. Abena Yeboah-Banin, University of Ghana, Legon
09:30 – 10:00	Questions and Discussions	Reflections from presentation	Presenter + Participants
10:00 – 10:30	Ship Wastes Discharge Operation	Preventing Ship-Source Pollution in the Terminal	Henry Okine, Snr. Environmental Specialist, MPS Tema
10:30 – 11:00	Questions and Discussions	Reflections from presentation	Presenter + Participants
11:00 – 11:30	Tea/Coffee Break		
11:30 – 12:00	Customs Duties and Ship Wastes	Role of Customs in PRF Operations	Mrs. Theresah Potakey, Assistant Commissioner/ 2 I/C Customs Division (Tema Port) Ghana Revenue Authority
12:30 – 13:00	Questions and Discussions	Reflections from presentation	Presenter + Participants
13:00 – 14:30	Lunch		
14:30 – 15:00	Environmental Financing	Employing Market-Based Environmental Policy Instruments to Improve Ecological Impact of Business Strategies	Dr. Juliet Agbeibor, GIMPA, Accra
15:00 – 15:30	Questions and Discussions	Reflections from presentation	Presenter + Participants
15:30 – 16:00	Innovating a Regional Ship Waste Governance Mechanism for Africa	Exploring Collaborative Partnership to Work Together in Harmonising Different Domestic Ship Waste Management Policies and Practices	Dr. Harry Barnes-Dabban, PENAF
16:00 -16:30	Questions and Discussions	Reflections from presentation	Presenter + Participants
16:30 – 16:45	Recap of the day	Highlights of the day's activities	PENAF
16:45	End of Day Two		

DAY 3 (13 th March 2024)			
Sub-Theme: Pragmatic & Efficient PRF Operationalisation			
TIME	TOPIC	CONTENT	PRESENTER
09:00 – 09:10	Introduction to the sub-theme for the day	General explanation of the day's agenda	PENAF
09:00 – 09:30	Organising for Sustainability Governance: Forging a Common Front and Echoing One Voice	Initiating an own voluntary approach for working together in enhancing PRF & Services and contributing to GPHA's sustainable development	Dr. Timothy A. Balag'kutu, Centre for Peace and Security Research, UPISA
09:30 – 11:30	Working Session on Action Plan to Form an Association to Commonly Overcome Challenges and Achieve Goals	Break out groups to brainstorm and prioritise challenges and develop an own plan for initiating an association for a common front, goal and purpose	Participants
11:30 – 12:00	Tea/Coffee Break		
12:00 – 13:30	Presentations on Action Plan by groups	Open discussion and consolidation of outcomes from groups into a composite draft plan of action for forming an Association and working together on common goal and improving performance in contributing to port sustainable development	Participants + PENAF
13:30 – 13:45	Next Steps	Recommendations and conclusion on the way forward	Participants
13:45 – 13:55	Closing Remarks	Wrap Up and Expectations	GPHA
14:00	Lunch & End of Workshop		