



---

**MEDITERRANEAN ACTION PLAN (MAP)  
REGIONAL MARINE POLLUTION EMERGENCY RESPONSE CENTRE FOR THE  
MEDITERRANEAN SEA (REMPEC)**

---

Twelfth Meeting of the Focal Points of the Regional  
Marine Pollution Emergency Response Centre  
for the Mediterranean Sea (REMPEC)

REMPEC/WG.41/8\*  
Date: 26 April 2017

Malta, 23-25 May 2017

Original: English

Agenda Item 8

**THE DRAFT MEDITERRANEAN GUIDE ON COOPERATION AND MUTUAL ASSISTANCE  
IN RESPONDING TO MARINE POLLUTION INCIDENTS**

**Note by the Secretariat**

**SUMMARY**

**Executive Summary:** This document provides background information which outlines the process leading, from the review of the Mediterranean “Principles and Guidelines on Cooperation and Mutual Assistance”, to the preparation of the draft Mediterranean Guide on Cooperation and Mutual Assistance in responding to Marine Pollution Incidents. The draft Guide and its annexes are presented in the Appendix to the document under review.

**Actions to be taken:** Paragraph 31

**Related documents:** REMPEC/WG.37/14/2, REMPEC/WG.37/12, REMPEC/WG.40/WP.1,  
REMPEC/WG.40/2, REMPEC/WG.40/3, REMPEC/WG.40/WP.2

**Background**

1 Since 1987, the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) has developed a series of Principles and Guidelines on various aspects related to cooperation during an oil spill incident. These Principles and Guidelines are listed hereunder:

- .1 “Guidelines for Co-operation in Combating Marine Oil Pollution in the Mediterranean” adopted by the Fifth Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea Against Pollution (“the Barcelona Convention of 1976”) and its related Protocols, which was held in Athens, Greece from 7 to 11 September 1987;
- .2 “Principles and Guidelines concerning cooperation and mutual assistance” adopted by the Seventh Ordinary Meeting of the Contracting Parties to the Barcelona Convention of 1976 and its related Protocols, which was convened in Cairo, Egypt from 8 to 11 October 1991, and which contained the following Principles, Guidelines and Checklist:
  - i. “Principles and Guidelines concerning the role and responsibilities of experts sent on mission by the Centre, following the request of a State in case of emergency, and duties and obligations of States towards them”;

---

\* Reissued for technical reasons.

- ii. "Principles and Guidelines concerning the sending, receiving and returning of equipment in case of international assistance operation";
  - iii. "Principles and Guidelines concerning arrangements and operational procedures which could be applied in case of a joint operation";
  - iv. "Checklist of procedures to be followed and persons to be contacted in case of emergency";
  - v. "Checklist of principal institutional provisions aimed at facilitating mutual assistance in case of a major marine pollution accident which should be included in national contingency plans"; and
- .3 "Guidelines concerning the Exchange of Liaison Officers between the Contracting Parties in case of Response Operations involving Several States" and "Guidelines concerning Arrangements which might be made with a view to ensuring, in case of an accident, liaison between the Governmental Authorities and other Interested Parties" adopted by the Ninth Ordinary Meeting of the Contracting Parties to the Barcelona Convention of 1976 and its Protocols, which was held in Barcelona, Spain from 5 to 8 June 1995.

2 The Regional Meeting of National Experts on the Revision of the Regional Strategy for Prevention of and Response to Marine Pollution from Ships for the period 2005-2015, which was convened in Malta from 11 to 12 March 2015, agreed upon the need to review the Mediterranean Principles and Guidelines considering the latest international and European developments (i.e. the International Maritime Organization (IMO) Guidelines on International Offers of Assistance for Oil Pollution Incidents and the host nation support under the European Union Civil Protection Mechanism (UCPM).

3 The said Meeting further specified that, in the context of this review, clear procedures, conditions and synergies should be established and agreed upon to ensure an effective coordination between, on the one hand, the Mediterranean response and assistance mechanism (i.e. Mediterranean Assistance Unit (MAU) and, on the other hand, the European response and assistance mechanism (i.e. Emergency Response Coordination Centre (ERCC), European Maritime Safety Agency (EMSA)'s pollution response services and Common Emergency Communication and Information System (CECIS)).

4 In this context, following discussions on document REMPEC/WG.37/14/2 on the proposal related to future possible work of the Mediterranean Technical Working Group (MTWG), and document REMPEC/WG.37/12 on cooperation between REMPEC and the European Commission (EC) as well as the European Maritime Safety Agency (EMSA), the Eleventh Meeting of the Focal Points of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), held in Malta from 15 to 17 June 2015, agreed:

- .1 to include a complete review of the Mediterranean "Principles and Guidelines on cooperation and mutual assistance" in the programme of work of the MTWG for the biennium 2016-2017;
- .2 to organise working-level exchanges between, on the one hand, the Mediterranean coastal States and, on the other hand, relevant entities such as IMO, the United Nations Environment Programme (UN Environment) together with representatives from the Mediterranean Action Plan (MAP) of the UN Environment (UN Environment/MAP), the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), REMPEC, EC as well as EMSA, to discuss cooperation arrangements and synergies between the European and regional mechanisms.

5 Subsequently, the Nineteenth Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols (COP19), which was held in Athens, Greece from 9 to 12 February 2016, agreed to support the:

- .1 update of the Mediterranean “Principles and Guidelines on cooperation and mutual assistance” in the UN Environment/MAP’s Programme of Work and Budget for 2016-2017; and
- .2 organisation of a technical regional workshop on Cooperation Arrangements in the Field of Preparedness for and Response to Oil and HNS Spills (MEDEXPOL 2016) and a High Level Meeting on cooperation arrangements in the field of preparedness and response to oil and HNS spills.

6 It is recalled that COP19 adopted the Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2016-2021), which is presented in the Annex to document REMPEC/WG.41/INF.3, and according to its Specific Objective 21, “To revise the existing recommendations, principles and guidelines, and to develop new ones aimed at facilitating international co-operation and mutual assistance within the framework of the Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (the 2002 Prevention and Emergency Protocol)”, the Contracting Parties agreed that REMPEC focuses its works *inter alia*, on:

- .1 the preparation, with high priority, in cooperation with REMPEC National Focal Points, revised, updated and/or amended texts of the relevant regional recommendations, principles and guidelines to be proposed for adoption to the Meetings of the Contracting Parties;
- .2 the development, as the need arises and in cooperation with REMPEC national Focal Points, new recommendations, principles and guidelines, as necessary, and to be proposed for adoption to the Meetings of the Contracting Parties; and
- .3 in carrying out the above requests, cooperation with IMO, other Regional Agreements, EMSA under its relevant Action Plans and the UCPM, taking into account any new developments on international cooperation and mutual assistance as indicated in the penultimate paragraph of the introduction of the present Specific Objective.

7 COP19 further stressed the need for such cooperation in the region by adopting Decision IG.22/18 on “Cooperation and Partners”, which “Requests the Secretariat to initiate discussions with relevant regional and international organisations with the aim to optimise synergies and coordination on response and assistance in case of major accidental pollution in the Mediterranean”.

#### **Draft Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution Incidents**

8 In accordance with the above, REMPEC initiated the revision of the existing Mediterranean Principles and Guidelines with the main objective to provide advice to Mediterranean coastal States to ensure effective coordination between all stakeholders potentially involved in a major incident in the Mediterranean region.

9 However, following the revision of these Principles and Guidelines it was noted that additional support and further guidance were required in order to provide Mediterranean coastal States with structured coordination between all stakeholders potentially involved in a major incident in the Mediterranean region with the management of requests and offers of assistance from other countries and organisations when confronted with large, complex or significant marine pollution incidents which address the needs of countries with low response capacities as well as those of countries with robust response and preparedness system.

10 REMPEC, with the assistance of a Consultant, developed a draft Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution Incidents, hereinafter referred to as the “draft Guide”, which was presented at MEDEXPOL 2016. The draft Guide is built on existing manuals and guidelines. It aims at providing comprehensive and practical information and guidance material for the management of response to accidental marine pollution and considers possible situations, scenarios and types of relations, which would be established at the time of a marine pollution incident. The draft Guide does not cover operational and technical matters, which are addressed in other regional and international manuals and guidelines.

11 The draft Guide is divided in four (4) parts as follows:

- .1 Part I provides background information on the legal and institutional framework of regional and international assistance and provides also an overview of the current situation, the risks and the parties which will be or may be involved in a marine pollution incident;
- .2 Part II addresses the relationship between the parties involved in an incident and presents various scenarios of requests and offers of assistance as well as the types of national systems;
- .3 Part III details the management and organizational aspects of regional and International assistance by providing step by step guidance for reporting, requesting and offering assistance up to the termination of the operation, whilst proposing a set of standard forms to facilitate the requests and offers of assistance at regional level; and
- .4 Part IV gives useful information on legal, administrative and financial aspects related to the requests and offers of assistance.

12 The draft Guide is completed by a set of annexes including lists, directories, inventories, and the existing Guidelines (Annex I), forms for pollution reporting, request for assistance, offer of assistance, acceptance/declination of offer of assistance (Annex II) and procedures for the preparation and submission of claims (Annex III).

**The Regional Workshop on Cooperation Arrangements in the Field of Preparedness for and Response to Oil and HNS Spills (MEDEXPOL 2016).**

13 MEDEXPOL 2016, hereinafter referred to as the Meeting, was held in St Julian's, Malta between 14 and 15 December 2016. The Meeting was convened pursuant to the UN Environment/MAP Programme of Work for 2016-2017 adopted by COP19.

14 The principal objectives of the Meeting were to review and examine the draft Guide prepared by REMPEC, and presented under document REMPEC/WG.40/2, and to give clear instructions and guidance to the Secretariat for its finalisation, prior to onward transmission to the present Meeting for its review and approval.

15 The Meeting considered during the review of the draft Guide the general comments and specific contributions provided by the European Union, France and Libya as well as the International Oil Pollution Compensation Funds (IOPC Funds), the global oil and gas industry association for environmental and social issues (IPIECA) and the International Tanker Owners Pollution Federation Limited (ITOPF), presented in document REMPEC/WG.40/3.

16 The Meeting discussed at length possible further improvements of the content and the structure of the draft Guide. As far as the content is concerned, with a view to simplify the document, the Meeting agreed to:

- .1 replace, where appropriate, the text by Fiches for each institution which may be involved in the coordination and/or mutual assistance in case of pollution incidents, in Part I;
- .2 develop a flowchart showing the step by step procedures in Part III, and a Fiche presenting the relationship and the working procedures between REMPEC and the institutions which may be involved in the coordination and/or mutual assistance in case of pollution incident, in Part I and Part III; and
- .3 review the structure of the draft Guide and limit it to two (2) Parts only focussing on Background Knowledge and Operational procedures, respectively.

17 The Meeting took note of the information provided on the set of annexes focussing on Annex I.4, of the document REMPEC/WG.40/2, related to the existing "Principles and Guidelines on cooperation and mutual assistance" and agreed on the proposed amendments and on the proposal to consider them as integral part of the draft Guide.

- 18 The proposed amendments were made on:
- .1 the Guidelines for Co-operation in Combating Marine Oil Pollution in the Mediterranean, adopted by the fifth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Athens, 11 September 1987 (UNEP/IG.74/5), in its introduction and in paragraphs 1, 2, 3 and 9;
  - .2 the Principles and Guidelines concerning Cooperation and Mutual Assistance adopted by the Seventh Meeting of the Contracting Parties to the Barcelona Convention, Cairo, 11 October 1991 (UNEP(OCA)/MED IG.2/4, Annex IV, Appendices I-VI), in:
    - i. paragraphs 2, 6 and 8 of the Principles and Guidelines concerning the role and responsibilities of experts sent on mission by the Centre, following the request of a State in case of emergency, and duties and obligations of States towards them;
    - ii. paragraphs 3 and 5 of the Principles and Guidelines concerning the sending, receiving and returning of equipment in case of international assistance operation;
    - iii. paragraph 2 of the Principles and Guidelines concerning arrangements and operational procedures which could be applied in case of a joint operation;
    - iv. the "Introduction", "Notification", "Response measures" and "Financial matters" chapters of the Checklist of procedures to be followed and persons to be contacted in case of emergency;
    - v. paragraphs 1, 2, 3, and 4 of the Checklist of principal institutional provisions aimed at facilitating mutual assistance in case of a major marine pollution accident which should be included in national contingency plans; and
  - .3 the Guidelines concerning Arrangements which might be made with a view to ensuring, in case of an accident, liaison between the Governmental Authorities and other Interested Parties adopted by the Ninth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Spain 5 - 8 June 1995, in paragraphs 1 and 2.

19 The Meeting agreed upon the consolidated draft Guide as amended in document REMPEC/WG.40/WP.1, and requested the Secretariat to make the necessary editorial corrections, including the restructuring of the draft Guide and the inclusion of Fiches, as well as the formatting of the whole document according to the Meeting conclusions and recommendations presented in document REMPEC/WG.40/WP.2, prior to onward transmission to the present Meeting for its review and approval.

#### **Consolidated version of the draft Guide**

20 According to the conclusions and recommendations of the Meeting, the Secretariat updated the Draft Guide by reviewing its structure, developing the Fiches, the Flowchart and the Fiche on the relationship of REMPEC with other Organisations.

21 With regard to the review of the structure of the draft Guide, the Secretariat with the support of the Consultant proceeded with the review of the structure keeping the substance of the text agreed by the Meeting. Under the new structure the Guide is composed of two parts which can be read separately.

22 Part I entitled, Background Information contains the basic background information and guidance which authorities will need to consult in case of emergency, is divided into three chapters:

- .1 Chapter 1 provides information on the legal and institutional framework regarding marine pollution incidents and on regional and international assistance in cases of emergency;
- .2 Chapter 2 provides an overview of the current situation; and

- .3 Chapter 3 addresses the relationship between the parties involved in an incident and presents various scenarios of requests and offers of assistance.

23 Part II entitled, Request and Management of International Assistance (Operational Procedures), details the procedures for the request, management and organisation of cooperation and international assistance, is divided into two chapters:

- .1 Chapter 1 provides step by step guidance for reporting, requesting and offering assistance up to the termination of the operation. It proposes also a set of standard forms to facilitate the request and offer of assistance at regional level; and
- .2 Chapter 2 gives useful information on legal, administrative and financial aspects related to the management of international assistance.

24 The information and guidance contained in the body of the draft Guide are complemented with detailed annexes and references to comprehensive documents including links to specialised websites in particular to the Regional Information System (RIS) developed and maintained by REMPEC. Elements contained in the draft Guide can also be taken into account in the national preparedness and response system.

25 According to the request of the Meeting related to the development of the Fiches, the Secretariat liaised with the institutions which may be involved in the coordination and/or mutual assistance in case of a pollution incident, to produce the individual Fiches according to the template endorsed during the Meeting. The work led to the establishment of Fiches of fifteen (15) International and Regional Organisations.

26 The Fiches appear in Annex I: Lists, directories, inventories and guidelines, of the draft Guide under the following numbers:

- .1 Annex I.1 - International and Regional Institutions:  
Governmental: IMO, REMPEC, OCHA, IOPC Funds and EC  
Non-governmental: ITOPF, IPIECA, Intervention in Chemical transport Emergencies (ICE), International Salvage Union (ISU) and International Association of Classification Societies (IACS).
- .2 Annex I.5 - Mediterranean Assistance Unit for Combating Accidental Marine Pollution:  
Centre de documentation, de recherche et d'expérimentations sur les pollutions accidentelles des eaux (Cedre), Federazione Nazionale dell'Industria Chimica (FEDERCHIMICA), Italian National Institute for Environmental Protection and Research (ISPRA), Mediterranean Oceanography Network for Global Ocean Observing System (MONGOOS) and Sea Alarm Foundation (SAF)

27 For the flowchart, the Secretariat considered the steps to be followed once the need of regional and international assistance is identified. It details the responsibilities and the means to request the assistance until the termination of Assistance/Demobilisation.

28 The Flowchart appears in Part II, Chapter 1 of the draft Guide: Procedures for request and offer of assistance.

29 According to the request of the Meeting, the Secretariat prepared another Fiche showing the relationship between REMPEC and other Organisations. The relationship is presented through two diagrams:

- .1 the first is related to exceptional circumstances and to large and complex pollution leading to a massive mobilisation of response means provided by various sources (from the region and outside the region); and
- .2 the second is the diagram related to cooperation and mutual assistance in cases of Tier 2 or Tier 3 situations when an affected Contracting Party is requesting assistance to other Contracting Party as well as to response providers or industry arrangements; and, when REMPEC will provide technical advice and assistance of experts (through the mobilisation of the MAU).

- 30 The two diagrams appear in Part I, Chapter 3 of the draft Guide: Relationships, cooperation and mutual assistance in case of emergency and marine pollution incident.

**Actions requested by the Meeting**

31 **The Meeting is invited to:**

- .1 **take note** of the information provided in the present document; and
- .2 **examine and agree** upon the draft Guide, which is presented in the Appendix to the document under review, including the Mediterranean “Principles and Guidelines on Cooperation and Mutual Assistance”, as amended at MEDEXPOL 2016, reproduced in Annex I.4.



## **APPENDIX**

### **Draft Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution Incidents**

This activity has been financed by the Mediterranean Trust Fund (MTF), the International Maritime Organization (IMO) Integrated Technical Cooperation Programme (ITCP), and The global oil and gas industry association for environmental and social issues (IPIECA), and has been implemented by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC).



## FOREWORD

The Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution Incidents has been prepared in line with the mandate of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) (Decision IG.19/5) as approved by the Sixteenth Ordinary Meeting of the Contracting Parties, held in Marrakesh, Morocco, between 3 and 5 November 2009, considering in particular its objective, mission and scope of action.

One of the objectives of REMPEC is to develop regional co-operation and to facilitate co-operation among the Mediterranean coastal States in order to respond to pollution incidents which result or may result in a discharge of oil or other hazardous and noxious substances and which require emergency actions or other immediate response.

Among the main functions of REMPEC are:

- To assist coastal States of the Mediterranean region, which in cases of emergency so request, in obtaining assistance of the other Parties to the Protocol Concerning Co-operation in Preventing Pollution from Ships and Combating Pollution of the Mediterranean Sea by Oil and Other Hazardous and Noxious Substances in Cases of Emergency and Preventing Pollution from Ships, or when the possibilities for assistance do not exist within the region, in obtaining international assistance from outside the region;
- To prepare and keep up to date operational arrangements and guidelines, aimed at facilitating co-operation between Mediterranean Coastal States in cases of emergency.

## INTRODUCTION

The Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution Incidents, hereinafter referred to as the "Guide", is a tool developed by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) to assist Contracting Parties to the Barcelona Convention and its Protocols in managing requests and offers of assistance from other countries and organisations when confronted with large, complex or significant marine pollution incidents.

This Guide built on the existing manuals and guidelines is designed to provide the required background information and guidance to the national competent authorities in charge of managing and coordinating cooperation and international assistance when responding to marine pollution incidents.

This Guide addresses the needs of countries with limited response capacities as well as those of countries with robust response and preparedness systems.

### Purpose

The Guide provides comprehensive and practical information and guidance material for the management of response to accidental marine pollution. It considers possible situations, scenarios and types of relations which would be established at the time of a marine pollution incident. It aims at ensuring cooperation and coordination of all parties involved in a major pollution incident in the Mediterranean region. The Guide does not cover operational and technical matters, which are addressed in other regional and international manuals and guidelines.

The Guide concentrates on relationships between the relevant national authorities of an affected Contracting Party and other parties involved (other governments, REMPEC, the polluter, industries, private sectors, insurances, etc.) taking into account the specificities of the Mediterranean region and building on the existing arrangements.

The Guide:

- reviews several types of scenarios for requests and offers of assistance: Government to Government; Government to REMPEC; Government to Private Sector; Private Sector to Government; and Private Sector to Private Sector;
- considers the roles of Requesting Country's and Assisting Country's relevant State authorities in supporting government and industry response personnel (i.e. operators) to obtain the appropriate tools and resources for operational needs through the establishment of dedicated management structure(s) for all aspects of cooperation and international assistance during a particular incident;
- addresses the relationship between the relevant Authorities of the Affected Country/ Requesting Country and the polluter/responsible party (and/or the responsible party's representatives and response contractors) in the context of the management of cooperation and international assistance: who initiates, who funds, and who directs the solicitation, coordination and management of response resources needed and accepted;
- outlines the role of Requesting Country's authorities involved: in requesting assistance; in resolving customs, immigration and trade issues; in appropriately expediting the receipt of response resources from other countries; as well as the role of the Response Authority in charge of response operations when it comes to defining the need for international assistance;
- takes into account the Assisting Country's role and responsibility in overseeing/authorizing release of government-owned and private sector equipment and personnel, whose movement may be restricted due to a need to meet minimum requirements of response capacity;
- addresses considerations for the Requesting Country to fund or reimburse costs associated with the receipt of resources from an Assisting Country or Assisting Organisation;

- considers how best to evaluate offers provided by Assisting Countries or Assisting Organisations to ensure they meet the operational needs of the response; and
- recall the **role of REMPEC in Assisting Countries** including its role in coordinating international assistance.

### **Organisation and use of the Guide**

The Guide is composed of two parts which can be read separately. They contain the minimum information and guidance which authorities will need to access rapidly in case of emergency. The information and guidance contained in the body of the guide are complemented with detailed annexes and references to comprehensive documents including links to specialised websites, in particular to the Regional Information System (RIS) developed and maintained by REMPEC. Elements contained in this Guide can also be taken into account in the national preparedness and response system.

## **PART I            BACKGROUND INFORMATION**

Part I contains the basic background information and guidance which authorities will need to access rapidly in case of emergency.

Chapter 1 provides information on the legal and institutional framework regarding marine pollution incidents and on regional and international assistance in cases of emergency.

Chapter 2 provides an overview of the current situation.

Chapter 3 addresses the relationship between the parties involved in an incident and presents various scenarios of request and offer of assistance.

## **PART II            REQUEST AND MANAGEMENT OF INTERNATIONAL ASSISTANCE (OPERATIONAL PROCEDURES)**

Part II details the procedures for the request, management and organisation of cooperation and international assistance.

Chapter 1 provides step by step guidance for reporting, requesting and offering assistance up to the termination of the operation. It proposes also a set of standard forms to facilitate the (preparation of) request and offer of assistance at regional level.

Chapter 2 gives useful information on legal, administrative and financial aspects of the management of international assistance.

The Guide is completed by a set of annexes including fiches, lists, directories, inventories, and existing principles and guidelines on cooperation and mutual assistance (**Annex I**), forms for pollution reporting, request for assistance, offer of assistance, acceptance/declination of offer of assistance (**Annex II**) and procedures for the preparation and submission of claims (**Annex III**).

The Guide will be maintained electronically on the Centre's website to allow, in particular, periodic amendments of the lists, directories, inventories referred to in **Annex I**.

It is recommended that the guide be considered as a tool and be used by the relevant authorities in hard copy.

## TABLE OF CONTENTS

<b>PART I BACKGROUND INFORMATION .....</b>	<b>9</b>
<b>Chapter 1 Legal and Institutional Framework .....</b>	<b>9</b>
1.1 Legal Framework .....	9
1.1.1 International Conventions .....	9
1.1.1.1 The Law of the Sea Convention.....	9
1.1.1.2 IMO Conventions .....	9
1.1.2 Regional Convention and Protocols.....	14
1.1.2.1 Convention for the Protection of the Mediterranean Sea Against Pollution .....	14
1.1.2.2 <i>Prevention and Emergency Protocol</i> .....	15
1.1.2.3 <i>Offshore Protocol</i> .....	16
1.1.3 National legal framework .....	16
1.2 International Institutional Framework .....	17
1.2.1 Governmental institutions .....	17
1.2.1.1 Institutions belonging to the UN system .....	17
1.2.1.2 Intergovernmental institutions which do not belong to the UN system.....	18
1.2.2 Non-governmental institutions .....	19
1.3 Mechanisms for assistance and industry arrangements.....	21
1.3.1 Mechanisms for assistance.....	21
1.3.2 Industry arrangements.....	24
<b>Chapter 2 Current Situation .....</b>	<b>26</b>
2.1 Current situation in the Mediterranean countries regarding prevention of, preparedness for and response to marine pollution .....	26
2.1.1 National systems for prevention, preparedness and response of all Contracting Parties to the Prevention and Emergency Protocol .....	26
2.1.2 Sub-regional and bilateral agreements .....	26
2.2 Pollutions incidents and the various types of situations.....	27
2.2.1 Sources of pollution .....	27
2.2.2 Type of pollutant .....	27
2.2.3 Type of release .....	27
2.2.4 Size of pollution .....	27
2.2.5 Place of pollution .....	28
2.2.6 Nature of the pollution incident (causes of pollution) .....	28
2.2.7 Number of countries affected.....	29
2.3 Different types of national response systems when it comes to who is in charge of response operations .....	29

2.3.1	For marine pollution arising from ships .....	30
2.3.2	For marine pollution incidents arising from offshore units or shore oil and chemical handling facilities .....	30
2.3.3	In case of major pollution .....	31
2.3.4	In exceptional circumstances .....	31
2.4	Resources available for International Assistance in the Mediterranean region.....	32
2.5	Existing Guidelines .....	32
2.5.1	IMO Guidelines .....	32
2.5.2	REMPEC Guidelines .....	33
<b>Chapter 3</b>	<b>Relationships, cooperation and mutual assistance in case of emergency and marine pollution incident.....</b>	<b>34</b>
3.1	Parties which will be involved .....	34
3.1.1	Government(s) of the affected country(ies).....	34
3.1.2	The ship interests .....	34
3.1.3	Operators of offshore units .....	36
3.1.4	Operators of sea ports and oil and chemical handling facilities .....	37
3.1.5	Assisting Entities .....	37
3.1.6	Assisting Countries.....	37
3.1.7	Response contractors.....	38
3.2	Relationships with Parties involved.....	38
3.2.1	Relationships with Responsible Party (RP) and related parties.....	38
3.2.2	Relationships with REMPEC.....	39
3.2.3	Relationships with other Contracting Parties affected or likely to be affected.....	40
3.2.4	Relationships with Contracting Parties requested to provide assistance.....	40
3.2.5	Relationships with response providers.....	41
3.2.6	Relationships with compensation organisations for ships pollution incident .....	41
3.2.7	Relationships with insurers of offshore units and sea ports and oil and HNS handling facilities.....	41
3.3	Types of Requests and Offers of Assistance Scenarios.....	41
3.3.1	Government of affected country to Government of a Contracting Party .....	42
3.3.2	Government of affected country(ies) requesting through REMPEC assistance from Government(s) of other country(ies) .....	42
3.3.3	Government of affected country preferably through REMPEC to mechanisms for assistance (IMO, UN/OCHA, DG ECHO/ERCC).....	43
3.3.4	Government of affected country to Responsible Party - private sector-response contractors.....	43
3.3.5	Responsible Party to response contractors.....	43

3.3.6	Responsible Party to Assisting Country and REMPEC .....	43
<b>PART II REQUEST AND MANAGEMENT OF INTERNATIONAL ASSISTANCE .....</b>		<b>47</b>
<b>Chapter 1 Procedures for request and offer of assistance .....</b>		<b>47</b>
1.1	National preparedness and response system, a pre-requisite.....	47
1.1.1	General Principles .....	47
1.1.2	Initial assessment (by the command structure for operational response) .....	47
1.1.3	Notification (by the designated authority/OPRC Focal Point - <i>the command structure for operational response</i> ).....	48
1.1.4	Activation of the National Contingency Plan .....	48
1.2	Request for assistance, mobilising external resources.....	48
1.2.1	Assessment of the needs (by the command structure) .....	48
1.2.2	Requesting procedure (by the management structure, on the basis of the needs expressed by the command structure).....	49
1.2.3	Terms and conditions .....	50
1.2.4	Communication and reporting.....	51
1.3	Offers of Assistance.....	51
1.3.1	From Contracting Parties.....	51
1.3.2	From mechanisms for assistance (intergovernmental mechanisms UN-OCHA, DG ECHO/ERCC).....	52
1.3.3	From private sector.....	53
1.3.4	Acceptance and declination (evaluation of offers).....	53
1.4	Resources mobilised by the Responsible Party at its own expense .....	54
1.4.1	Following the request of the government of the affected country to take measures to combat the pollution, mobilisation of resources by the Responsible Party at its own expense.....	54
1.4.2	At its own initiative and with the agreement of the affected country, mobilization of resources by the Responsible Party at its own expense .....	54
1.5	Joint response operations carried out by neighbouring countries.....	55
1.5.1	Cooperation among the neighbouring countries (request/offer of assistance) and coordination of the mobilisation of the resources .....	55
1.5.2	Request of international assistance by each individual country, and management of external offers of assistance made to each individual country (coordination) .....	55
1.6	Dispatching of resources .....	56
1.6.1	Role and responsibility of the Assisting Country for dispatching resources.....	56
1.6.2	Role and responsibility of the management structure of the Requesting Country to receive and dispatch, in coordination with the command structure, the resources to the place where they will be used .....	56
1.7	Operational command of the resources mobilised in the context of international assistance .....	57

1.7.1	The command structure of the Requesting Country shall have the overall operational control and supervise response operations.....	57
1.7.2	Operational arrangements in case of joint response operations by neighbouring countries.....	57
1.7.3	Use of dispersants.....	58
1.7.4	Disposal and treatment of wastes.....	58
1.7.5	Maintaining liaison between the Assisting Party and the Requesting Country during the response operations, according to circumstances.....	58
1.8	Termination of assistance.....	58
1.8.1	Termination by the Assisting Party.....	58
1.8.2	Termination by the affected country.....	58
1.9	Possible role of REMPEC in coordinating international assistance.....	59
<b>Chapter 2</b>	<b>Administrative, Legal and Financial Aspects .....</b>	<b>62</b>
2.1	Administrative aspects.....	62
2.1.1	Customs.....	62
2.1.2	Immigration issues.....	62
2.1.3	Points of entry.....	63
2.2	Transboundary movement of response personnel, equipment, products and self-contained units.....	63
2.2.1	Overflight procedures.....	63
2.2.2	Navigation procedures.....	63
2.2.3	Personnel, equipment, products and self-contained units provided by the industry..	64
2.3	Legal aspects.....	64
2.3.1	Liability for injuries or damage/insurance of personnel.....	64
2.3.2	Medical insurance and medical assistance.....	64
2.3.3	Conditions of work.....	65
2.3.4	Legal framework.....	65
2.4	Financial aspects.....	65
2.4.1	Financing response measures and assistance.....	65
2.4.1.1	Financing response measures carried out and assistance provided by Assisting Parties (Assisting Country or private contractors) at the request of the affected country.....	66
2.4.1.2	The Responsible Party may accept to pay directly the Assisting Party requested by the Requesting Country.....	67
2.4.1.3	REMPEC assistance.....	67
2.4.2	Reimbursement of costs of response measures and assistance.....	67
2.4.3	Calculation of costs of response measures and assistance.....	67
2.4.4	Preparation and submission of claims.....	68

## **ANNEXES**

### **ANNEX I - LISTS, DIRECTORIES, INVENTORIES and GUIDELINES**

ANNEX I.1 - INTERNATIONAL AND REGIONAL INSTITUTIONS

ANNEX I.2 - LISTS OF CONTRACTING PARTIES' FOCAL POINTS

ANNEX I.3 - DIRECTORY OF COMPANIES OFFERING SERVICES IN THE  
MEDITERRANEAN IN CASE OF EMERGENCY

ANNEX I.4 - MEDITERRANEAN "PRINCIPLES AND GUIDELINES ON COOPERATION AND  
MUTUAL ASSISTANCE"

ANNEX I.5 - MEDITERRANEAN ASSISTANCE UNIT FOR COMBATING ACCIDENTAL  
MARINE POLLUTION

### **ANNEX II - EMERGENCY PROCEDURES**

ANNEX II. 1 - POLLUTION REPORTING SYSTEM - (POLREP)

ANNEX II. 2 - EMPTY STANDARD POLREP FORM

ANNEX II. 3 - STANDARD FORM FOR REQUEST OF EXPERT

ANNEX II. 4 - STANDARD FORM FOR REQUEST OF EQUIPMENT AND PRODUCTS

ANNEX II. 5 - STANDARD FORM FOR OFFER OF ASSISTANCE

ANNEX: II. 6 - SAMPLE OF RECEIPT/ ACKNOWLEDGE FORM

ANNEX II. 7 - SAMPLE OF ACCEPTANCE FORM

ANNEX II. 8 - SAMPLE OF DECLINE /ON HOLD FORM

ANNEX II. 9 - SITUATION REPORT (SITREP)

### **ANNEX III – CLAIMS**

ANNEX III.1 - PREPARATION OF CLAIMS

ANNEX III.2 - SUBMISSION, ASSESSMENT AND SETTLEMENT OF CLAIMS

### **ANNEX IV – GLOSSARY and ACRONYMS**

ANNEX IV.1 - GLOSSARY

ANNEX IV.2 - ACRONYMS

## **PART I**

### **BACKGROUND INFORMATION**

Part I provides background information regarding the legal and institutional framework under which cooperation and international assistance to respond to marine pollution incident should be organised. It also provides an overview of the current situation and presents briefly the parties which will be or may be involved in a marine pollution incident. In addition, it addresses the relationship between the parties involved in an incident and presents various scenarios of request and offer of assistance.

## **Chapter 1 Legal and Institutional Framework**

### **1.1 Legal Framework**

#### **1.1.1 International Conventions**

##### **1.1.1.1 The Law of the Sea Convention**

The United Nations Convention on the Law of the Sea (UNCLOS) imposes a general obligation on States to protect and preserve the marine environment. It further provides that States:

- shall take, individually or jointly as appropriate, all measures to prevent, reduce and control pollution of the marine environment from any source, using for this purpose the best practicable means at their disposal and in accordance with their capabilities;
- have the right to take and enforce measures beyond the territorial sea proportionate to the actual or threatened damage to protect their coastline or related interests from pollution or threat of pollution following upon a maritime casualty; and
- shall individually or jointly develop and promote contingency plans for responding to pollution incidents in the marine environment.

##### **1.1.1.2 IMO Conventions**

It is through the competent international organisation, the International Maritime Organization (IMO), that rules and regulations to prevent, reduce and control pollution of the marine environment from ships as well as for compensation for pollution damage are established. These rules and regulations, which are contained in the following conventions and which have been complemented by manuals and guidelines, are the basis for establishing national systems for preparedness and response to marine pollution incidents, as well as for international and regional cooperation in cases of emergency.

##### **a. *The MARPOL Convention***

The International Convention for the Prevention of Pollution from Ships (MARPOL) is the main international convention covering prevention of pollution of the marine environment by ships from operational or accidental causes. The MARPOL Convention provides under its Article 2.4 a clear definition of ship<sup>1</sup>. A number of provisions of the MARPOL Convention apply to fixed or floating platforms, as well as specific provisions contained in the Mobile Offshore Drilling Units Code (MODU Code). The main provisions of the Convention addressing response to marine pollution incidents relate to:

---

<sup>1</sup> "Ship" means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed or floating platforms.

- the notification and reporting of incidents; and
- the contingency planning.

Protocol I: Provisions concerning Reports on Incidents involving Harmful Substances.

It is an obligation of the master or other person having charge of any ship involved in an incident to report such incident without delays in accordance with the provisions of the Protocol. The Protocol specifies when to make reports, the contents of report, and the reporting procedures. IMO by Resolution A.851 (20) adopted the General principles for ship reporting systems and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants. These were amended by MEPC resolution MEPC.138 (53) (Ref: par. 2.5.1).

MARPOL art 8: National contact point for pollution reporting

Parties to MARPOL convention shall make arrangement for an appropriate officer or agency to receive and process all report on incidents. Parties shall notify IMO with complete details of such arrangements for circulation to other Parties and Member States of the Organization

Regulation 37 of MARPOL Annex I: Shipboard oil pollution emergency plan

It requires that oil tankers of 150 gross tonnages and above and all ships of 400 gross tonnages and above carry an approved Shipboard Oil Pollution Emergency Plan (SOPEP).

Regulation 17 of MARPOL Annex II: Shipboard marine pollution emergency plan for noxious liquid substances

Similarly, regulation 17 of MARPOL Annex II requires that all ships of 150 gross tonnages and above carrying noxious liquid substances in bulk carry an approved shipboard marine pollution emergency plan for noxious liquid substances. The latter may be combined with a SOPEP, since most of their contents are the same and one combined plan on board is more practical than two separate ones in case of an emergency. To make it clear that the plan is a combined one, it should be referred to as a Shipboard Marine Pollution Emergency Plan (SMPEP). "Guidelines for the development of shipboard marine pollution emergency plans for oil and/or noxious liquid substances" have been adopted by the MEPC resolution MEPC.85(44) and amended by resolution MEPC.137(53) (Ref: par. 2.5.1).

**b. OPRC Convention, OPRC/HNS Protocol**

The International Convention on Oil Pollution Preparedness, Response and Co-operation 1990 (OPRC 90) and the Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances (OPRC-HNS Protocol 2000) are the international instruments that provide a framework designed to facilitate international co-operation and mutual assistance in preparing for and responding to major oil or HNS pollution incidents, and require States to plan and prepare themselves by developing national systems for pollution response in their respective countries and by maintaining adequate capacity and resources to address oil or HNS pollution emergencies.

Among the requirements of the OPRC Convention and of the OPRC/HNS Protocol the following should be underlined:

- **Emergency plans**

Parties shall:

- Ensure that **ships** have on board a shipboard marine pollution emergency plan;
- Request that operators of **offshore units** under their jurisdiction have oil pollution emergency plans which are coordinated with the national system and approved in accordance with procedures established by the competent national authority.
- Request that authorities or operators in charge of **sea ports and oil and chemical substance (HNS) handling facilities** under their jurisdiction have pollution emergency plans or similar arrangements which are coordinated with the national system and approved in accordance with procedures established by the competent national authority.

- **Reporting procedures**

Parties shall:

- Request the masters or other persons having charge of a **ship** to report without delay any event on their ship involving a discharge or probable discharge of oil or hazardous substances;
- Request persons having charge of **sea ports and oil and/or hazardous and noxious substances handling facilities** under their jurisdiction to report without delay any event on their facilities involving a discharge or probable discharge of oil or hazardous substances;
- Request persons having charge of **offshore units** under their jurisdiction to report without delay any event on their offshore unit involving a discharge or probable discharge of oil;

Reports shall be made in accordance with the requirements developed by IMO and based on the guidelines and general principles adopted by the Organization. (Ref: par. 2.5.1.).

- **National and regional systems for preparedness and response**

Parties shall:

- Establish a national system for responding promptly and effectively to pollution incidents. This system shall include in particular an authority which is entitled to act on behalf of the State to request assistance or to decide to render the assistance requested.
- Endeavour to conclude bilateral or multilateral agreements for pollution preparedness and response.

- **Cooperation with shipping industry, oil and chemical industries, port authorities and other relevant entities**

Parties shall, as appropriate in cooperation with oil and shipping industries, port authorities and other entities, establish: a minimum level of pre-positioned combating equipment, commensurate with the risk involved; and, mechanisms or arrangements to co-ordinate the response to a pollution incident with the capabilities to mobilise the necessary resources.

- **International cooperation in pollution response**

Party receiving a pollution report shall without delay inform all States whose interests are affected or likely to be affected by such pollution incident.

Upon a request of assistance of any Party affected or likely to be affected by a pollution incident, Parties agreed that subject to their capabilities and availability of relevant resources, they will cooperate and provide assistance to respond to a pollution incident. The Convention set out provisions for the financing of the costs of such assistance.

A Party which has requested assistance may ask the Organization (IMO) to assist in identifying sources of provisional financing of the cost of international assistance.

**c. *The International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code)***

*(made mandatory on 1 July 1998 by amendments to the International Convention for the Safety of Life at Sea, 1974 (SOLAS 1974))*

The *Code* requires emergency preparedness i.e., the Company should establish procedures for the development of shipboard marine pollution emergency plan and is required to identify, describe and respond to potential emergency shipboard situations. In the ISM Code, "the *Company*" means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all duties and responsibility imposed by the Code. Every company is expected "to designate a person or persons ashore (DPA) having direct

access to the highest level of management". (Regulation IX/1 of SOLAS 1974 and paragraph 1.1.2 of the ISM Code).

**d. *Guidance for the application of safety, security and environmental protection provisions to FPSOs and FSUs (Circular MSC-MEPC.2/Circ.9 of 25 May 2010)***

Circular MSC-MEPC.2/Circ.9 provides guidance to Member States such that they may develop regulations on safety, pollution prevention and security of Floating Production Storage and Offloading Facilities (FPSOs)/Floating Storage Units (FSUs). In the vast majority of cases an adequate safety and pollution prevention regime established by national legislation exists based on provisions of the SOLAS Convention, including requirements contained in the ISM Code, the Load Lines Convention, MARPOL Convention and the STCW Convention, implemented together with industry guidelines.

Jurisdiction and administration: regarding the current safety regime for FPSOs/FSUs, the Circular states that it is essential to recognize the sovereign rights that the coastal State has over:

- .1. non-disconnectable FPSOs/FSUs, which are designed to be permanently moored in the waters under the jurisdiction of the coastal State and have no mechanical means to transit under their own propulsion; and
- .2. disconnectable FPSOs/FSUs, self-propelled or non-propelled, while operating on location.

Flag States and coastal States should cooperate with a view to ensuring the compliance of FPSOs/FSUs with applicable international standards on maritime safety, marine environment protection, enforcement and control measures such as survey and certification, maritime search and rescue, casualty investigation and emergency response.

Emergency response: An emergency response procedure is recommended to be developed for the FPSO/FSU to address the safety and pollution risks associated with marine and production systems and operations, taking into account the MARPOL Convention, the ISM Code and appropriate guidelines.

**e. *Intervention Convention 1969 and its Protocol 1973***

According to UNCLOS, coastal States are empowered to take and enforce measures within their territorial waters and Exclusive Economic Zone (EEZ) to protect their coastline or related interests, including from pollution or the threat of pollution following a maritime incident.

The basis for a coastal State to intervene in a pollution incident on the high seas, i.e. outside their territorial waters and EEZ, is provided through the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (Intervention Convention 69) that entered into force in 1975. Under certain conditions, State parties to the Convention are empowered to take measures on the high seas as may be necessary to prevent, mitigate, or eliminate grave and imminent danger to their coastline or related interests from pollution or threat of pollution of the sea by oil. A Protocol to the Convention was adopted in 1973 to extend its scope to substances other than oil. The Intervention Convention and its Protocol are particularly relevant in the Mediterranean region due to the fact that EEZs have not been formally established.

**f. *Salvage Convention (1989)***

The International Convention on Salvage (1989) provides uniform international rules regarding salvage operations, taking into consideration the increased concern for the protection of the environment and the contribution which efficient and timely salvage operations can make to the safety of vessels and other property in danger and to the protection of the marine environment. The 1989 Salvage Convention stipulates that "the reward shall be fixed with a view to encouraging salvage operations, taking into account the protection of the marine environment".

The salvor must not only carry out the salvage operations with due care, but in doing this, he must "exercise due care to prevent or minimise damage to the environment". In this way, due care to protect the environment becomes a legal duty in all of the salvage operations to which the Convention applies, and it cannot be varied by the contract.

**g. Wreck Removal Convention**

The Nairobi International Convention on the Removal of Wrecks, entered into force in April 2015, to provide a legal basis for States to remove, or have removed, shipwrecks located within their Exclusive Economic Zone (EEZ) that may have the potential to affect adversely the safety of lives, goods, and property at sea, as well as the marine and coastal environment. Among several provisions, the Convention places financial responsibility with shipowners for locating, marking, and removing certain wrecks posing a hazard to the affected State.

**h. Convention on Limitation of Liability for Maritime Claims (LLMC)**

Under the 1976 LLMC Convention, the limit of liability is specified for a wide variety of claims.

The Convention provides for a virtually unbreakable system of limited liability. Shipowners and salvors may limit their liability except if "it is proved that the loss resulted from his personal act or omission, committed with the intent to cause such a loss, or recklessly and with knowledge that such loss would probably result".

The LLMC does not apply in the case of pollution damage covered by the 1992 CLC or HNS Convention when entered into force. It should also be noted that while the LLMC may apply to wreck removal in some jurisdictions, the LLMC is not universally adopted and other limitation regimes may apply (e.g. under the Bunkers Convention) depending of the law of the state in which the spill occurs.

**i. The 1992 Civil Liability Convention (1992 CLC)**

The 1992 Civil Liability Convention (1992 CLC) governs the liability of tanker owners for persistent oil pollution damage and creates a system of compulsory liability insurance<sup>2</sup>. A shipowner can normally limit his liability on the principle of strict (i.e. "no fault") liability to an amount which is linked to the tonnage of his ship. The 1992 CLC applies to oil pollution damage resulting from spills of persistent oil from tankers. The 1992 CLC covers pollution damage suffered in the territory, territorial sea or EEZ or equivalent area of a State Party to the Convention.

The flag State of the tanker and the nationality of the shipowner are irrelevant for determining the scope of application. "Pollution damage" is defined as loss or damage caused by contamination. The notion of pollution damage includes measures, wherever taken, to prevent or minimise pollution damage in the territory, territorial sea or EEZ ("preventive measures"). Expenses incurred for preventive measures are recoverable even when no spill of oil occurs, provided that there was a grave and imminent threat of pollution damage. For environmental damage (other than loss of profit from impairment of the environment) compensation is restricted, to costs actually incurred or to be incurred for reasonable measures to reinstate the contaminated environment.

The scope of compensation covers reasonable costs associated with: preventive measures (clean-up), property damage, economic loss and environmental damage (reinstatement).

Claims under the 1992 CLC can be made only against the registered owner of the tanker concerned or directly against his insurer. The insurer will normally be one of the Protection and Indemnity Associations (P&I Clubs) which insure the third party liabilities of the shipowner. If the damage exceeds the owner's liability under the 1992 CLC, or the owner is financially incapable and his insurance is insufficient, or he is exempted from liability under the specific exemptions listed in the 1992 CLC, the 1992 Fund (see below par 1.1.2.8) will pay the share of compensation that is not paid under the 1992 CLC.

**j. The 1992 Fund Convention and Supplementary Fund Protocol**

1992 Fund Convention provides a supplement to the 1992 CLC when compensation is not available from the shipowner or the money available under the 1992 CLC is inadequate to pay claims resulting from spills of persistent oil from tankers. This second tier of compensation provides up to 203 million

---

<sup>2</sup> The 1969 International Convention on Civil Liability for Oil Pollution Damage (1969 CLC) currently remains in force in the region for Libya. The 1969 CLC provides for less compensation and coverage than under the 1992 CLC.

of special drawing rights (SDR<sup>3</sup>) (including the amounts payable under the 1992 CLC) and is paid from a fund (the 1992 Fund) financed by receivers of oil in countries that have signed the 1992 Fund Convention. A Supplementary Fund is available providing a third tier of compensation up to 750 million SDR (approximately US\$1.1 billion), including the amounts payable under the 1992 CLC and Fund Conventions, in countries that have signed the Supplementary Fund Protocol. The International Oil Pollution Compensation Funds, comprising the 1992 Fund and the Supplementary Fund (together the IOPC Funds) are administered by a Secretariat based in London.

#### ***k. The 2001 Bunker Convention***

The 2001 Bunker Convention aims at ensuring adequate compensation for pollution response and pollution damage arising from spills of ships' bunker oil not otherwise compensated under the CLC. The Bunker Convention is moulded on the CLC to provide compensation for pollution response and pollution damage. The provisions of this Convention do not affect the right of the shipowner or its insurer to limit liability under the applicable national or international limitation regime. The Convention requires the registered owner of a ship having a gross tonnage greater than 1000 tons to maintain compulsory insurance equal to the limit of liability calculated in accordance with the Convention on Limitation of Liability for Maritime Claims (LLMC), as amended. As with the CLC, compensation under the Bunkers Convention is paid by the vessel's owner backed by their insurer, usually a P&I Club.

#### ***l. Hazardous and Noxious Substances Convention (HNS Convention) (not yet in force)***

The International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS Convention 1996, amended by the HNS Protocol in 2010), is modelled on the two tier compensation regime of the Civil Liability and Fund Conventions. The shipowner or insurer is strictly liable to pay claims under the first tier up to a limit of liability determined by the size of the vessel, with compensation paid by the vessel's insurer, usually a P&I Club. The second tier, providing compensation up to a maximum of 250 million SDR, is paid from a fund (the HNS Fund) established by receivers of HNS in countries that have acceded to the Convention. The Convention covers both pollution damage and damage caused by other risks (e.g. fire and explosion), including loss of life.

The shipowner is entitled to limit liability under this Convention in respect of any one incident to 10 million SDR for an incident caused by bulk HNS, and 11.5 million SDR for an incident caused by packaged HNS, for a ship not exceeding 2,000 tons. For larger ships, an aggregate calculated on the basis of the tonnage of the ship is added to that amount, and provides compensation of up to 100 million SDR for bulk goods, and 115 million SDR for packaged goods.

A substance is classified as HNS under the Convention if it is included in one or more lists of IMO Convention and Codes designed to ensure maritime safety and prevention of pollution. HNS includes non-persistent hydrocarbon oil, bulk cargoes (solid, liquids or liquefied gasses) and packaged goods.

The above mentioned IMO Conventions impose requirements on the ships and it is for the flag States and the port States to ensure that the ships comply with such requirements. When it comes to offshore units and sea port and oil and chemical handling facilities it is for the State in the area of jurisdiction of which they operate to establish rules and regulations. There are no global liability and compensation regimes for pollution from offshore unit.

### **1.1.2 Regional Convention and Protocols**

#### **1.1.2.1 Convention for the Protection of the Mediterranean Sea Against Pollution**

The Convention for the Protection of the Mediterranean Sea Against Pollution (Barcelona Convention) aims at protecting the marine environment and coastal zones through prevention and reduction of pollution, and as far as possible, elimination of pollution, whether land or sea-based. The Convention refers to a number of sources of pollution of the Mediterranean and is the umbrella framework

---

<sup>3</sup> SDR refers to Special Drawing Rights as defined by the International Monetary Fund.

convention under which the Protocols are implemented. In addition, besides setting general obligations, the Convention addresses some cross-cutting issues, such as pollution monitoring of the Mediterranean Sea, scientific and technological cooperation, environmental legislation, public information and participation, and liability and compensation.

- Pollution from Ships (Article 6)

The Contracting Parties shall take all measures in conformity with international law to prevent, abate, combat and to the fullest possible extent eliminate pollution of the Mediterranean Sea Area caused by discharges from ships and to ensure the effective implementation in that Area of the rules which are generally recognised at the international level relating to the control of this type of pollution.

- Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (Article 7)

The Contracting Parties shall take all appropriate measures to prevent, abate, combat and to the fullest possible extent eliminate pollution of the Mediterranean Sea Area resulting from exploration and exploitation of the continental shelf and the seabed and its subsoil.

- Cooperation in Dealing with Pollution Emergencies (Article 9)

The Contracting Parties shall cooperate in taking the necessary measures for dealing with pollution emergencies in the Mediterranean Sea Area, whatever the causes of such emergencies, and reducing or eliminating damage resulting therefrom.

Any Contracting Party which becomes aware of any pollution emergency in the Mediterranean Sea Area shall without delay notify the Organization and, either through the Organization or directly, any Contracting Party likely to be affected by such emergency.

### **1.1.2.2 Prevention and Emergency Protocol**

The Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol) is the legal framework for regional cooperation in the Mediterranean region in the fields of prevention of and response to marine pollution.

#### **General Obligations**

The Parties shall cooperate:

- to implement international regulations to prevent, reduce and control pollution of the marine environment from ships; and
- to take all necessary measures in cases of pollution incidents.

The Prevention and Emergency Protocol is modelled on the related IMO Conventions, in particular the OPRC Convention, and contains the same requirements as those of the said Convention. The main requirements relate to:

- Contingency Plans (Article 4);
- Emergency Measures on Board Ships, on Offshore Installations and in Ports (Article 11);
- Pollution Reports and Reporting Procedures (Articles 8 and 9);
- Assistance (Article 12); and,
- Reimbursement of Costs of Assistance (Article 13).

Regarding assistance, the Protocol specifies that: “any Party requiring assistance to deal with a pollution incident may call for assistance from other Parties, either directly or through the Regional Centre ...”; and that “where the Parties engaged in an operation to combat pollution cannot agree on the organisation of the operation, the Regional Centre may, with the approval of all the Parties involved, coordinate the activity of the facilities put into operation by these Parties (Article 12).

In addition, the Protocol (Article 7) contains specific provisions requesting each Party to undertake directly and through the Regional Centre (i.e. REMPEC, see par. 1.2.1.1.c), dissemination to the other Parties and exchange of information on:

- their national system for prevention of, preparedness for and response to marine pollution incident,
- their competent national organisations and authorities responsible for preparedness for and response to marine pollution incidents and in particular the relevant authority(ies) in charge of cooperation and mutual assistance.

The Parties are encouraged (Article 17) to develop and maintain bilateral or multilateral sub-regional agreements. Upon request of the interested Parties, the Regional Centre shall assist them.

### **1.1.2.3 Offshore Protocol**

The Protocol for the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (Offshore Protocol) requests the Contracting Parties to take, individually or through bilateral or multilateral cooperation, all appropriate measures to prevent, abate, combat and control pollution in the Protocol area resulting from offshore activities.

- Requirements for authorisations (Article 5)

The Contracting Party shall prescribe that any application for authorisation of exploration or exploitation is subject to the submission of the project by the candidate operator to the competent authority and that such application must include in particular:

- the operator's contingency plan as specified in Article 16;
  - the insurance or other financial security to cover liability as prescribed in Article 27 ("Parties shall take all measures necessary to ensure that operators shall have and maintain insurance cover or other financial security of such type and under such terms as the Contracting Party shall specify in order to ensure compensation for damages caused by the activities covered by the Protocol").
- Contingency Planning ((Article 16)

Each Party shall require operators in charge of offshore installations under its jurisdiction to have a marine pollution contingency plan coordinated with national preparedness and response system of the Contracting Party as required by the Prevention and Emergency Protocol. The plan shall be in accordance with the provisions contained in Annex VII to the Offshore Protocol

- Notification (Article 17)

Each Party shall require operators in charge of offshore installations under its jurisdiction to report without delay to the competent national authority any incident on their installation causing or likely to cause pollution.

- Mutual assistance in cases of emergency (Article 18)

Regarding preparedness for, response to and assistance in case of marine pollution incident the Parties shall implement *mutatis mutandis* the Prevention and Emergency Protocol.

In cases of emergency, a Party requiring assistance may request help from the other Parties, either directly or through the Regional Centre (REMPEC), which shall do their utmost to provide the assistance requested.

### **1.1.3 National legal framework**

Laws and regulations of the Contracting Parties shall incorporate the relevant provisions of the international conventions (global and regional) to which they are party, providing a solid, familiar and

uniform operating environment for all parties concerned. Therefore the laws and regulations shall establish the requirements imposed on the parties concerned by the international conventions as well as specific requirements which countries may impose on parties operating in areas under their jurisdiction in particular regarding contingency plan for offshore units and oil and chemical handling facilities. It is up to the coastal State to establish rules and regulations regarding offshore exploration and exploitation in particular to prevent, reduce and control the pollution of the marine environment from such activities.

Most importantly, the laws and regulations must fix the responsibilities and designate the competent national authorities responsible for:

- preparedness;
- operational response; and
- management of cooperation and international assistance.

A prerequisite for ensuring a prompt and effective response to a pollution incident using its own resources and/or the resources provided through international assistance is to have in place a national preparedness and response system. The OPRC Convention, the OPRC/HNS Protocol and the Prevention and Emergency Protocol to the Barcelona Convention require Parties to promote and maintain a preparedness and response system establishing preparedness, management and response structures readily available prior to a pollution incident.

The basis for the action of the authorities responsible for response operations and those in charge of providing them with support, in particular regarding cooperation and international assistance, is laid down in the relevant provisions of the international conventions and must be incorporated in the national laws and regulations. These authorities must have a good knowledge of those conventions and national laws and regulations.

## **1.2 International Institutional Framework**

### **1.2.1 Governmental institutions**

#### **1.2.1.1 Institutions belonging to the UN system**

##### **a. *United Nations Environment Programme/Mediterranean Action Plan (UN Environment/MAP)***

The Barcelona Convention designates the United Nations Environment Programme (UN Environment) as responsible for carrying out the secretariat functions. To this end, under the auspices of UN Environment, the Coordinating Unit (MEDU) has been established as the Secretariat of the Mediterranean Action Plan (MAP) of UN Environment (UN Environment/MAP). It convenes and prepares the Meetings of the Contracting Parties, regularly reports to the Contracting Parties on the implementation of the Convention and of the Protocols, prepares programmes and budget, and supervises the UN Environment/MAP Components (Regional Activity Centres).

It is the function of the Meetings of the Contracting Parties to keep under review the implementation of the Convention and its Protocols and, in particular, to approve the Programmes and the Budget.

##### **b. *International Maritime Organization (IMO)***

IMO is a United Nations Specialized Agency, designated in the Law of the Sea as the competent international Organization, with the mandate of developing universal, globally applicable rules regulations and standards regarding maritime safety, security and marine environment protection. A global regulatory regime has been put in place, consisting of conventions, protocols, manuals and guidelines covering prevention, reduction and control of pollution from ships which include preparedness for and response to marine pollution accidents as well as liability and compensation.

The Marine Environment Protection Committee (MEPC) is the forum where those issues are addressed.

IMO, as Co-operating Agency, has been entrusted by the "Conference of Plenipotentiaries of the Coastal States of the Mediterranean Region for the Protection of the Mediterranean Sea" (Barcelona, 1976) with the responsibility for the establishment and operation of REMPEC.

**c. *IMO/UN Environment-REMPEC***

REMPEC, which was established by Resolution 7 adopted by the Conference of Plenipotentiaries of the Coastal States of the Mediterranean Region on the Protection of the Mediterranean Sea, is administered by IMO and UN Environment, and the objectives and functions of the Centre are defined by the Contracting Parties to the Barcelona Convention.

Ordinary meetings of the Parties to the Prevention and Emergency Protocol shall be held in conjunction with Ordinary Meetings of the Contracting Parties to the Barcelona Convention. It shall be the function of the meetings of the Parties to this Protocol, in particular to:

- examine and discuss reports from the Centre on the implementation of the Protocol;
- formulate and adopt strategies, action plans and programs for the implementation of the Protocol;
- keep under review and consider the efficacy of these strategies, action plans and programs, and the need to adopt any new strategies, action plans and programs and to develop measures to that effect; and
- discharge such other functions as may be appropriate for the implementation of the Protocol.

Periodically (every two years) the Centre organises a meeting of the REMPEC Focal Points. The REMPEC Focal Points meetings examine and discuss reports from the Centre and formulate and approve strategies, action plans and programmes. The outcomes of these meetings are submitted to the meeting of the Contracting Parties for consideration and final adoption.

**d. *UN Environment /OCHA Joint Unit***

The UN Environment / Office for the Coordination of Humanitarian Affairs (OCHA) Joint Unit (JEU) responds to environmental emergencies by coordinating international efforts and mobilising partners to assist affected countries requesting assistance. By pairing the environmental expertise of UN Environment with the humanitarian response network coordinated by OCHA, the JEU ensures an integrated approach in responding to environmental emergencies.

An environmental emergency can occur following a disaster or conflict when human health and livelihoods are threatened and affected on a major scale due to the release of hazardous substances, or because of significant damage to the ecosystem. Environmental emergencies include oil spills, toxic waste dumping, and groundwater pollution, when the environmental risks are acute and potentially life threatening

**1.2.1.2 Intergovernmental institutions which do not belong to the UN system**

**a. *IOPC Funds***

The IOPC Funds are two intergovernmental organisations (the 1992 Fund and the Supplementary Fund) which provide compensation for oil pollution damage resulting from spills of persistent oil from tankers.

The IOPC Funds were established through the entry into force of:

- The 1992 Civil Liability Convention (1992 CLC);
- The 1992 Fund Convention; and
- The 2003 Supplementary Fund Protocol.

The IOPC Funds are financed by contributions paid by entities that receive certain types of persistent mineral oil by sea transport. These contributions are based on the amount of oil received in the relevant calendar year, and cover claims, together with the costs of administering the Funds.

The 1992 Fund and the Supplementary Fund share a joint Secretariat, based in London. The Director is the chief administrative officer and is responsible for the overall management of the Funds. In order to fulfil the requirements of the 1992 Fund Convention and of the Supplementary Fund Protocol the governing bodies of the IOPC Funds meet normally twice per year. The governing bodies are required, amongst other things, to give instructions concerning the administration of the Funds to the Director and to supervise the proper execution of the Conventions and of their own decisions.

The Assembly is the supreme organ of the relevant Fund and decides on the annual budget and contributions to the Organization and approves Financial Statements.

**b. *Emergency Response Coordination Centre (ERCC) of the European Commission***

The European Union (EU) is a Contracting Party to the Barcelona Convention and its Protocols. The European Commission is the executive of the EU, and within it the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) develops and carries out the Commission's policies on humanitarian aid and civil protection. The EU Civil Protection Mechanism (UCPM) aims at strengthening cooperation between the Union and the Member States in the field of civil protection in order to improve the effectiveness of systems for preventing, preparing for and responding to natural and man-made disasters including marine pollution incidents. The Emergency Response Coordination Centre (ERCC) within DG ECHO is the 24/7 operational hub of the UCPM. More info on ERCC can be found on [http://ec.europa.eu/echo/what/civil-protection/mechanism\\_en](http://ec.europa.eu/echo/what/civil-protection/mechanism_en).

The European Maritime Safety Agency (EMSA) is an EU body. The Agency provides technical expertise and operational assistance to the European Commission — EU Civil Protection Mechanism/ERCC, EU Member States, as well as operational assistance to third countries sharing a regional sea basin with the EU in cases of marine pollution incidents. More info at <http://www.emsa.europa.eu/>. The activities of the Agency are focused on responding to ship-source marine pollution, firstly oil pollution and then pollution by hazardous and noxious substances. EMSA also has a mandate to respond to marine pollution caused by oil and gas installations.

In the event of a major emergency and upon request from the affected country, the ERCC facilitates co-operation in assistance interventions inside and outside the EU. It provides a one-stop-shop of civil protection and marine pollution response capacities and expertise made available by EMSA and in case of a marine pollution of a major scale, by the States participating in the UCPM (28 EU Member States, the Former Yugoslav Republic of Macedonia Iceland, Montenegro, Norway, Serbia and Turkey). The ERCC matches offers of assistance with the needs of the disaster-stricken country and acts as a coordination hub between the participating States, the affected country and the dispatched team of field experts.

The affected country may request assistance through the ERCC, however assistance may also be requested through the United Nations and its agencies, or a relevant international organization.

## **1.2.2 Non-governmental institutions**

**a. *ITOPF***

The International Tanker Owners Pollution Federation Limited (ITOPF) is a not-for-profit organisation providing a wide range of technical services to its Members (tanker owners) or Associates (other shipowners) and their oil pollution insurers (P&I Clubs), who finance its activities. These are overseen by an international Board of Directors representing Members, Associates and P&I Insurers. ITOPF is the marine industry's primary source of objective technical advice, expertise and information on effective response to ship-source pollution. ITOPF's advice rests on a science-based appreciation of the fate and effects of pollutants in the marine environment and a practical evaluation of response options and claims for compensation. Since the 1970s, ITOPF has been providing services of emergency response to tanker owners (*Members*) and, from 1999, due to the growing awareness of pollution from non-tank vessels this service was formally extended to the owners of other types of ship who were eligible to become *Associates* of ITOPF. More recently, the pollution potential of substances other than oil, primarily chemicals, and the development of corresponding international conventions, e.g. the HNS Convention, has led to an increase in demand for ITOPF expertise in these areas.

ITOPF, which has consultative status with IMO and observer status with IOPC Funds, may also offer its services at the request of governments and intergovernmental organisations such as the International Oil Pollution Compensation Funds (IOPC Funds).

**b. IPIECA and IOGP**

The global oil and gas industry association for environmental and social issues (IPIECA) was formed in 1974 following the launch of UN Environment.

IPIECA does not respond to pollution incidents – its mandate is solely to act as a convening organization for the Oil & Gas Industry to establish good practice. It also cooperates with UN system organizations such as IMO and REMPEC to encourage joint activities in support of conventions such as OPRC 1990.

IPIECA develops good practice and facilitates industry forums to share oil spill preparedness and response related knowledge. It works together with the International Association of Oil & Gas Producers (IOGP) in developing guidance material for preparedness and response to potential pollution from offshore installations. IOGP was also formed in 1974 and works on behalf of the world's oil & gas exploration and production companies to promote safe, responsible, and sustainable operations.

Oil Spill Response activities stem primarily from the work of IPIECA's Oil Spill Working Group. Operating since 1987, the Group aims to improve oil spill preparedness and response around the world by:

- enabling the industry and its partners to improve oil spill preparedness and response around the world;
- informing global policy and external stakeholders pro-actively and credibly on oil spill related issues; and
- monitoring, assessing, and (where necessary) responding to oil spill related developments.

The IPIECA-IOGP Oil Spill Response Joint Industry Project (OSR-JIP) ran from 2012-2016 and was set up to implement learning opportunities in respect of oil spill preparedness and response following the 2010 well control incident in the Gulf of Mexico. As part of this effort, the OSR-JIP has produced more than 20 good practice guides, which are freely available. These guides update and replace the well-established IPIECA Oil Spill Report Series. The guides cover topics that are broadly applicable both to exploration and production, as well as to shipping and transportation activities.

**c. CEFIC/ICE**

The European Chemical Industry Council (CEFIC) is the forum of the chemical industry in Europe. CEFIC is a committed partner to EU policymakers, facilitating dialogue with industry and sharing its broad-based expertise. It represents thousands of large, medium and small chemical companies in Europe.

Under the Responsible Care programme the European chemical industry set up a co-operative programme called the Intervention in Chemical Transport Emergencies (ICE), which aims at minimising the effects of accidents that may happen during the transport of chemicals. In each European country, it seeks to create a framework for providing assistance in an effective way:

- by making use of the emergency response schemes of individual chemical companies;
- by building on existing emergency response schemes - local, regional and product-related (chlorine, isocyanates, ethylene oxide, etc.);
- by co-operating with national authorities through the National Chemical Federation;
- by promoting mutual assistance within the chemical industry.

Each national ICE scheme applies only to distribution incidents (i.e. those that occur outside manufacturing sites) and is formalised in a protocol between the national chemical industry federation and the national competent authorities.

For marine pollution incident CEFIC, the Centre of Documentation, Research and Experimentation on Accidental Water Pollution (CEDRE) and EMSA have created the MAR-ICE Network in 2008, to

provide information and expert advice on chemicals involved in maritime emergencies. The service is available to national administrations 24/7 via a dedicated contact points at CEDRE and EMSA.

**d. *International Salvage Union (ISU)***

The majority of professional salvors are members of the International Salvage Union (ISU). This organisation represents some 60 salvage companies from 35 different countries around the world. In addition, Associate Membership of the ISU is open to all organisations and professionals with an interest in salvage, including P&I Clubs, other marine insurers, law firms, ports, national response organisations, shipowners and managers, coastal local authorities, environmental organisations, clean-up specialists.

One of the ISU's primary objectives is to foster a wider understanding of the salvage industry's contribution to environmental protection and the recovery of property.

The salvage companies have tugs and other salvage equipment at a number of different ports and areas throughout the world and some of the companies have salvage tugs stationed at various strategic locations. Some salvage tugs are maintained at salvage stations in certain coastal States as a result of arrangements made between their owners and other commercial interests or the authorities in those States

**e. *The International Association of Classification Societies (IACS)***

Dedicated to safe ships and clean seas, IACS makes a unique contribution to maritime safety and regulation through technical support, compliance verification and research and development. More than 90% of the world's cargo carrying tonnage is covered by the classification design, construction and through-life compliance Rules and standards set by the twelve Member Societies of IACS.

The purpose of a Classification Society is to provide classification and statutory services and assistance to the maritime industry and regulatory bodies as regards maritime safety and pollution prevention, based on the accumulation of maritime knowledge and technology.

The objective of ship classification is to verify the structural strength and integrity of essential parts of the ship's hull and its appendages, and the reliability and function of the propulsion and steering systems, power generation and those other features and auxiliary systems which have been built into the ship in order to maintain essential services on board. Classification Societies aim to achieve this objective through the development and application of their own Rules and by verifying compliance with international and/or national statutory regulations on behalf of flag Administrations.

## **1.3 Mechanisms for assistance and industry arrangements**

### **1.3.1 Mechanisms for assistance**

In the context of this Guide mechanism for assistance means the mechanism set up within international governmental/intergovernmental organizations/institutions (UN and non UN organizations) according to the mandate given to them by international Conventions (global or regional) or by the decisions of their member States. This raises the issues of the specific responsibility and role of these organizations/institutions; the relationship of the affected States with such organizations/ institutions; and the relationships among them in particular when it comes to the coordination of international assistance in case of a pollution incident of a major magnitude. (The relationship is presented through two diagrams at the end of Part I)

**a. *Role of REMPEC***

One of the main tasks of the Centre, deriving from its mandate, has been defined as "assistance to the coastal States of the Mediterranean region, which in cases of emergency so request, in obtaining assistance of the other Parties to the Prevention and Emergency Protocol or, when the possibilities for assistance do not exist within the region, in obtaining assistance from outside the region".

Any Party affected by a marine pollution can request assistance of REMPEC through the official communication channel or through the Pollution Report (**Annex II.1 and Annex II.2**).

Assistance rendered by the Centre may comprise:

Providing advice, technical information and expertise (advisory and facilitating role)

- Remote assistance
  - providing requested information and advice, by telephone or other communication means, on operational, technical, administrative and legal aspects of pollution response (e.g. oil and HNS response), forecasting model, response to affected wildlife, etc.;
  - providing assistance in communication with various interlocutors on behalf of the State(s) concerned;
  - providing advice on sources of information not available at the Centre; and
  - Regional Information System

REMPEC has developed and maintains a regional information system (RIS) composed of directories and inventories; operational guides and technical documents, which is complemented by decision support system tools, including the Maritime Integrated Decision Support Information System (MIDSIS-TROCS), the waste management decision support system, the Mediterranean Integrated GIS on Marine Pollution Risk Assessment and Response (MEDGIS-MAR).

- On-site assistance
  - providing expert advice on the site of accident by dispatching REMPEC officers or by mobilising the Mediterranean Assistance Unit (MAU) (**Annex I.5**).

At their Meeting in October 1993 the Contracting Parties to the Barcelona Convention decided to establish a Mediterranean Assistance Unit (MAU) for combating accidental marine pollution which REMPEC organises and at the request of a Contracting Party will activate within the limit of its budget or/and the financial resources it can mobilise.

At the time of writing the Guide, the MAU was composed of:

- Centre of Documentation, Research and Experimentation on Accidental Water Pollution, based in Brest, France (CEDRE);
- Federazione Nazionale dell'Industria Chimica, based in Milan, Italy (FEDERCHIMICA);
- Istituto Superiore per la Protezione e la Ricerca Ambientale, based in Rome, Italy (ISPRA);
- Sea Alarm Foundation, based in Brussels, Belgium (SEA ALARM), which collaborates with REMPEC for the response to oiled wildlife incidents in the Mediterranean Sea area;
- The Mediterranean Operational Network for the Global Ocean Observing System (MONGOOS) which can provide on request oil spill forecasting model within one hour to any Mediterranean coastal State.

Coordinating regional assistance (coordinating role)

Within the context of a pollution incident of a major magnitude, the type of assistance provided (advice, expertise, manpower, equipment, financial support, etc.) varies as well as sources (bilateral, international, intergovernmental/non-governmental organisations, private companies, individuals, etc.). This assistance contributes to the response operation, as expertise, equipment and manpower are required, *inter alia*, to carry out clean-up operations on extended stretch of shoreline, to protect various locations, to recover oil at sea (requiring heavy equipment and expensive means), etc.

However, massive mobilisation can also create difficulties and confusion due to the complexity of managing a multi-national and multi-organisation coordination and due to the quantity of information provided by the different sources which require a methodical information screening and dissemination policy. Hence, it is crucial to establish, at the early stage of an incident, a coordination procedure in order to avoid duplication of efforts and increase the efficiency of international assistance.

In very exceptional circumstances (major accident, no immediate liable parties, international offers of assistances from all around the world) REMPEC will play an important central role as clearing mechanism between the Party faced with the spill and the international offers of assistance in order to avoid duplication of means and inadequacy of the assistance offers; and to contribute to a good coordination of the mobilisation of the resources and to accelerating their delivery.

**b. Role of IMO**

In case of emergency, IMO will support REMPEC in fulfilling its role and responsibility, and will facilitate the provision of technical assistance and advice as well as identifying sources of provisional financing.

**c. Role of UN Environment/OCHA**

In cases of environmental emergency UN Environment/OCHA will coordinate international efforts and mobilise partners to assist affected countries requesting assistance. In cases of marine pollution incident, when following a disaster, a conflict or an act of terrorism, human health and environment (sensitive marine ecosystem) are threatened and affected on a major scale the assistance of UN Environment /OCHA may be requested. UN Environment/OCHA, IMO and REMPEC will cooperate and coordinate their efforts to avoid duplication.

**d. Role of DG ECHO, the Emergency Response Coordination Centre (ERCC)**

EU is a contracting Party to the Barcelona Convention and its Protocols. As the other Parties the EU shall use its best endeavour to render assistance to Parties when so requested. To that purpose the EU nominated as EU competent authorities for mutual assistance: ERCC operating within DG ECHO; and EMSA.

In case of an emergency, the Commission, through the ERCC, acts as a hub to collect information, circulate it between Member States and facilitate the offers of assistance, and promotes consistency in response to disasters outside the Union.

The ERCC is the main contact point for the Contracting Parties to the Barcelona Convention and its Protocols for:

- (1) requesting assistance from EMSA resources and services; and,
- (2) activating the UCPM – extending the request for assistance to all the participating States of the UCPM in case of exceptional circumstances and/or a pollution of a major scale.

**The main EMSA assistance services are:**

*Equipment:*

- The Network of Stand-by Oil Spill Response Vessels (oceangoing skimming vessels) distributed along the European coastline and equipped with different types of oil-combating equipment arrangements including dispersants spraying systems;
- The Equipment Assistance Service that offers dedicated stockpiles of marine pollution response equipment (high capacity response equipment such as high sea booms, skimmers, and floating storage units etc., and competent personnel to operate them);

*Information:*

- Clean Sea Net which is the satellite based oil spill and vessel detection and monitoring service;
- The MAR-ICE (Marine-Intervention in Chemical Emergencies) Information Service that provides expert information and advice in case of chemical spills at sea;
- The MAR-CIS database of substance-specific marine chemical information sheets;

The assistance through the activation of the UCPM:

- Assistance from EU Member States which are not Party to the Barcelona Convention
- pre-committed resources from Member States (modules) and experts: at the time of writing the Guide two modules for marine pollution have been registered:
  - Maritime Incident Response Group for extinguishing fires on board ship or handling facilities from the Netherlands;
  - Shoreline cleaning response team, trainers plus protective equipment for 50 people from Sweden.
- Expert teams to support the assessment and facilitate the coordination on site.

Assistance of EMSA for the mobilisation of marine pollution response equipment (response vessels, pollution response equipment and products) and for the provision of information services shall be requested by the affected Contracting Party through the ERCC or through the Common Emergency Communication and Information System (CECIS). Upon receipt of request from a State EMSA will gather data from the “contractor(s)” (response provider) using its network of standby pollution response equipment and will inform the requesting State of the availability of the equipment in the area, mobilisation time and tariffs (fixed hire rates). Based on the information the requesting State shall decide which equipment to mobilise and accept the offer of assistance. EMSA will facilitate the signing of an incident response contract between the requesting State and the response provider “contractor” (For more details consult <http://www.emsa.europa.eu/operations/pollution-response-services.html>).

In case of a marine pollution of a major scale request for assistance shall be sent to the ERCC by the affected Contracting Party either directly or through REMPEC. In this case the ERCC will activate the UCPM. The request for assistance will be extended to all participating States to the UCPM (28 EU Member States, the Former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Serbia and Turkey). ERCC will facilitate the mobilization and coordination of assistance from the States participating in the UCPM ensuring a coherent European response during emergencies helping to cut unnecessary and expensive duplication of efforts. The EU coordination of assistance shall be fully integrated with the overall coordination provided by the relevant international/regional organization (IMO/ UN Environment REMPEC) and shall respect its leading role.

ERCC is the contact point for all official communication and requests for assistance: assistance of EMSA marine pollution response services in cases of marine pollution incident; and, the assistance of the UCPM in case of a marine pollution of a major scale.

**e. *Role of UN financing support mechanisms***

In exceptional circumstances the World Bank and the United Nations Development Programme (UNDP) can facilitate and coordinate obtaining voluntary financing support from countries (e.g. Lebanese oil spill in 2006).

**1.3.2 Industry arrangements**

**a. *The Liability Insurer***

The third-party liabilities of the shipowner will generally be covered by mutual insurance associations called Protection and Indemnity Clubs (P&I Clubs) of shipowners. A P&I Club covers only the shipowner's legal liabilities in the sense of damage or compensation which the owner is legally obliged to pay to others. Shipowners are entitled to limit their liability under various international conventions (such as the 1992 CLC or Bunkers Convention 2001, the LLMC convention) or national law. The insurance cover is often, in practice, restricted to the limitation amount applicable to the ship.

**b. ITOPF**

ITOPF will be called in by the shipowner or his P&I Club in almost every case of pollution of any size involving oil or HNS. ITOPF has expertise and experience in the practical aspects of response and clean-up, and in appraising the reasonableness of actions to be taken. It is, therefore, able to advise the P&I Club and the ship-owner on the type and extent of the contamination, what effect it is likely to have under different scenarios and what needs to be done to mitigate or prevent its effects. This advice is also available to the coastal State, should it ask for it, and cooperation between the coastal State and ITOPF will help to arrange and co-ordinate the pollution response and clean-up.

If the oil pollution affects a State Party to the 1992 Fund Convention, and if the pollution qualifies under the Fund, there is also close co-operation between the P&I Clubs concerned and the IOPC Funds. This co-operation usually extends to the appointment of joint technical experts, including those from ITOPF.

**c. Tier 2 and Tier 3 Oil Spill Response Companies**

Various spill response companies have been established to ensure prompt dispatch of specialised personnel and response equipment at regional or worldwide scale. Whilst these companies are generally contracted by the private sector, they can also be hired by the public sector and in certain cases even manage and maintain government owned response equipment (**Annex II.3 Directory of companies offering services in the Mediterranean in cases of emergency**).

**d. CEFIC, ICE (chemical industry)**

Under the Responsible Care program (ICE) the chemical industry, in the event of an incident, will provide information, practical help and, if necessary and possible, appropriate equipment to the competent emergency authorities in order to minimise any adverse effects. The MAR-ICE network will provide information and expert advice on chemicals involved in maritime emergencies. This service is available 24 hours a day/7 days a week via a dedicated contact point at Cedre that is accessible by the relevant national maritime administrations. For more details consult EMSA's website, on <http://www.emsa.europa.eu/chemical-spill-response/mar-ice-network.html>.

For on-land incidents, ICE assistance is provided by chemical companies. Depending on their capabilities and resources, they can offer three levels of intervention: Level 1 - remote product information and general advice by telephone or fax; Level 2 - advice from a company expert at the scene of the incident; Level 3 - assistance with personnel/equipment at the scene of the incident. Such a commitment applies firstly to products manufactured by the company itself and is normally incorporated into the company's own distribution emergency response scheme. If the product supplier is not known or cannot be contacted, certain companies may offer assistance on the basis of a prior arrangement with the national ICE scheme. However, in such a case, Level 2 and Level 3 interventions shall not be carried out at the expense of the safety of their own facilities.

The key document in the protocol between the competent national authorities and the chemical industry (represented by the national chemical federation) is the list of participating companies.

**e. International Salvage Union**

Some salvage tugs are maintained at salvage stations in certain coastal States as a result of arrangements made between their owners and other commercial interests or the authorities in these States. Some companies have the ability to mobilise equipment, either from their own resources or from elsewhere, together with expert personnel at very short notice.

## Chapter 2 Current Situation

### 2.1 Current situation in the Mediterranean countries regarding prevention of, preparedness for and response to marine pollution

#### 2.1.1 National systems for prevention, preparedness and response of all Contracting Parties to the Prevention and Emergency Protocol

Since its establishment REMPEC has provided its assistance in the field of development of national systems for preparedness for and response to marine pollution, to the competent national authorities of Albania, Algeria, Croatia, Cyprus, Egypt, Israel, Lebanon, Libya, Malta, Montenegro, Morocco, Slovenia, Syrian Arab Republic, Tunisia and Turkey.

At present 18 Mediterranean coastal States have existing national preparedness and response systems, including operational national contingency plans (Albania, Algeria, Croatia, Cyprus, Egypt, France, Greece, Israel, Italy, Malta, Monaco, Montenegro, Morocco, Slovenia, Spain, Syrian Arab Republic, Tunisia and Turkey).

On the basis of information provided, REMPEC maintains a country profile of each Party to the Barcelona Convention which includes in particular:

- the status of national preparedness and response system;
- the status of ratification of the relevant conventions;
- the contact list of the competent national authorities;
- expertise and resources available for international assistance

It appears from the country profiles that within the region there are:

- Countries with well-developed national system including combating resources;
- Countries with a national contingency plan but with limited resources;
- Countries with a national system which requires improvement and with very limited resources;
- Countries with a national system still under preparation and with very limited resources.

Considering the different levels of response capacities available in the region, international cooperation and assistance will be required for a number of Mediterranean countries even in cases of medium size pollution. (**Annex I.3**)

#### 2.1.2 Sub-regional and bilateral agreements

In addition to assisting individual coastal States in developing their national systems, and in conformity with its mandate, REMPEC assists the Mediterranean coastal States, which so request, in the preparation and development of bilateral and multilateral operational agreements between neighbouring countries. REMPEC has also been involved since 1992 in the development of sub-regional systems for preparedness and response to major marine pollution incidents. Such sub-regional arrangements for mutual assistance in case of marine pollution emergencies significantly extend the spill response capacities of individual countries, by providing a mechanism for pooling resources and jointly conducting response operations.

- Sub-regional agreements:
  - South eastern Mediterranean (Cyprus, Egypt, Israel) signed 9 June 1995, not yet in force
  - Adriatic (Croatia, Italy, Slovenia) signed 9 December 2005, not yet in force
  - South western Mediterranean (Algeria, Morocco, Tunisia) signed 20 June 2005, entered into force 11 May 2011.
  - RAMOGEPOL (France, Italy, Monaco) revised 2012
- Bilateral agreements:
  - LION plan (France, Spain) entered into force 22 July 2002

## **2.2 Pollutions incidents and the various types of situations**

No two marine pollution incidents are the same and so response actions will vary depending on the source of the pollution, the type of pollutants involved, the size of the pollution, the place of the pollution, the causes of the pollution, and the number of countries affected.

### **2.2.1 Sources of pollution**

The issue of pollution from ships is addressed in IMO Conventions regarding prevention, preparedness, response and liability and compensation. And it is for the flag States to ensure that the ships flying their flag comply with the requirements of those Conventions. This legal regime sets up a framework under which competent national authorities will initiate and organise response actions including request for international assistance. The cost of international assistance should be covered by the liability and compensation regimes.

Offshore activities, sea ports, oil and chemical handling facilities are mainly regulated under national laws and regulations. It is within this national legal framework, which shall require operators to have contingency plan and liability insurance, that competent national authorities will initiate and organise response actions including request for international assistance. For offshore activities, sea ports, oil and chemical handling facilities, there are no equivalent liability and compensation regimes as those established for ships. Therefore it is for the competent national authorities to impose on the operators the requirement to have prepositioned combating equipment and arrangement to increase their response capabilities and to have insurance or financial guaranty to cover response operation including international assistance and the cost of damage they may cause.

In many oil spills, the identification of the source of the oil is straightforward. However, in some situations, the source of the spilled oil may not be clear, with a number of potential sources identified. Good practice calls for samples of the spilled oil and oil from potential sources (e.g. vessel tanks and machinery spaces, terminals, and other shore-based sources) to be taken as soon as practicable. Samples should be appropriately handled, stored, and labelled ensuring that at all times a clear custodial chain can be proven in court. Correct procedures for sampling and storage of samples must be followed.

### **2.2.2 Type of pollutant**

The type of pollutant, oil (cargo, bunker) HNS (cargo, package form) will determine the type of assistance needed in terms of expertise and of response equipment as well as to whom to send a request for assistance. If for oil it is easier to identify the need of response resources, for HNS it is much more difficult in particular when several HNS products are carried on board of a ship and the information on the products are not immediately available.

### **2.2.3 Type of release**

The pollution incident may result in an instantaneous discharge of oil or hazardous and noxious substances or in a continuous release, such as the continuous leakage from damaged tank of a tanker or a blowout on an offshore unit.

### **2.2.4 Size of pollution**

Tiered response has become a widely accepted operational concept that provides a convenient categorisation of response levels. Tiered response may also be incorporated into the equipment and operational preparedness requirements for ships, offshore installations, and oil handling facilities operating within the jurisdiction of a State. Tiered response systems are based on the concept that the response to spills may be categorised into the following three tiers:

- Tier 1 - preparedness and response capability for small spills within the purview of an individual facility or harbour authority that may be mitigated by locally available resources.

- Tier 2 - preparedness and response capability for medium spills that require equipment and personnel resources beyond those available locally (Tier 1). For a Tier 2 response, assistance can come from a number of entities outside the immediate geographic area, including national resources and if national resources are not available from international assistance.
- Tier 3 - preparedness and response capability for major spills, including those of national or international significance, requiring the mobilisation of national and international resources.

In exceptional circumstances when human health, livelihoods and the environment are threatened and affected on a major scale following a disaster or a conflict or an act of terrorism, the mobilization of assistance through dedicated international assistance mechanisms (UN Environment OCHA, Union Civil Protection Mechanism/UCPM) may be requested.

Some countries do not have Tier 2 oil spill response equipment or capability, and few countries have Tier 3 resources. While it is generally recommended that countries ensure that Tier 1 level response equipment and capabilities are on site or immediately available, there is the understanding that Tier 2 and, if needed, Tier 3 level resources will “cascade” in over time. Integration of additional resources that may be needed should be planned for and addressed in oil spill contingency plans.

Further, response capabilities required over the course of an oil spill will vary, calling for mobilisation and demobilisation of equipment and personnel as dictated by the changing requirements of the spill. Response impacts and costs can be greatly reduced by rapid mobilisation and effective use of resources and by demobilising those that are no longer needed. It is a best practice for planners and response organisations to have a bias towards a proactive response in the early stages of a spill, especially when the extent of spill may not be fully realised. Early response is generally more effective than later response (i.e. secure the source of the spill, take a vessel in tow before it grounds, etc.). Planners and responders should mobilise resources early as it is better to scale down resources if not needed than to lose an opportunity to mitigate a spill early in the response for want of resources.

### **2.2.5 Place of pollution**

The place of the spill together with the type of pollutant involved will determine the response strategy and the type of combating equipment.

Spill response equipment is, for the most part, very specialised. Specific equipment types will correspond to specific response options. Combating a large spill **at sea** will require high capacity response equipment such as oceangoing skimming vessels, long-range aerial dispersant aircraft, aerial surveillance, high sea booms, etc. Supply of such equipment and competent personnel to operate them is limited. The ability to move these specialised equipment and personnel rapidly into the spill area and the logistics process required to move it long distances will be critical and influence the response options/strategy.

Specialised and non-specialised equipment for combating pollution near the coast and on shore are available within the region and outside the region. Stockpiles of equipment together with trained personnel and experts in shoreline cleaning do exist: they belong to governments, oil or chemical industry, private sector (manufacturers, responders), and they can be easily mobilised.

Response capabilities required over the course of a spill will vary, calling for mobilisation and demobilisation of equipment and personnel as dictated by the changing requirements of the spill. The spill may occur at high sea and move to the shore.

The incident may happen in port areas involving ship and or oil or chemical handling facilities and threatening human health and the immediate environment requiring specific actions to be taken.

### **2.2.6 Nature of the pollution incident (causes of pollution)**

The cause of the pollution is important in particular when it comes to considering early response in case of ship’s grounding, collision, engine failure, explosion etc. But it is much more important when

the cause of the pollution is due to sabotage, terrorist attack, or a conflict. In such cases there are no liability and compensation mechanisms which can be activated for covering the cost of response operations and economical and environmental damages. As has happened in the past, mechanisms for assistance would be contacted and IMO, UN Environment and REMPEC would help in facilitating mobilisation of financing supports and technical assistance through UN financing mechanisms and voluntary contributions from States including the EU.

### **2.2.7 Number of countries affected**

In case where more than one country is affected or likely to be affected, and in the absence of a bilateral or sub-regional agreement, the countries affected shall cooperate and coordinate the mobilisation and deployment of response equipment and agree on who will assume the leading role and have the overall responsibility for all decisions and actions taken to combat the pollution and for coordination of joint response operations. The assumption is that the leading role will be assumed by the operational authority of the country in the area in which the marine pollution incident occurred and which is directly affected. When the major part of the spill has moved from the area of responsibility of the country initially affected to the area of responsibility of a neighbouring country, the countries should agree to transfer the lead role from the first one to the other.

Unless an agreement concerning the financial arrangements governing actions of parties to deal with marine pollution incidents has been concluded on a bilateral or multilateral basis prior to the pollution incident, parties shall bear the costs of their respective actions. If the actions were taken by one party at the express request of another party, the requesting party shall reimburse to the assisting party the costs of its action. If the action was taken by a party on its initiative for protecting its own interests, that party will bear the cost of its action.

## **2.3 Different types of national response systems when it comes to who is in charge of response operations**

Who will undertake operational response actions to a marine pollution incident?

Effective responses to major marine pollution incidents are complex operations that require the seamless integration of material resources, operational processes, and personnel from many different organisations (public and private / national and international), under a commanding team qualified to lead the response. This integration is made possible by establishing and operating command structure(s) for operational response which shall be supported by management structures dealing in particular with cooperation and international assistance. This response management system must be flexible enough to rapidly expand or contract to effectively manage the spill throughout the entire course of the response. For an incident management system to facilitate integration and coordination of government and industry response resources and help ensure the most effective response, representatives of responsible and interested parties shall be associated to the command and management structures and their tasks clearly assigned between the various entities.

Most countries have adopted the polluter pays principle wherein the party responsible for the spill must fund the response activities to the full extent of its legal liability.

Some Contracting Parties have purchased and maintained equipment; and personnel have been trained on the use of spill response equipment, whilst others have limited resources and expertise. Significant marine pollution incidents are an infrequent event and stockpiling response equipment is expensive for a national authority.

Under the 1990 OPRC Convention, a State, either individually or through bilateral or multilateral agreements and in co-operation with the oil/HNS and shipping industries, port authorities and other relevant entities, should ensure the availability of pre-positioned oil/HNS spill response equipment. Therefore a way for ensuring the availability of adequate response equipment is for States to require operators of offshore units and operators in charge of oil or chemical handling facilities to maintain a minimum level of prepositioned equipment commensurate with the risk involved and to have arrangements for mobilising additional necessary resources including those from abroad. Standards

should be set for oil recovery or containment capacity, recovered oil storage capacity, and response timelines.

A clear distinction should be made between situations where the responsible party will provide the majority of response resources, and those in which such resources will need to be supplemented with government equipment and personnel including those mobilised through international assistance.

The extent to which the national competent authorities will be in charge and command of response operations will very much depend on the source of pollution (ships, offshore units or handling facilities), the type of pollutants (oil or chemical), the size of pollution (small, medium or large), the place of the pollution (at sea or on shore or both, port area), the cause of the pollution (there is a liable party or there is no identified liable party) and the number of countries affected. Therefore, when it comes to who will be in charge of undertaking response operations, three types of national response systems can be identified:

- the government is fully in charge of response operations;
- responsible party under the overall control and supervision of government authority carries out response operations;
- combination of the two systems according to the circumstances.

### **2.3.1 For marine pollution arising from ships**

It is an obligation for a ship under the MARPOL Convention to have a shipboard marine pollution emergency plan. However, there are no obligations upon a shipowner to have pre-positioned equipment and arrangements for mobilising additional equipment. Therefore, that may lead a country with a well-developed response system to be fully in charge of a response operation.

When a country has a well-developed response system, including combating equipment and trained personnel, it is common that it will be in charge of response operations and exercise full command of response operations, even when it requests the polluter to take specific response measures.

However, in countries with limited response capabilities or because it is their national policy, the shipowner will be requested to take response measures aiming at controlling, minimising and combating the pollution within the limit of its liability. In this case, the competent national authority, the command structure, provides supervision to ensure that the shipowner/its representatives adequately execute the response and it coordinates the activities of any involved supporting government agencies. In any case, the competent national authority in charge of response operations shall communicate to those implementing response measures, a copy of the National Contingency Plan, indicating the national policy and underlining the government's expectations.

It is generally understood that under most insurance contracts and under the general principles of many systems of insurance law, even though the shipowner is insured, the shipowner should act as a prudent person without insurance. Therefore, the shipowner should act within his or her capabilities so as to minimise potential risks. The clause in the insurance contract which enshrines this principle is often called the "sue and labour" clause. A shipowner should not act in a manner that increases the risks which the insurer has underwritten.

Therefore coastal States will expect the shipowner to co-operate in agreeing to any measures the coastal State wishes to put in place which would have the effect of minimising risks and combating the pollution, thus reducing the ship-owner's ultimate potential liability. In any event, whatever response and clean-up assistance the shipowner is able to muster, the shipowner should be able to mobilise the resources, the technical advice and services through its insurer. In practice, the insurer is usually very closely involved.

### **2.3.2 For marine pollution incidents arising from offshore units or shore oil and chemical handling facilities**

According to their contingency plan, which shall be coordinated with the national system, operators shall take immediate response measures deploying the prepositioned combating equipment they should have been requested to maintain and, if needed, mobilising additional resources (including

from abroad) according to pre-existing arrangements they should have. The moment when the national competent authorities will take over from the operator the full command of the operational response operations and be directly in charge of part of the response operations will be agreed upon according to the circumstances.

Offshore oil production and exploration installations require special consideration due to the potential for a large volume of oil to be released over a long period of time in cases where the spill source cannot be immediately secured. National authorities may require that an owner or operator of an offshore production or exploration installation develop a separate source control plan or section of the oil pollution emergency plan that describes how the owner or operator will control the source or a well blowout or other loss of well control event. In particular, the source control plan should identify sources of well capping and containment equipment and associated resources (remotely operated vehicles, subsea dispersant application systems – if appropriate, debris removal equipment, etc.) as well as procedures for equipment mobilisation and deployment.

A co-operative approach with the oil industries operating within the area of jurisdiction of the country is a key element to the establishment and sustainment of an effective response system. It is the Government's role to establish the legal and organisational framework for this relationship. Whatever relationship is established, the roles of Government and industry should be clearly defined. It is essential that industry contingency plans should comply and align with national regulations and the national contingency plan. In some jurisdictions, the Government will be the lead responder whereas in others, the facility owner may be required by legislation to respond under the overall control and supervision of the relevant governmental response authority.

### **2.3.3 In case of major pollution**

The polluter (responsible party) may/will mobilise response equipment from abroad. It will be imperative that the relevant authorities (management structure for dealing with international assistance), in cooperation with the command structure, ensure that:

- the combating resources which the polluter intends to bring in the country, will be in conformity with the national response strategy and the restrictions on or the preference for the use of selected response techniques based on spill location, environmental conditions, proximity to sensitive areas (approval and conditions for the use of dispersants, in situ burning), waste disposal and treatment;
- the procedures anticipated for requests of international assistance regarding in particular customs and immigration, will apply to expedite the importation of international resources.

The National Contingency Plan should identify which response techniques should be used and in what circumstances.

An incident affecting a number of countries may involve significant government resources of various countries, and care should be taken to ensure that duplication of efforts, resources and expenses, are avoided, in order to maximise the opportunity for compensation, when subsequently the claims are submitted for payment to the shipowner/insurer and/or the 1992 Fund. International response contractors may also be mobilised to further supplement the onsite tactical team (*See diagram 1 at the end of Part I*).

### **2.3.4 In exceptional circumstances**

In exceptional circumstances, when following a disaster, a conflict or an act of terrorism, human health and environment are threatened and affected on a major scale the assistance of mechanisms for assistance (UN Environment/OCHA, UCPM/ERCC) may be requested. The mechanisms for assistance, IMO and REMPEC will cooperate and coordinate their efforts to avoid duplication. REMPEC will act as a clearing mechanism to avoid duplication of means and inadequacy of assistance offers, and ensure in cooperation with the mechanisms of assistance a good coordination of the mobilisation of the resources. To that end personnel may be seconded to REMPEC to help carrying out this task (*See diagram 2 at the end of Part I*).

## 2.4 Resources available for International Assistance in the Mediterranean region

Various resources for spill response that could be used when a call for international assistance is launched by a Contracting Party to the Prevention and Emergency Protocol do exist in the Mediterranean region. REMPEC endeavours to collect all relevant information on such resources and to disseminate it to the Contracting Parties.

Through its network of National Focal Points, le REMPEC has access to the information on the Government owned or controlled equipment in each Contracting Party, as well as on expertise that each country may offer in case of emergency. The information on national Centres of Expertise is available in the Country Profiles on the Centre's website (<http://www.rempec.org/country.asp>).

Information on response equipment, vessels and other resources available from the private sector (specialised spill response contractors, salvage companies, etc.) is published in the Directory of companies offering services in the Mediterranean in case of emergency (RIS B3), which is Part B.3 of the Regional Information System (**Annex I.3**).

The Mediterranean Integrated GIS on Marine Pollution Risk Assessment and Response (MEDGIS-MAR), comprising *inter alia* information on response resources, can be consulted on the Centre's website ([http://www.rempec.org/tools.asp?theIDS=2\\_250&theName=Tools&daChk=1](http://www.rempec.org/tools.asp?theIDS=2_250&theName=Tools&daChk=1)).

## 2.5 Existing Guidelines

### 2.5.1 IMO Guidelines

A number of manuals, guidelines and tools have been developed through IMO, which cover many aspects of marine pollution preparedness, response and cooperation. Those of specific relevance for this document include:

- Manual on Oil Pollution:
  - Section I – Prevention (2011 edition)
  - Section II – Contingency Planning (update to be published in 2017)
  - Section III – Salvage (1997 edition)
  - Section IV – Combating Oil Spills (2005 edition)
  - Section V – Administrative Aspects of Oil Pollution Response (2009 edition)
  - Section VI – IMO Guidelines for Sampling and Identification of Oil Spills (1998 edition)
- Manual on Oil Spill Risk Evaluation OSRE and Assessment of Response Preparedness (2010 edition)
- Guidance Document on the Implementation of an Incident Management System (IMS) (2012 edition)
- Guidelines for the Development of Shipboard Marine Pollution Emergency Plans (2010 edition)
- Manual on Chemical Pollution CP:
  - Section 1 – Problem Assessment and Response Arrangements (1999 edition)
  - Section 2 – Search and Recovery of Packaged Goods lost at Sea (2007 edition)
  - Section 3 – Legal and Administrative Aspects of HNS Incidents (2015 edition)
- Guidelines on International Offers of Assistance in Response to a Marine Oil Pollution Incident (2016 edition)
- Guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants (IMO Resolution A. 851 (20) amended by MEPC Resolution MEPC.138(53))
- Guidelines for the development of shipboard marine pollution emergency plans for oil and/or noxious liquid substances (MEPC Resolution MEPC.85(44))
- Guidelines for facilitation of response to a pollution incident (IMO Resolution A.983(24))

The development of new guidance materials and the update of existing materials are considered by the IMO's Sub-Committee on Pollution Prevention and Response (PPR).

The Pollution Preparedness and Response section of the IMO website also provides much useful information on all aspects of marine pollution preparedness, response and cooperation <http://www.imo.org/en/OurWork/Environment/PollutionResponse/Pages/Default.aspx>

## 2.5.2 REMPEC Guidelines

Over the years REMPEC developed a number of Guidelines on oil and HNS preparedness and response including the following Guidelines and Principles adopted by the Contracting Parties, which are reproduced, [as amended and adopted by the Twentieth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Tirana, 18-22 December 2017], in **Annex I.4**.

- Guidelines for co-operation in combating marine oil pollution in the Mediterranean (*adopted, on 11 September 1987, by the Fifth Ordinary Meeting of the Contracting Parties to the Barcelona Convention*);
- Principles and guidelines concerning cooperation and mutual assistance which contain the following Principles, Guidelines and Check-lists (*adopted on 11 October 1991, by the Seventh Meeting of the Contracting Parties to the Barcelona Convention*):
  - Principles and Guidelines concerning the role and responsibilities of experts sent on mission by the Centre, following the request of a State in case of emergency, and duties and obligations of States towards them;
  - Principles and Guidelines concerning the sending, receiving and returning of equipment in case of international assistance operation;
  - Principles and Guidelines concerning arrangements and operational procedures which could be applied in case of a joint operation;
  - Check-list of procedures to be followed and persons to be contacted in case of emergency; and
  - Check-list of principal institutional provisions aimed at facilitating mutual assistance in case of a major marine pollution accident which should be included in national contingency plans.
- Guidelines concerning the exchange of liaison officers between the contracting parties in case of response operations involving several states (*adopted by the Ninth Ordinary Meeting of the Contracting Parties to the Barcelona Convention between 5 and 8 June 1995*);
- Guidelines concerning arrangements which might be made with a view to ensuring, in case of an accident, liaison between the Governmental Authorities and other interested Parties (*adopted by the Ninth Ordinary Meeting of the Contracting Parties to the Barcelona Convention between 5 and 8 June 1995*).

## **Chapter 3 Relationships, cooperation and mutual assistance in case of emergency and marine pollution incident**

This chapter addresses the relationship between the parties involved in an incident and presents various scenarios of requests and offers of assistance.

### **3.1 Parties which will be involved**

#### **3.1.1 Government(s) of the affected country(ies)**

When faced with a marine pollution emergency, the coastal State should consider both its international rights and duties as well as its national legal and institutional framework.

The relevant coastal State authority responsible for response action should focus its attention on its own response to the marine pollution emergency, and one question which may arise is the extent to which the coastal State may take action against the wishes of the master or other parties who have interests in the ship or cargo. Ideally, the coastal State will have considered the international law position on intervention in conjunction with the preparation of its contingency plan before the marine pollution emergency arises, and will have enacted legislation or made other satisfactory provisions for the taking of appropriate steps when an emergency arises.

One option for intervention by a coastal State is the requirement for salvage services to be accepted or provided, or even to undertake them itself.

Co-operation between the master of the ship and the coastal State should achieve all that is necessary, bearing in mind that the coastal State's task of coordinating and arranging all the pollution response and clean-up actions under its contingency plan must not be hindered by the ship or cargo interests. The same should apply to the operator of an offshore platform or the operator of an oil/chemical handling facility.

#### **3.1.2 The ship interests**

##### **a. *The shipowner***

There may be diverse ownership interests in a ship. The main ones which a coastal State is likely to encounter in a marine pollution emergency are: the shipowner, time / voyage / bareboat charterer, and manager or operator (in the ISM Code the "*Company*" means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who on assuming such responsibility has agreed to take over all duties and responsibility imposed by the Code). In some cases a ship may be owned by more than one entity in equal or unequal shares. In such cases, there is usually an agreement between the different owners that one of them will take operational decisions on behalf of all of them, and joint ownership only becomes of particular interest when recovery of damages is sought.

Unless there is a bareboat charterer or manager of the ship, the shipowner is normally the entity responsible for the operation of the ship, and the master will be the representative of the shipowner for that purpose, at least until direct contact is established between the coastal State and the shipowner.

The first concern of the shipowner in a marine pollution emergency will be to see that the ship and all the life thereon are preserved together with as much as possible of the cargo. Therefore, his concerns will be the protection of his proprietary interest in the ship as much as the effect upon the sea or coast of polluting substances which may have escaped or may be threatening to escape. Because he may be liable to pay compensation for the pollution caused, the shipowner can be expected, either through the master of the ship or/and directly from his office through a Designated

Person Ashore (ISM Code Section 4), to liaise with all others who are directly concerned with the position of the ship in the emergency.

The obligation of a shipowner to take pollution response and clean-up measures depends upon the law of the State where the pollution occurs.

**b. *The Master of the ship***

The Master is responsible for the safety of the ship, the cargo and all personnel aboard, and he will take such action as he can to achieve this as soon as the incident giving rise to the emergency occurs.

The master is usually the person responsible for making notification to the nearest coastal State of the incident giving rise to the marine pollution. The master is in most, if not all, systems of law the agent of the shipowner in the navigation and shipboard management of the ship. Where the cargo is in danger, he is usually also deemed the agent of the cargo owner insofar as any action to save the cargo is taken. Coastal States may therefore deal with the master in confidence that his word will bind the shipowner and cargo owner insofar as the security of ship and cargo are concerned when their owners are themselves not in contact with the coastal State. The master is able to reach agreement with a salvor himself. The master will send out distress calls as appropriate after the incident occurs, and he will call specifically for tugs if that is what he needs. A master will often attempt to be in direct contact with his shipowner's office once the emergency has arisen.

After human lives, the protection of the marine environment must be the master's prime concern in all situations which arise and economic and other pressures on the master should not at any time interfere with the decisions he must take in that regard.

**c. *The Designated Person Ashore DPA (ISM Code Section 4):***

The ISM Code makes it a requirement for the Company to have in place a Designated Person Ashore having direct access to the highest level of management to ensure the safe operation of each ship and to provide a link between the Company and those on board., The responsibility and authority of the Designated Person or persons should include monitoring the safety and pollution prevention aspects of the operation of each ship and ensuring that adequate resources and shore based support are applied, as required

**d. *Cargo owner***

It may not be easy to establish who owns the cargo, although the chain of enquiry will start with the shipper named in the bill of lading, a copy of which will be retained on board by the master. Bulk HNS cargoes tend to be owned by a single entity, or perhaps by a few different entities. Packaged HNS cargoes, on the other hand, are more likely to be owned by a greater variety of different entities.

The individual cargo owner would not normally be liable to compensate any person suffering pollution damage, and certainly there is no international legal regime which makes provision for the liability of the cargo owner for such damage.

The cargo owner does not normally feature prominently in a marine pollution emergency. If the cargo owner is an end-user of the type of cargo involved, he/she may very well have technical staff that are familiar with the behavioural characteristics of the cargo, which is almost invariably the source of the marine pollution emergency. Therefore the cargo owner may be someone to whom the coastal State or even the shipowner may turn for advice about the cargo and how to handle it in the emergency. If the cargo owner is a trading company which does not use the cargo itself, such technical expertise is less likely to be available from that source and it may have to be sought from the manufacturer of the cargo or from an industry body.

**e. *Insurance: P&I Clubs, ITOFF***

The costs of action to deal with pollution or the threat of pollution may be recoverable on the basis of the legal third party liabilities of the owner of the ship, from where the pollution emanates/threatens to emanate. Such liabilities will be insured. The majority of all ships are entered with one or more of the

P&I Clubs. The P&I Clubs cover shipowner's third-party legal liabilities in the sense of damage or compensation which the owner is legally obliged to pay to others. Ship-owners are normally entitled to limit their liability under international conventions or national law. In practice the insurance cover is mostly restricted to the limitation amount applicable to the ship. The main job of the insurer in a marine pollution emergency is to handle all claims against their members and to pay the valid ones. The first thing the P&I Club might do, is put up financial security to ensure the release of the ship, in case the ship has been arrested. This is commonly done either by the claimant accepting a letter of guarantee or bond with a local bank.

The P&I Club will usually get independent technical assistance from ITOPIF to advise on the type and extent of the pollution damage, what effect it is likely to have under different scenarios, what needs to be done to mitigate or prevent the effects and the most efficient way of doing so. This advice will be available to the coastal State should it ask for it. The P&I Club will also be involved in the decision concerning a possible lightening of the ship to another vessel because of the liabilities the lightening ship may incur as well as in a possible wreck removal, the latter being one of the risks P&I Clubs insure. The insurer is for the coastal State, one of the most important entities, on the ship owning interest's side, to enter into discussions with in a marine pollution emergency caused by oil or other harmful substances.

**f. IOPC Funds**

When an incident occurs, the 1992 Fund co-operates closely with the ship-owner's insurer, which will normally be one of the P&I Clubs that insure the third-party liabilities of shipowners, including liability for oil pollution damage. The P&I Club concerned and the 1992 Fund usually co-operate in the handling of claims, particularly when it is clear from the outset that compensation will be paid under both Conventions. Since in most cases the 1992 Fund only pays compensation once the shipowner/insurer has paid up to the limit applicable to the ship involved, claims should first be submitted to the shipowner or his P&I Club. In practice, claims are often channelled through the office of the P&I Club's correspondent closest to the incident location. Because of the close co-operation between the Fund and the insurer, claims, including supporting documentation, need only to be sent to either the P&I Club/correspondent or the 1992 Fund.

Occasionally, when an incident gives rise to a large number of claims, the 1992 Fund and the P&I Club jointly set up a local claims office so that claims may be processed more easily. Claimants should then submit their claims to that local claims office. Details of claims offices are given in the local press and are available on [www.iopcfunds.org](http://www.iopcfunds.org).

**g. Flag State**

Under Article 12 of MARPOL Convention, the flag State is obliged to discover the facts of a casualty in which one of its ships has been involved if the casualty has produced a major deleterious effect upon the marine environment.

**3.1.3 Operators of offshore units**

In accordance with the OPRC Convention, the Prevention and Emergency Protocol and the Offshore Protocol, the persons in charge of an offshore installation are required to report without delay any event on their offshore installation involving a discharge or probable discharge of oil, to the coastal State to whose jurisdiction the unit is subject.

Facility owners/operators should/must have a multi-level response organisation consisting of one or more teams for each level. The first level is generally activated for all spills and subsequent levels activated as necessary to manage escalating incidents. Ideally they are organised around the three tier concept.

The Tier 1 response should/must be undertaken by in-house teams of workers trained in pollution response, supplemented by local contractors where necessary, to conduct the tactical activities such as containment boom and skimmer deployment and operation. An incident management team may consist of facility personnel to support the tactical operations. Government agencies shall be notified and national operational authority shall control and supervise the response operation undertaken by the offshore operator and may contribute to the response.

The Tier 2 response team may consist of the facility owner's/operator's corporate or regional incident management team that may be supplemented by contractors or subject matter experts with specific skill sets. The tier 2 incident management team may be mobilised to the site and will integrate with the tier 1 incident management personnel but may also perform their functions remotely. Regional or national contractors may also be mobilised to the site to supplement the tier 1 tactical team and national operational authority shall control and supervise the response operation undertaken by the offshore operator and may contribute to the response.

A Tier 3 response national government authority will ensure that response actions are taken and cooperate with the facility owner/operator and contractor incident management personnel to further expand the capabilities of the tier 2 resources. An incident affecting a number of countries may involve significant government resources of various nations. International response contractors may also be mobilised to further supplement the onsite tactical team.

In accordance to the Offshore Protocol Article 27 the parties shall take all measures necessary to ensure that operators shall have and maintain insurance cover or other financial security of such type and under such terms as the Contracting Party shall specify in order to ensure compensation for damages caused by the activities covered by the Protocol.

### **3.1.4 Operators of sea ports and oil and chemical handling facilities**

In accordance with the OPRC Convention, the OPRC/HNS Protocol and the Prevention and Emergency Protocol, operators of sea ports and oil and chemical handling facilities are required to report without delay any event on their facilities involving a discharge or probable discharge of oil or other harmful substances to the Coastal State to whose jurisdiction the facilities are subject. Facility owners/operators shall establish a minimum level of prepositioned combating equipment, commensurate with the risk involved. The first level is generally activated for all spills and subsequent levels activated as necessary to manage escalating incidents. Ideally they are organised around the three tier concept.

As for the offshore units, the Mediterranean countries should ensure that operators of sea ports and oil and chemical handling facilities have and maintain insurance cover or other financial security in order to ensure compensation for damages caused by their activities/ facilities.

### **3.1.5 Assisting Entities**

#### ***REMPEC***

In case of emergency in the Mediterranean region which requires international cooperation and assistance the assisting entity to notify/contact as a priority, is REMPEC. The functions of REMPEC according to the Prevention and Emergency Protocol and its mandate are to promote a planned and regionally co-ordinated response to any marine pollution incident that is beyond the resources of the persons who have caused the marine oil spill or that has not been appropriately responded to by such persons and which affect a Contracting Party which does not have the necessary combatting resources and is in need of international assistance.

#### ***Mechanisms for assistance***

The other entities which may be involved and provide assistance and support will be IMO, UN/OCHA , ERCC/EMSA. REMPEC will facilitate at regional level cooperation and coordination with these assisting entities, as required.

### **3.1.6 Assisting Countries**

#### ***a. Under the Prevention and Emergency Protocol***

The countries to which a request for assistance can be sent are the Contracting Parties to the prevention and Emergency Protocol which, according to their capabilities, are in position to render such assistance. That includes the EU as a Contracting Party. To that end, help for getting assistance can be requested from REMPEC.

### **b. Under the OPRC Convention**

Contracting Parties to the Prevention and Emergency Protocol which are party to the OPRC convention may request assistance from a Party to the OPRC Convention either directly or through REMPEC.

#### **3.1.7 Response contractors**

Response providers may be contracted by the polluter or/and by the Affected Country, or/and by an Assisting Country or organisation (mechanisms for assistance).

*(There are other parties which will be involved but the relationships and the role of those parties must be addressed in the National Contingency Plans)*

### **3.2 Relationships with Parties involved**

#### **3.2.1 Relationships with Responsible Party (RP) and related parties**

The competent national authorities of a Contracting Party affected by a marine pollution incident shall establish and maintain, throughout all phases of the planning and implementation of response activities, liaison with other parties having an interest in the pollution incident (Responsible Parties and interested/related parties). These include:

- the owners of the ship (the master of the ship, the Designated Person Ashore-/ISM Code) and the cargo and, in particular, their insurers (P&I Club) and their respective technical advisers and experts (ITOPF);
- the operator of offshore unit, and the operator of sea port and oil and chemical handling facility, including their insurers; and
- salvage company, in certain circumstances.

The objective of liaison shall be:

- primarily to obtain and exchange necessary technical information required for planning and implementation of appropriate pollution response measures;
- to ensure as much as feasible, through an efficient coordination, the effectiveness of response operations limiting the impact on the environment and reducing the overall costs of the pollution measures; and
- to consider possible legal and financial implications of response actions taken or planned.

Responsible Parties/interested parties/related parties shall provide or shall be requested to provide information on:

- the incident (*source of pollution, type of pollutants, size of pollution, place of pollution, cause of pollution*);
- potential quantity and types of cargo/bunker at risk to be released
- response measures taken and/or planned to be taken
- response resources including personnel, equipment and other means these parties have available and/or will obtain for responding to the incident and intend to use;
- the contingency plans prepared by them; and,
- the availability of funds through their insurers.

Actions to be taken by the competent national authorities of the affected Contracting Party:

- at the initial stage of a pollution incident and if they feel that the situation so justifies (delay in taking appropriate measures, ...), the competent national authorities of the affected Contracting Party may request/impose on the Responsible Parties to take specific response

measures specifying that in absence of actions, response measures will be taken by the affected (or threatened to be affected) country at the expenses of the Responsible Party.

- the competent national authorities of the affected Contracting Party should inform the Responsible Party of its national organisation for accidental marine pollution response as well as the national laws and regulations covering the field of accidental marine pollution including liability and compensation. They should provide details concerning the command structure(s) for operational response as well as on the management structure for cooperation and mutual assistance. Clear indication should be given regarding the way the relevant competent authorities of the Contracting Party will carry out the overall responsibility of the State to protect its coastlines or related interests from pollution or threat of pollution: whether the government will be fully in charge of response operations; or, the Responsible Party under the overall control and supervision of government authorities will carry out response operations; or, a combination of the two systems will be applied according to the circumstances.
- the affected Contracting Party should provide information on:
  - (a) response resources (public and private) which are available or which might be made available in the country;
  - (b) the planning and arrangements made for response operations/response strategy;
  - (c) the intention and arrangements already made for obtaining international assistance.
- in order to ensure a permanent liaison with the Responsible Party the competent national authorities should incorporate when necessary representatives from the Responsible Party into the command structures for operational response and the management structure for cooperation and international assistance.
- the competent national authorities of the affected Contracting Party should establish and maintain throughout all phases the liaison with the insurers and their representatives to consider and address legal and financial implications of response actions taken and planned as well as the compensation for pollution damages.

### 3.2.2 Relationships with REMPEC

Under the Prevention and Emergency Protocol, Contracting Parties are committed to communicate to REMPEC all marine pollution incidents posing or likely to pose a threat to the marine environment or to their coasts or related interests. Contracting Parties shall provide REMPEC with information regarding the assessment of the situation, and on actions taken and planned to be taken. The Contracting Parties shall use the mutually agreed standard form for the reporting of pollution incidents (*Annex II.1* and *Annex II.2*)

One of the main functions of REMPEC is to assist coastal States of the Mediterranean region, which in case of emergency so request, in obtaining assistance. Therefore a Contracting Party in need of assistance in case of emergency can contact REMPEC using the emergency line to obtain:

- information and advice using the Centre's expertise information system and network;
- advice of selected experts on the site of the accident by dispatching REMPEC officers or by mobilising the MAU;
- access to the requested equipment and resources from other Contracting Parties or from countries outside the region or/and from the private sector;
- support from the mechanisms for international assistance and the UN system in case of a very large pollution incident and/or in the case there are no liability and compensation mechanisms which can be activated to cover the cost of response operations and of economic and environmental damages;
- establish special mechanisms and arrangements for coordinating the offer, mobilisation and deployment of international assistance in case of very large pollution.

The State requesting the assistance of experts (REMPEC officers / MAU) should

- specify as precisely as possible, considering the given circumstances, the field or fields of expertise required using the standard form for request of assistance (**Annex II.3**);
- make the necessary arrangements concerning immigration procedures and customs clearance for the expert and material;
- make the necessary arrangements for accommodation of the expert and provide the necessary working space and office facilities; and,
- provide for free access of the expert to necessary communication facilities

Initial financing (air tickets, daily subsistence allowance, etc.) of the expert's mission will be covered by the Regional Centre (**Annex I.5**).

The State requesting assistance from REMPEC to obtain access to equipment and resources from other Contracting Parties or from countries outside the region or/and from the private sector should:

- specify as precisely as possible its need using the standard form for request of assistance (**Annex II.3**);
- take the necessary administrative and financial measures (**See Part II**).

It has to be understood that in case of a request or offer for the mobilisation of response resources, REMPEC has a facilitating role but it will not be involved in the negotiation and in the financial aspect, in particular with response providers.

### **3.2.3 Relationships with other Contracting Parties affected or likely to be affected**

Under the Prevention and Emergency Protocol, a Contracting Party in the area of which a marine pollution incident occurs, shall immediately communicate the information to the other Contracting Parties likely to be affected and keep these Contracting Parties informed on its assessment, directly or through REMPEC, of the situation and on the measures taken and planned to be taken.

Unless a bilateral or sub-regional contingency plan already addresses cooperation among neighbouring countries affected or likely to be affected by the same pollution incident, these neighbouring countries should:

- cooperate and coordinate the mobilisation and deployment of response equipment and agree on who will assume the leading role and have the overall responsibility for all decisions and actions taken to combat the pollution and for coordination of joint response operations;
- agree that the leading role will be assumed by the operational authority of the country in the area of which the marine pollution incident occurred and which is directly affected;
- agree to transfer the lead role from the first one to the other when the major part of the spill has moved from the area of responsibility of the country initially affected to the area of responsibility of a neighbouring country;
- agree to bear the costs of their respective actions. If the actions were taken by one Party at the express request of another Party, the requesting Party shall reimburse to the assisting Party the costs of its action. If the action was taken by a Party on its initiative for protecting its own interests, that Party will bear the cost of its action. (**Annex I.4**)

Any State involved, Party to a bilateral or sub-regional contingency plan, may escalate the response activities and call upon assistance from other States participating in the plan or from States or organisations not participating in the plan (including other Contracting Parties, REMPEC, mechanisms for assistance such as ERCC, UN-OCHA, IMO, etc.).

### **3.2.4 Relationships with Contracting Parties requested to provide assistance**

Any Contracting Party in need of assistance to deal with a pollution incident may request assistance from other Contracting Parties (including EU). The requesting Contracting Party shall follow as much as possible the recommendations contained in Part II of this Guide and use the dedicated forms which appear in the attached annexes (**Annex II.3 and Annex II.4**).

### **3.2.5 Relationships with response providers**

An affected Contracting Party may search for specific response resources and contact directly response providers. Again the affected Contracting Party shall follow the recommendations and procedures contained in Part II of this Guide and use the forms proposed in the set of Annexes related to emergency procedures.

### **3.2.6 Relationships with compensation organisations for ships pollution incident**

The speed with which claims are settled depends on how long it takes for claimants to provide the information required. It is advisable to contact those bodies likely to be involved in paying compensation (and their technical advisers) as soon as possible after an incident to discuss the presentation of claims.

Claimants should submit their claims as soon as possible after the damage has occurred. For incidents involving the IOPC Funds, an incident-specific claims form will be made available on the IOPC Funds' website.

If a formal claim cannot be made shortly after an incident, the 1992 Fund should be notified as soon as possible of a claimant's intention to present a claim at a later stage.

Claimants will lose their right to compensation from the ship-owner and his insurer under the 1992 Civil Liability Convention unless they bring court action against them within three years from the date when the damage occurred. Similarly, claimants will ultimately lose their right to compensation under the 1992 Fund Convention unless they bring court action against the 1992 Fund within the same timeframe, or make formal notification to the 1992 Fund of a court action against the ship-owner or his insurer within the three-year period.

Although damage may occur sometime after an incident takes place, court action must in both cases in any event be brought within six years of the date of the incident. In order to avoid their claims becoming time-barred claimants are recommended to seek legal advice if they have not been able to settle their claims. If steps have been taken to protect the claim against the 1992 Fund, any rights to additional compensation from the Supplementary Fund will be automatically protected.

It is important that Governments inform the IOPC Funds promptly of any incidents in respect of which the Funds will or may have to pay compensation. If there is a reasonable likelihood that the IOPC Funds will be involved, potential claimants should consult with the Funds and their technical experts at the earliest possible time, especially in respect of any major items of expenditure. The objective of the Funds is to compensate claimants under the terms of the Conventions; the Funds therefore regard themselves as providing an international public service, and their claims handling is conducted accordingly.

### **3.2.7 Relationships with insurers of offshore units and sea ports and oil and HNS handling facilities**

In the case of a pollution incident originating from an offshore unit or a handling facility, the liability regime applicable is the one the country will impose on the operators of offshore units and of handling facilities according to the national law. Governments shall require the operators of offshore units and handling facilities to have insurance or financial guarantee for covering their liability in case of pollution.

Therefore it is important that relations are established with the insurers immediately after the pollution incident occurs.

## **3.3 Types of Requests and Offers of Assistance Scenarios**

Where coordination and arrangements for provision of oil spill response resources do exist, they are mainly made by a contract between shipping companies, offshore units, or oil handling facilities and an oil spill response organisation that maintains a stockpile of equipment, trained oil spill response

experts, and the logistical support to deliver both to the location of a larger spill. Few arrangements exist between governments and oil spill response organisations. Industry may maintain and operate locally the appropriate initial oil spill response equipment and resources for small and most probable spills.

For response to maritime incident involving chemical substances the European chemical industry has developed the ICE scheme which promotes mutual assistance within the chemical industry.

When the spills are larger in magnitude, then pre-established mechanisms or arrangements should be in place to ensure the availability of adequate pollution response equipment and resources within an effective timeframe.

EMSA, as part of the European Union Civil Protection Mechanism, has developed pre-established mechanisms and arrangements to ensure the availability of oil spill response equipment under agreed conditions.

When a marine pollution incident reaches a level that exceeds the response capabilities of the affected Contracting Party that Party will initiate the process of requesting assistance. To that end the affected Party will likely employ one or more of the possible mechanisms for cooperation and assistance. The following presents possible types of mechanisms for requests and offers of assistance.

### **3.3.1 Government of affected country to Government of a Contracting Party**

In accordance with Article 12 para. 1 of the Prevention and Emergency Protocol, any Contracting Party requiring assistance to deal with a marine pollution incident, may call for assistance from other Parties, either directly or through REMPEC. Parties so requested shall use their best endeavours to render this assistance. This "Government to Government" mechanism for requesting assistance includes all interactions and transactions related to cooperation and international assistance between the designated competent national authority for dealing with international assistance of the affected Contracting Party and similar authority of any other Contracting Party. A request for assistance or offer of assistance may also be addressed to, or come from, a government which is not Party to the Protocol or from the region. In some cases, requests made by the Requesting Country to an Assisting Country may result in the Assisting Country recommending contact with the private sector (such as oil spill contractors, equipment vendors and manufacturers, as well as any oil company/facility which might have equipment to offer) within its country. However, in such case the Requesting Country remains free to choose the private response provider it intends to contract with.

### **3.3.2 Government of affected country(ies) requesting through REMPEC assistance from Government(s) of other country(ies)**

REMPEC according to the Prevention and Emergency Protocol and its functions shall assist Contracting Parties which so request in obtaining assistance from other Contracting Parties. When the possibilities for assistance do not exist within the Mediterranean region, REMPEC shall assist in obtaining international assistance from outside the region. This "Government to REMPEC" mechanism for requesting assistance includes all interactions related to cooperation and international assistance between governments of Contracting Parties requesting assistance and REMPEC and those offering assistance. REMPEC may play an important role in facilitating and coordinating the offers of assistance.

REMPEC will help locate the requested equipment and resources from the relevant competent authorities of the Contracting Parties and facilitate communication between the relevant competent authorities of the Requesting Country and those of the Contracting Party which may be able to provide assets or indicate their availability on the private market.

REMPEC may also in some cases facilitate obtaining technical and financing support. REMPEC does not, however, interact directly with the private sector (spill contractors, equipment manufacturers or other private companies with response equipment) within the Contracting Party countries.

### **3.3.3 Government of affected country preferably through REMPEC to mechanisms for assistance (IMO, UN/OCHA, DG ECHO/ERCC)**

Party to the OPRC Convention and to the OPRC/HNS Protocol may ask, directly or through REMPEC, IMO to assist in identifying sources of provisional financing. Similarly, in case of a major environmental pollution incident, assistance may be requested from UN Environment/OCHA and/or the European Union Civil Protection Mechanism (DG ECHO/ERCC). This mechanism for request of assistance would be mainly used in exceptional circumstances when human health, livelihoods and the environment are threatened and affected on a major scale following a disaster or a conflict or an act of terrorism, in particular when there are no liability and compensation mechanisms which can be activated for covering the cost of response operations and economical and environmental damages.

When so requested IMO will, in cooperation with the UN financing mechanisms (WB, UNDP) and EU, launch a process for collecting financing support. This mechanism for request of assistance would include all interactions related to cooperation and international assistance between the governments of Contracting Parties requesting assistance, REMPEC and these mechanisms for assistance and financing mechanisms. REMPEC with the support of IMO will play an important role in facilitating and coordinating this assistance.

### **3.3.4 Government of affected country to Responsible Party - private sector-response contractors**

Among the measures the relevant competent authorities of an affected Contracting Party may take, one is to request the Responsible Party (shipowner/master of the ship, operator of offshore unit, operator of oil or chemical handling facility) to take response actions. In the absence of appropriate actions or insufficient actions the relevant national competent authorities may contract the private sector such as salvors, spill response contractors, equipment providers, as well as any oil company response centre that might have equipment to offer. This mechanism for requesting assistance will include all interactions and transactions between the relevant competent authorities of the affected country and the Responsible Party and with response contractors for ensuring the availability of combating equipment and personnel.

### **3.3.5 Responsible Party to response contractors**

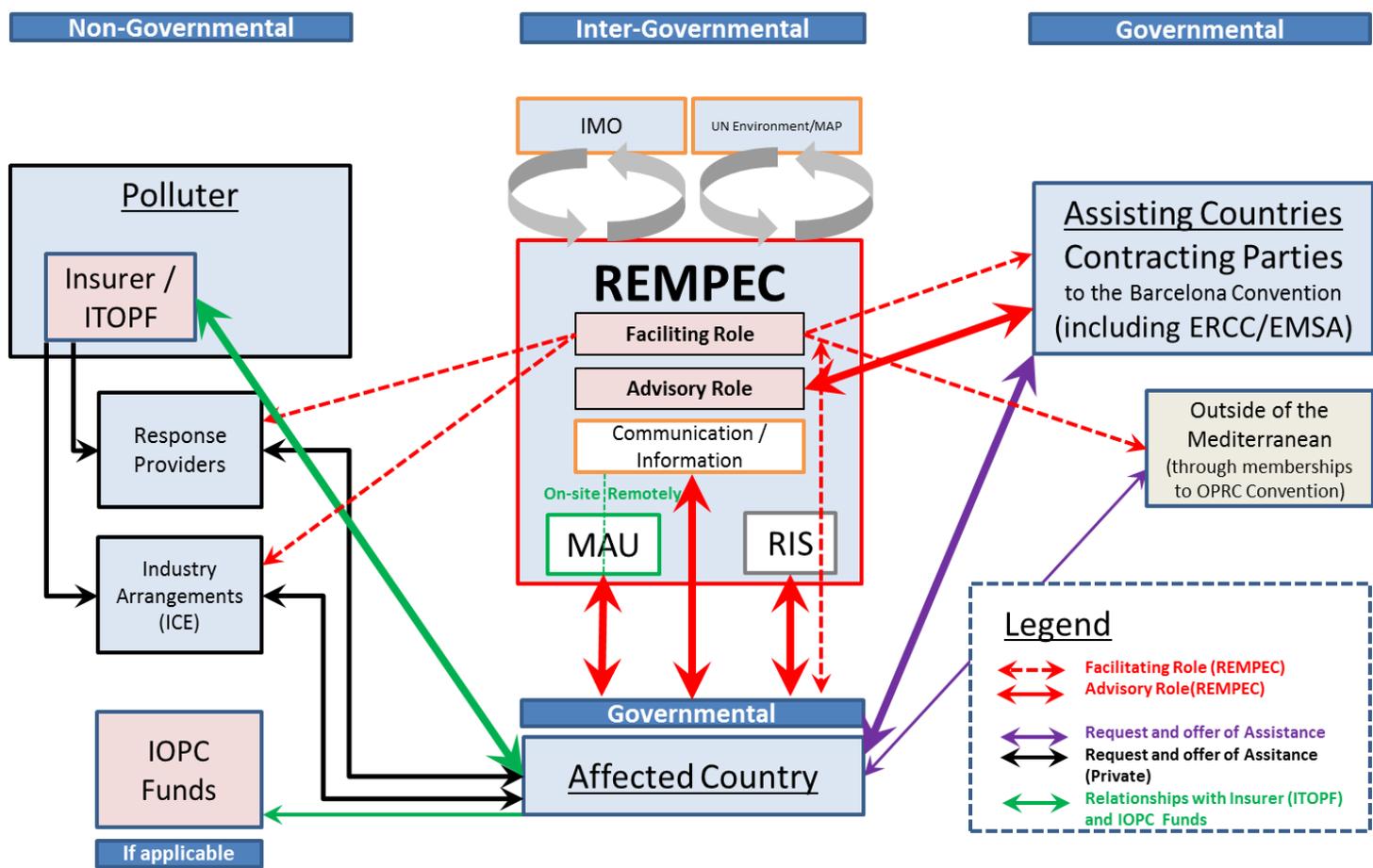
This mechanism includes all interactions that the Responsible Party (or its representatives) has directly with the private sector such as spill contractors, equipment manufacturers and vendors. While the transactions and negotiations that take place via this mechanism will be conducted primarily by the Responsible Party (or its representative), once the process of mobilising response resources has been triggered, the relevant national competent authorities of the affected country should be fully informed, approve the mobilisation and track these mobilisations to maintain overall awareness of the situation concerning the specific types and amounts of resources that will be entering their borders and take the appropriate actions related to these mobilisation (see Part III and Part IV). They should establish and maintain relationships with the response contractors contracted by the Responsible Party.

### **3.3.6 Responsible Party to Assisting Country and REMPEC**

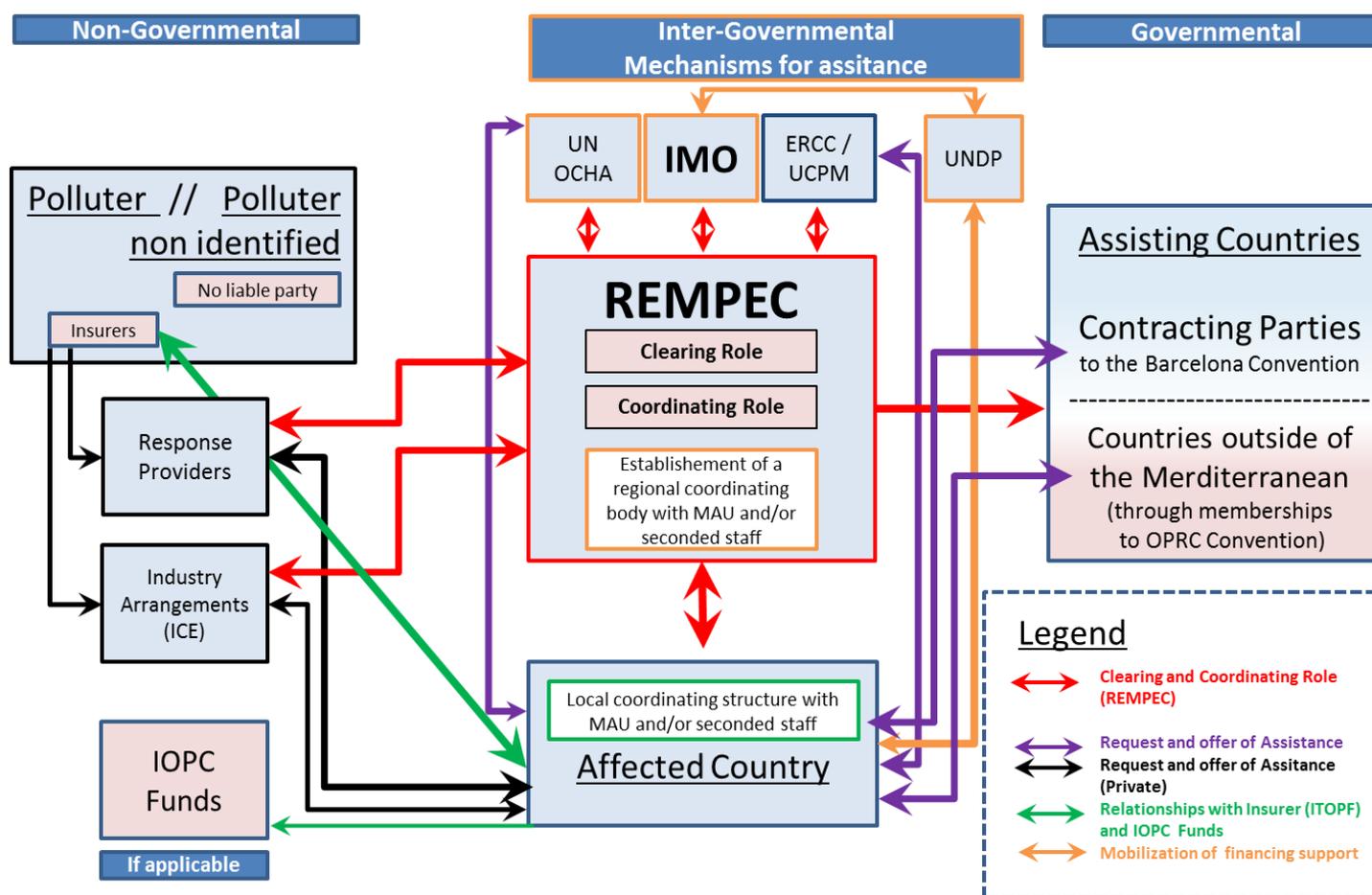
This mechanism includes all interactions that the Responsible Party (or its representatives; spill contractors) has directly with an Assisting Country and REMPEC. There may be cases where an Assisting Country or REMPEC might be willing or able to facilitate or negotiate directly with the Responsible Party or their spill contractor to mobilise a specific piece of equipment or response resource. Once the mobilisation process has been triggered, as with the other mechanisms, the relevant national competent authorities of the affected country should be fully informed, approve the mobilisation and track these mobilisations to maintain overall situational awareness of the specific types and amounts of resources that will be entering their borders and take actions as appropriate.

**Diagrams of relationships between REMPEC and other Organisations**

Diagram 1	<p><b>This diagram relates</b> to cooperation and mutual assistance in cases of Tier 2 or Tier 3 situations when an affected Contracting Party is requesting assistance to other Contracting Party as well as to response providers or industry arrangements; and, when REMPEC will provide technical advices and assistance of experts (through the mobilisation of the MAU) and has mostly an advisory and facilitating role.</p>
Tiers 2 & 3	<p><b>Type of situations:</b> Tier 2 or Tier 3 situations relate to intermediate or large pollution when the mobilisation of the require response resources can be obtained from the Contracting Parties and the industry within the regional frame.</p>



<p><b>Diagram 2</b></p>	<p><b>This diagram relates</b> to exceptional circumstances and to large and complex pollution leading to a massive mobilisation of response means provided by various sources (from the region and outside the region) that may include situation where there are no immediate liable parties raising the issue of financing international assistance. Means mobilized will come from intergovernmental mechanisms, individual governments, non-governmental organisations, private companies.</p>
<p><b>Exceptional circumstances</b></p>	<p><b>Situations</b> where REMPEC will play a clearing and coordinating role in order to avoid duplication of means and inadequacy of the assistance offer and ensure a good coordination of the mobilisation of the resources.</p>





## **PART II**

# **REQUEST AND MANAGEMENT OF INTERNATIONAL ASSISTANCE**

### **(OPERATIONAL PROCEDURES)**

Part II details the procedures for the management and organisation of cooperation and international assistance.

## **Chapter 1 Procedures for request and offer of assistance**

Chapter 1 provides step by step guidance for reporting, requesting and offering assistance up to the termination of the operation supported by a flowchart, attached at the end of this chapter. It proposes a set of standard forms to facilitate the request and offer of assistance at regional level.

### **1.1 National preparedness and response system, a pre-requisite**

#### **1.1.1 General Principles**

According to the OPRC Convention (Article 6) and to the Prevention and Emergency Protocol (Article 4) the Contracting Parties shall establish and maintain a national system for responding promptly and effectively to marine pollution incidents. Such system shall include the designation of: the competent national authority responsible for combating marine pollution incidents; the competent authority responsible for receiving pollution reports; and the responsible authority in charge of cooperation and international assistance. This information shall be communicated to the other Contracting Parties and to REMPEC, and these requirements are a pre-requisite for successful cooperation and international assistance. (**Annex I.2**)

With a view to ensuring an efficient coordination of regional and international assistance, it is recommended that the national system makes a clear distinction between the management of international assistance and the management of operational response measures. To that end, the National Contingency Plan should establish a dedicated management structure for cooperation and mutual assistance to respond to marine pollution incidents, which is to be activated when needed.

The management structure for international assistance shall act in full coordination with the command structures for operational response established by the National Contingency Plan to which it should endeavour to provide the required support. The management structure for international assistance shall provide support to the national response authorities and to the industry which might take part in the response operation in particular in managing and coordinating the provision of personnel, equipment and other resources and taking care of logistic support, immigration and customs formalities. The National Contingency Plan shall determine the functions and tasks of the management structure for international assistance as well as designate the members of the structure. The National Contingency Plan shall, in particular, designate the authority having the overall responsibility for requesting, accepting or deciding to render assistance. A robust system of processes for requesting, receiving, managing, and accepting international assistance from multiple sources (national governments, through the Regional Centre, the private sector, ....), acting as a centralised point of contact to coordinate deployment logistics of the accepted resources into the affected area, shall be established.

Working arrangements, communication and reporting procedures shall also be established.

#### **1.1.2 Initial assessment (by the command structure for operational response)**

Upon receipt of a pollution report by the designated authority/office and according to the Prevention and Emergency Protocol Article 10 para 1(a), any Contracting Party faced with a pollution incident shall "make the necessary assessments of the nature, extent and possible consequences of the pollution incident or, as the case may be, the type and approximate quantity of oil or hazardous and

noxious substances and the direction and speed of drift of the spillage.” This initial assessment shall be carried out by the authority responsible for operational response.

### **1.1.3 Notification (by the designated authority/OPRC Focal Point - *the command structure for operational response*)**

According to the Prevention and Emergency Protocol Article 10 para 1(c), any Contracting Party faced with a pollution incident shall “immediately inform all Parties likely to be affected by the pollution incident of the assessment carried out and of any action already taken or intended to be taken, and simultaneously provide the same information to the Regional Centre, which shall communicate it to all other Parties.” To that purpose the Parties shall use the mutually agreed standard form proposed by REMPEC for the notification and reporting of pollution incidents (POLREP). Details of notification and reporting procedures according to POLREP format are given in **Annex II.1 and Annex II.2**.

### **1.1.4 Activation of the National Contingency Plan**

Based on the initial assessment the authority responsible for operational response, the command structure, may decide/propose to activate the National Contingency Plan and if the situation so requires, decide/propose to establish the management structure for cooperation and international assistance.

## **1.2 Request for assistance, mobilising external resources**

### **1.2.1 Assessment of the needs** (by the command structure)

The authority responsible for operational response of the Contracting Party affected by an incident will assess and determine, taking into consideration the severity of the incident including its place of occurrence, the nature and quantity of the pollutant and other relevant elements, the level of response required and whether or not to request assistance.

Experts (national or international/MAU experts) of the command structure in the field shall carry out a detailed assessment of the situation. At that stage the command structure may propose to the management structure for international assistance to request the assistance of the experts of the MAU to carry out the detailed assessment of the situation. (**Annex II.3**)

The experts in the field (Field Command Unit) shall help the On Scene Commander (OSC) and the Supreme On Scene Commander (SOSC)/ National On Scene Commander (NOSC) having the overall responsibility for response operations to identify resource constraints and limited supplies of specifically required equipment and other response resources, for the duration of the response. The command structure shall evaluate the needs for international assistance taking into account the available national resources and resources mobilised by the Responsible Party including those from abroad.

Following the detailed assessment of the situation, the command structure shall specify, as precisely as possible, the type and quantity of equipment and products needed.

It is recommended that the requests for equipment, response resources, and technical specialists be generated by the Requesting Country’s **command structure for operational response** at the Field Command structure level and formalised within the **management structure for cooperation and international assistance**

The command structure(s) and the management structure for international assistance should work closely together. It is recommended that these structures establish frequent communication to determine any changing needs and to provide updates on the arrival status of accepted offers and of resources mobilised by the Responsible Party from abroad.

It is recommended that the technical expert of the Field Command Unit then communicates the needs for resources and equipment to the **management structure for cooperation and international assistance** through the Standard Field form for request of resource (Appendix to **Annex II.4**), and,

through a daily conference, call determines any changing needs and provides updates on the arrival status of accepted offers and the track of resources mobilised from abroad by the Responsible Party.

The Request for assistance can consist of:

- specified equipment only;
- specified equipment with trained personnel;
- complete strike teams;
- personnel with special expertise;
- aerial surveillance.

Strike teams referred to above consist of:

- team leader independently able to conduct the work of strike teams according to instructions from the appointed On-Scene Commander (OSC);
- trained crews and personnel for handling the equipment;
- specialised and non-specialised vessels and aircrafts;
- specialised and non-specialised response equipment;
- communication equipment and facilities;
- personal safety equipment (personal protective equipment, protective suits, breathing apparatus, etc.);
- storage capacity for limited quantities of recovered oil, etc., on board (if tank capacity is available);

### **1.2.2 Requesting procedure (by the management structure, on the basis of the needs expressed by the command structure)**

As soon as the management structure for international assistance has been activated, it is recommended that the Foreign Ministry of the affected Party, acting on behalf of and in coordination with the management structure, provides guidance through its diplomatic channels to its embassies and missions in other Contracting Parties and contact REMPEC with a view to facilitating international assistance.

A request for assistance shall be made in a clear and precise manner (quantity, type etc.) by indicating for which purposes equipment, products and response personnel will be used.

It is recommended that the standard formats for requesting assistance provided in **Annex II.3** (Standard form for request of expert) and **Annex II.4** (Standard form for request of equipment and products) is used by the Requesting Country.

With a view to providing information to the requested Assisting Party on the specifics of the incident and the operational needs, as part of request for specific resource, the Requesting Country should use and join to the request **the Standard form for additional information (POLINF) provided in Annex II.2.**

It is recommended that, as a minimum, the Request for Assistance Form includes:

- incident name, serial/reference number and location;
- date and time of transmission;
- authorised requesting representative's name, position and contact information;
- point of contact for equipment source, including name and contact information;
- the exact number, type, and specification of the equipment requested including technical parameters of the requested assistance (e.g. voltage, frequency (pumping), capacity, couplings, plugging) with as much specification as necessary;
- other specific requirements (e.g. labelling, packing, expiration dates, language of manuals);
- date when and location where the equipment is needed, and an indication of how long it will be needed (or indicate a request for donation);
- indication as to whether the Requesting Country will provide for all the in-kind assistance/goods from all customs duties, taxes, tariffs, fees and from all export and import restrictions;

- resource delivery points, including type (land, air, maritime), name of point and location/address of point;
- whether in-country warehousing will be provided by the Requesting Country;
- whether distribution of resources within the country will be carried out by the Requesting Country;
- consignee name and contact details; and
- authorised official's name, title, organisation, signature and date signed.

Requests should also include information on relevant procedures such as:

- information on the preliminary responses to offers of assistance, including, if appropriate, descriptions of how the offer of assistance will be further evaluated within the framework of the command structure for operational response and related laws and regulations, and any applicable interagency evaluation process;
- instructions for providing detailed information about each offer of assistance from a foreign government or international organisation; and
- instructions for forwarding and transmitting any offers to the Requesting Country's nearest embassy or mission. It is recommended that the Requesting Country also provides instructions to its embassies and missions worldwide on how to deliver these offers to the appointed officer responsible for receiving and dispatching, in coordination with the command structure, the resources to the place where they will be used.
- contact details of the Ministry of Foreign Affairs (i.e. email, facsimile and telephone, contact information of specific points of contact that will require the information).

### 1.2.3 Terms and conditions

It is recommended to establish clear and official communication between the relevant authorities of the affected Contracting Party and those of the Assisting Party, as well as with REMPEC, regarding who will lead the negotiations.

For a request of assistance to be completely accepted and its mobilisation to the affected area can start, the Assisting and Requesting Country must agree on the specific terms and conditions of the transaction. These include:

- clear agreement and understanding of compensation expectations: whether the piece of equipment (or resource) will need to be paid for, or rented, or returned "in kind"; and,
- clear agreement among all parties regarding liability concerns, requirements for insurance, and conditions for the equipment's return (if applicable), etc. (**Annex II.7**).

In the absence of bilateral or multilateral agreements, Article 13 of the Prevention and Emergency Protocol stipulates that Parties shall bear the costs of their respective actions in dealing with pollution. If the actions are taken by one Party at the express request of another Party, the Requesting Party shall reimburse to the Assisting Party the costs of its actions. If the actions are taken by a Party at its own initiative, that Party shall bear the cost of its actions.

It is recommended that the financial conditions for the operation be agreed upon between the Requesting and Assisting Parties before the transfer of equipment or resources commences.

The Assisting Party shall be prepared to give information on the financial consequences connected with the requested assistance. The Assisting Party shall use its best endeavours to bring about the requested assistance and to decide to what extent the request can be complied with. The Assisting Party shall be prepared to appoint liaison officers to the staff of the command structure and/or the management structure of the Requesting Party in order to secure necessary knowledge of rendered national resource. (**Annex I.4.3**)

**It is recommended that:**

- general arrangements and compensation for sending, receiving and returning of equipment requested or offered be identified and agreed upon quickly once the international assistance process has started;

- the Assisting Party attach in its reply a detailed list of the equipment, systems or products available, including necessary shipping details to include dimensions, the type of fuel, and envisaged transport modalities. It is recommended that the list also indicates the equipment needed for handling such material in the port or airport of entry, the number of people required for offloading operations, and the necessary means of transportation of response material to the site of the incident. (**Annex I.4.2 B**)

#### 1.2.4 Communication and reporting

The need for a common operating picture and accurate situational awareness for all participating parties is critical. It is recommended that the field command structure ensures that the national level, the Command Structure and the management structure for international assistance are fully aware of the rapidly unfolding situation, in particular the evolving needs for limited or critical response resources.

It is recommended that Parties consider, in practical, the establishment of Internet-based information portal(s) to facilitate the following:

- providing information to Contracting Parties, REMPEC, international organisations, or others regarding current or projected operational needs that may be met through international assistance;
- providing information regarding the level of detail required for international assistance (equipment and personnel) to ensure the most meaningful and efficient review and evaluation;
- providing portal(s) for the submission of offers of international assistance that simplify the collection of information and streamline communications regarding the receipt and status of offers;
- providing information for the media and general public about the full scope of the response effort and to publicly acknowledge, as appropriate, all who are contributing toward the response; and
- providing points-of-contact for Contracting Parties, REMPEC or international organisations to obtain additional information.

### 1.3 Offers of Assistance

#### 1.3.1 From Contracting Parties

Offers of equipment from Contracting Parties that can be deployed or utilised in response operations may be made in response to a request of the affected Contracting Party or by a Contracting Party at its own initiative.

It is recommended that offers of assistance to the affected country, using a detailed offer of assistance Form (**Annex II.5**), include the following:

- the exact type and specification of the equipment offered including, to the fullest extent possible, detailed photographs of the equipment, identification of the manufacturer(s), model numbers, specification documents and, if practical, any information regarding the prior operational use of the offered equipment in related events of oil or hazardous material discharge/release;
- the current condition of the equipment and the possibility of degradation of the equipment during operational use;
- the total number or amount of each specific type or category of equipment offered;
- weight, dimensions and other physical characteristics of equipment offered;
- when and for how long the equipment would be available (or indicate donation);
- whether the equipment is being offered on a reimbursable basis or without charge, and summary of the terms and conditions of the offer if the equipment is being offered on a for-fee basis;
- means of transport required;
- where the equipment is currently located;

- the location of the international airport or seaport from which the equipment will be transported;
- whether the offering government or organisation will transport the equipment, and the terms and conditions under which transportation is offered including any export or customs restrictions that may apply under the offering government's national laws;
- resource delivery points, including type (land, air, maritime), name of point, and location/address of point;
- any special logistic problems that may be encountered in transporting or deploying the equipment;
- any specific conditions regarding use of the equipment by the offering Party or organisation;
- estimates of the time required to make the equipment available for transfer;
- contact information for authorised points-of-contact who are knowledgeable about relevant technical details of the offered equipment and would be available to discuss additional technical or operational details with technical specialists;
- expectations regarding the cleaning and repair of equipment before it is returned to the Assisting Country; and
- authorised official's name, title, organisation, signature and date signed

With respect to offers of personal, technical, advisory or expert assistance from a Contracting Party or international organisation, such detailed information to be provided to the Requesting Contracting Party may include, but are not limited to, the following:

- the credentials and/or a brief description of the experience of each individual who would provide assistance;
- an assessment of the capability of each individual engaged in response operations to speak and read in the official language of the country, and the availability of effective translation services if a language barrier is expected;
- each individual's availability in terms of (1) how quickly the individual can be deployed to response operations, (2) for how long the individual can be deployed and (3) any requirement for the individual to depart the site of operations over the anticipated deployment period;
- any costs the receiving government would be expected to defray (e.g. airfare, lodging, per diem, compensation costs for the salary paid during assistance);
- whether the Contracting Party or organisation would facilitate direct communications between the individuals offering to provide assistance and technical specialists of the Requesting Country to further evaluate the offer;
- any special requirements of the offering Contracting Party or organisation regarding the status of the individual during any deployment period (e.g. requirement that the individual have the status of embassy technical staff); and
- setting up means to ensure the personal safety and security of individual responders while assisting in the affected country, as well as ensuring their indemnity against any existing responder liability laws within that country.

### **1.3.2 From mechanisms for assistance (intergovernmental mechanisms UN-OCHA, DG ECHO/ERCC)**

Offers of equipment from mechanisms for assistance that can be deployed or utilised as a contribution to a large response operations may be made following a request made jointly by REMPEC and the affected Contracting Party in case of major pollution and/or exceptional circumstances.

Each mechanism for assistance shall facilitate and coordinate the provision of assistance which can be mobilised through its own assistance mechanism. It should ensure that the assistance provided is consistent with the request and the needs of the affected country. These offers of assistance provided as a contribution to an intervention led and coordinated by REMPEC in case of major pollution and exceptional circumstances will imply good coordination among these mechanisms and REMPEC in order to avoid duplication of means and inadequacy of the assistance offer

With respect to offers of assistance from mechanisms for assistance detailed information shall be provided to REMPEC and the affected Contracting Party, that should include similar information as mentioned above. The standard form for offer of assistance may be use for that purpose.

### 1.3.3 From private sector

Offers from private entities following a request from the management structure for international assistance of the affected Party.

Following the advice of the response structure, the management structure for international assistance may negotiate directly with response providers, equipment manufacturers or centres of expertise in foreign country to obtain the exact piece of equipment or expertise required.

#### Offers initiated by private entities

During a large, complex or significant spill response, unsolicited offers may come in from private entities to provide equipment, resources and technical personnel. It is recommended that the unsolicited offers be forwarded to the management structure for international assistance, even if these are received directly by the Field Command Unit.

It is recommended that:

- the management structure for international assistance, log each of these offers and track the status of the replies, including the times they were sent and their contents;
- the management structure for international assistance, create a list of offered equipment and resources and share this regularly with the Field Command Unit, as a need may arise later in the response for some of the equipment and resources offered;
- Some offers may need to be rejected if the equipment or resources offered are clearly not needed or appropriate and are not anticipated to be needed later in the response.

### 1.3.4 Acceptance and declination (evaluation of offers)

As solicited and unsolicited offers come in, it is recommended that:

- they be logged and their status tracked as they are processed and evaluated, and later accepted or declined;
- the management structure for international assistance be sufficiently staffed and trained to handle this set of processing procedures.

When an affected country has received an assistance offer, whether solicited or unsolicited, it is recommended that the affected country responds with a receipt/acknowledgement of the offer (**Annex II.5**), including:

- name(s) of person(s) who have received the offer;
- date and time at which the offer was received; and
- proposed date of acceptance/decline decision notification to the offering Party.

One of the primary objectives of a successful international assistance system is to ensure that the offers aid and support the response, using only the necessary tools, and not to hinder the progress of the response with unnecessary, unwanted or outdated equipment.

It is recommended that an evaluation team be established, charged with receipt, evaluation, and acceptance/decline of these offers. It is critical to the success of international assistance that the evaluation teams include a technical specialist(s) who is closely involved in the response and is intimately aware of specific and evolving response needs in detail, such as the type and kind of skimmer, boom, or other equipment.

When an affected country has made a decision with respect to accepting or declining an offer, it is recommended that the affected country responds to the Offering Party with an Acceptance/Decline Communication Form (**Annex II.6 / Annex II.7**) that may include:

- the name/descriptor of each offer and the decision made regarding the offer (accepted, declined, or on hold);
- for each offer accepted, include the date when the resource is needed, name and location of delivery points and transportation mechanism for the resource;
- for each offer declined, include the rationale for declining the offer; and
- authorised official's name, title, organisation, date and signature.

## **1.4 Resources mobilised by the Responsible Party at its own expense**

### **1.4.1 Following the request of the government of the affected country to take measures to combat the pollution, mobilisation of resources by the Responsible Party at its own expense**

The relevant competent authority of the affected country may request the owner of a ship, the operator of an offshore unit or the operator of a handling facility to take response measures aiming at controlling, minimising and combating the pollution within the limit of its liability. That may lead the Responsible Party to mobilise combating resources from abroad and bring them into the affected country at its own expense.

In that case the relevant authorities from the command structure and the management structure will ensure that the procedures for the mobilisation of international assistance will apply.

Once the international assistance process has been triggered, the relevant national competent authorities of the affected country should be fully informed and should track these transactions to maintain overall situational awareness of the specific types and amounts of resources that will be entering their borders and take the appropriate actions related to this mobilisation. They should establish and maintain relationships with the response contractors contracted by the Responsible Party.

### **1.4.2 At its own initiative and with the agreement of the affected country, mobilization of resources by the Responsible Party at its own expense**

In case of large and major pollution incidents, the polluter (Responsible Party) may/will mobilise response equipment from abroad. It will be imperative that the relevant authorities, management structure for dealing with international assistance, in cooperation with the command structure ensure that:

- the combating resources, that the polluter intends to bring in the country, will be in conformity with the national response strategy and the restrictions on or the preference for the use of selected response techniques based on spill location, environmental conditions, proximity to sensitive areas (approval and conditions for the use of dispersants), waste disposal and treatment regulations;
- the procedures for request of international assistance regarding in particular, customs and immigration, will apply to expedite the importation of international resources.

The National Contingency Plan should identify which response methods and techniques should be used and in what circumstances, including elimination of the source of pollution, containment and recovery of floating oil at sea, use of dispersants, protection of sensitive areas, and shore clean-up.

Approval by the command structure and the management structure for international assistance, to be established under the National Contingency Plan, shall be required when the operator or the person designated in the emergency plan of an offshore unit or a handling facility requests the assistance from abroad of personnel, equipment, products provided by the industry. (This refers in particular to means made available by regional or global stockpiles run by the industry).

## **1.5 Joint response operations carried out by neighbouring countries**

*“Joint response operations” means all pollution response operations in which personnel, equipment, products and/or other means, of at least two neighbouring countries directly affected or under threat of being affected are involved. (Annex II.4.2)*

This refers to a marine incident of such magnitude, which causes or is likely to cause pollution, and which can possibly affect one or more Contracting Parties, that calling for assistance from the other threatened parties, is justified. The incident might be a spill, which occurs in the area of responsibility of one Contracting Party and threatens the area of responsibility of another one.

The relevant Authority of the Contracting Party in whose area of responsibility or interest the pollution incident has occurred shall, after receiving and verifying the initial assessment report, immediately inform the Operational Authorities of the other Contracting Parties through their national Contact Points as well as REMPEC.

### **1.5.1 Cooperation among the neighbouring countries (request/offer of assistance) and coordination of the mobilisation of the resources**

A request for assistance, on the basis of the response structure requirements and advice, may be sent following the activation of the National Contingency Plan or/and the bilateral or multilateral contingency plan, by the relevant authority of the management structure of the affected Contracting Party to the relevant Authorities of the threatened Contracting Parties using the Standard form for request of Assistance (*Annex II.3*).

Unless a bilateral or multilateral contingency plan addresses the issue of pooling resources in case of emergency, the procedures for mobilising and coordinating response resources described in this Guide should apply. The national resources of the affected Contracting Party will be supplemented as necessary by the personnel and means rendered as assistance by the neighbouring (threatened) Contracting Parties upon the request of the management structure of the affected Party.

Information concerning aircraft suitable for spill surveillance (including technical characteristics and specialised equipment), to which each Contracting Party has access should be exchanged by the Contracting Parties, preferably through REMPEC. This is valid both for aircraft belonging to the Parties or for those belonging to the industry.

The leading role will be assumed by the command structure of the Contracting Party whose area of responsibility has been affected or is likely to be affected by a pollution incident and who has requested assistance.

When the major part of the pollutant has moved from the area of responsibility of the Contracting Party who had initially requested assistance, to the area of responsibility of another Contracting Party who is also requesting assistance, the two Parties may agree to transfer the lead role from the first Party to the other.

### **1.5.2 Request of international assistance by each individual country, and management of external offers of assistance made to each individual country (coordination)**

In case of large and major pollution affecting more than one country, in addition to pooling together their own resources, each country may individually request international assistance. In such a situation, where for the same event countries may individually request international assistance, there is a need for a strong co-operation among the countries concerned for the evaluation of the need for international assistance and for the mobilisation and coordination of the deployment of the combating resources. In such case the affected countries may request the assistance of REMPEC for coordinating the international assistance. In cooperating, the affected countries should keep in mind all the financial implications of their actions.

## 1.6 Dispatching of resources

The Principles and Guidelines concerning the sending, receiving and returning of equipment in case of international assistance operation in **Annex I.4.2 / B** shall apply.

### 1.6.1 Role and responsibility of the Assisting Country for dispatching resources

The role and responsibility of the Assisting Country are to oversee and authorise the release of government-owned and private sector equipment and personnel, whose movement may be restricted due to a need to meet minimum requirements of response capacity.

It is recommended that the Assisting Party

- attach in its reply (*Offer of Assistance Form – Annex II.4*) a detailed list of the equipment, systems or products available, including necessary shipping details to include dimensions, the type of fuel, and envisaged transport modalities. It is recommended that the list also indicates the equipment needed for handling such material in the port or airport of entry, the number of people required for offloading operations and the necessary means of transportation of such response material to the site of the incident;
- determine minimum standards of:
  - training required to operate equipment sent to the Requesting Party;
  - safety required to operate equipment sent to the Requesting Party;
  - maintenance required to operate equipment sent to the Requesting Party;
  - security required to operate equipment sent to the Requesting Party.

### 1.6.2 Role and responsibility of the management structure of the Requesting Country to receive and dispatch, in coordination with the command structure, the resources to the place where they will be used

The management structure for cooperation and international assistance should act as a centralised response point of contact for processing requests, receipt, evaluation and acceptance of offers of international assistance from multiple sources (national governments, REMPEC, the private sector, etc.) and to coordinate logistics of the deployment of accepted resources into the affected area.

The management structure shall:

- appoint an authority to receive the equipment, products and/or personnel, and ensure control of operations from the moment equipment, products and personnel arrive in the country and while these are conveyed to and from the scene of operations;
- make arrangements for the rapid entry of equipment, products, and personnel prior to their arrival and ensure that customs formalities are facilitated to the maximum extent. It is recommended that equipment be admitted on a temporary basis and that products be admitted free of excise and duties;
- supply all that is needed for the correct operation and maintenance of equipment and provide accommodation and food for response teams;
- ensure that ships are granted all necessary authorisations and aircraft cleared to fly in the national air space, should ships and aircraft be provided. It is recommended that a flight plan or a flight notification be filed and accepted as an authorisation for aircraft to take off and land ashore or at sea outside regular customs airfields;
- return all unused products and ensure that equipment is returned or compensated for as agreed in advance, once response operations are complete;
- send to the appropriate authorities or representatives of the Assisting Party a report on the effectiveness of equipment, products and personnel provided; and
- record the equipment that has been used as well as its whereabouts and any other relevant information.

The command structure shall ensure that when requested equipment has to be used by national personnel such personnel is fully qualified for that task.

## **1.7 Operational command of the resources mobilised in the context of international assistance**

The government of the affected country has the overall responsibility to take and enforce measures to protect its coastlines or related interests from pollution or threat of pollution. Therefore although the national systems may be different (e.g. *the government is fully in charge of response operations, or the Responsible Party under the overall control and supervision of government authority carries out response operation, or a combination of the two systems according to the circumstances*), the operational control and supervision of response operation shall be exercised by the relevant authorities of the Requesting Country.

### **1.7.1 The command structure of the Requesting Country shall have the overall operational control and supervise response operations**

Personnel from Assisting Country shall execute their tasks and duties under the operational control and supervision of the command structure of the Requesting Country, following the decisions of the command structure (operational authority, Supreme On-Scene Commander) and the tactical command of their respective team Leaders and unit Commanders.

The command structure shall, in addition to assuming overall Operational command/control, be specifically responsible for coordinating actions taken by national means (strike teams, vessels, aircraft) of the Requesting Country with those taken by the means of the Assisting Parties (government, private sector).

The management structure shall appoint an officer responsible in the field (within the field command structure) for receiving the personnel, equipment, products and/or other means from the Assisting Country/parties and for facilitating their integration in the response operations from the moment of their arrival in the country to the moment of their departure. This officer shall closely collaborate with the Liaison Officer of the Assisting Country/party.

### **1.7.2 Operational arrangements in case of joint response operations by neighbouring countries**

If a pollution incident which has occurred in the area of interest of one country directly (imminently) threatens the interests of another country, the countries, in the absence of a bilateral or sub-regional agreement, may agree in direct contacts between their command structure Operational Authorities, that the threatened country will assume the lead role (operational control and supervision).

The countries may agree that the lead role shall be transferred from that country to another, when the major part of the pollutant has moved from the area of responsibility of the country who had initially requested assistance, to the area of responsibility of the other country who is now affected and who is requesting assistance.

The transfer of the lead role in cases when the major part of the pollutant is moving from the area of interest of one country to the area of responsibility of another country shall be agreed upon after consultations between the countries concerned.

The lead country shall be responsible for surveillance of the pollution, assessment of the situation, spill movement forecasting, reporting, exercising Operational Command over Joint response operations

*The Principles and Guidelines concerning arrangements and operational procedures which could be applied in case of a joint operation (Annex I.4.2/C) shall apply.*

### **1.7.3 Use of dispersants**

The Requesting Country shall inform the other Assisting Parties (government, private sector) on its policy regarding the use of dispersants. The information shall include a list of the dispersants approved for use in the territorial waters of the Requesting Country together with an indication of the zones where the use of dispersants is allowed, restricted or prohibited, as well as any other information deemed relevant.

### **1.7.4 Disposal and treatment of wastes**

The Requesting Country shall inform the other Assisting Parties (government, private sector) on its policy regarding the disposal and treatment of waste collected during the response operations. The information shall include clear indication of the place where the wastes shall be temporarily stored and disposed of, and of the pre-treatment the wastes may need to be subject to.

### **1.7.5 Maintaining liaison between the Assisting Party and the Requesting Country during the response operations, according to circumstances**

The liaison between the Assisting Party and the Requesting Country during the response operations shall be maintained, through:

- direct contacts, through the Liaison Officer of the Assisting Party integrated in the staff of the SOSC/OSC the field command structure; (**Annex I.4.3**)
- situation reports (**Annex II.8**) during the entire period between the dispatching of resources and the termination of assistance.

The Requesting Country shall keep the Assisting Parties and REMPEC regularly informed through situation reports SITREP (**Annex II.8**) on:

- development of the situation regarding a pollution incident;
- actions taken to combat pollution;
- progress of response operations; and
- record of the resources used.

## **1.8 Termination of assistance**

### **1.8.1 Termination by the Assisting Party**

If the circumstances so demand, the Assisting Party can fully or partly terminate its assistance. Information on the termination shall be communicated to the competent authority of the Requesting Party.

### **1.8.2 Termination by the affected country**

The progress of the response and clean-up operations should be monitored and as the activities wind down, resources should begin to be demobilised, and ultimately, a decision should be made to terminate the response. When this decision is made, the response enters the remediation or restoration phase to monitor or enhance natural recovery of the impacted areas.

International assistance shall be terminated when, according to the judgement of the command structure:

- pollution response measures have been finalised and the pollutant no longer threatens the interests of the Requesting Country; or
- the situation has reached a point where the response capabilities and resources of the Requesting Country are sufficient for successfully finalising the response activities.

Once the decision regarding the termination of international assistance has been taken, unless otherwise agreed, all personnel, equipment, unused products and other means which were involved

in response operations shall return or be returned to their respective countries of origin. Returned equipment shall be in the best possible working order (clean and repair *guidelines in Annex 1.4*);

## 1.9 Possible role of REMPEC in coordinating international assistance

In conformity with its mandate REMPEC, when so requested in case of emergency, can assist the affected Contracting Party in:

- providing advice, technical information and expertise (facilitating role)
  - helping the command structure in the field in carrying out a detailed assessment of the situation;
  - helping the command structure to evaluate the needs for international assistance and to specify, as precisely as possible, the type and quantity of equipment and products needed;
  - helping the management structure in identifying from whom to get assistance;
  - evaluating of offers of assistance;
  - providing technical advice;
  - facilitating communication and exchange of information;
  - facilitating relationship with different parties involved.
  
- coordinating international assistance (coordination role)
  - assisting in identifying sources of assistance from outside the region;
  - in exceptional circumstances, by helping in mobilising response resources and financing support, in particular through the mechanisms for assistance and UN financing mechanisms;
  - liaising with mechanisms for assistance and coordination of international assistance.

**Flowchart of steps to follow regarding request of regional and international assistance in cases of marine pollution incident**

**1. RECEIPT OF POLLUTION REPORT**

**By** the designated authority/office (MARPOL: Art. 8, Para. 2.1)  
**From** the Master of a ship, the Operator of an offshore unit or the Operator of a handling facility.

**2. INITIAL ASSESSMENT**

**By** the designated Authority/Office which is responsible of follow-up actions upon receipt of a pollution report (the Command structure).

**3. NOTIFICATION**

**By** the designated Authority/OPRC Focal Point (the command structure) **to** all the Contracting Parties who are likely to be affected and **to** REMPEC **by filling** the pollution report (**POLREP**), starting with the **POLWARN** and continue to update accordingly further development **by using** the **POLINF**.

**By: OPRC Focal Point**

**POLREP: Part I : POLWARN Part II : POLINF**

**To: All Contracting Parties likely to be affected & REMPEC**

**4. ACTIVATION OF THE NATIONAL CONTINGENCY PLAN**

Setting up of the Command structure and the Management structure for cooperation and international assistance.

**5. ASSESSMENT OF THE NEEDS BY THE COMMAND STRUCTURE**  
(Experts in the field shall carry out a detailed assessment of the situation)

**5.1** The assistance of MAU Experts may be requested to carry out the assessment. The Command structure shall specify the nature of the expertise required and **fill-in** the **Request of MAU Experts Form**.

**By: Command structure**

**Request of MAU Experts Form**

**To: Management structure**

**5.2** Based on the Experts assessment, a **Request of Equipment and Products Form** shall be **filled-in by** the Command structure.

**By: Command structure**

**Request of Equipment and Products Form**

**To: Management structure**

**6. REQUEST OF ASSISTANCE BY THE MANAGEMENT STRUCTURE FOR COOPERATION AND MUTUAL ASSISTANCE**  
(Based on the request and the needs expressed by the Command structure)

**6.1** Send a request of MAU Experts **by filling** the **Request of MAU Experts Form**

**By: Management structure**

**Request of MAU Experts Form**

**To: REMPEC**

**6.2** Send a request of Equipment and Products **by filling** the **Request of Equipment and Products Form**:  
- directly **to** other Contracting Parties or **to** other Contracting Parties **through REMPEC** (facilitating role) and/or;  
- outside of the Mediterranean region directly or **through REMPEC** (facilitating role)

**By: Management structure**

**Request of Equipment and Products Form**

**To: Contracting Parties directly or through REMPEC**

and attach **the Standard form for additional information POLINF** provided in **Annex II.2 - page 92**.

## 7. OFFERS OF ASSISTANCE

It is recommended that the Party offering assistance to the affected country by filling the proposed detailed Assistance Form

**By:** Assisting Party

**Offer of Assistance Form**

**To:** Affected Country

## 8. ACCEPTANCE OR DECLINE OF OFFERS OF ASSISTANCE

Acknowledge receipt of an offer of assistance by filling the **Standard Form**;

Evaluation and Negotiation of offers (Ref. : Appendix items to consider);

**Acceptance or Decline/On Hold** by filling the **Standard Forms**.

**By:** Management structure

**Acknowledge receipt Form**

**To:** Assisting Partie(s)

**By:** Management structure

**Acceptance Form**

**To:** Assisting Partie(s)

**By:** Management structure

**Decline / On Hold Form**

**To:** Assisting Partie(s)

## 9. MOBILISATION, RECEIVING, AND DISPATCHING THE RESOURCES

Make all the necessary arrangements for the mobilization, receipt and dispatch of the requested resources;  
Maintain a record of the resources used.

## 10. KEEP THE ASSISTING PARTIES AND REMPEC REGULARLY INFORMED

Inform with a situation report by filling the **SITREP standard Form**.

**By:** Affected Country

**SITREP**

**To:** REMPEC  
& Assisting Partie(s)

## 11. TERMINATION OF ASSISTANCE/DEMOBILISATION

Send a Notice of termination to REMPEC and the assisting Parties.

**By:** Affected Country

**Notice of TERMINATION**

**To:** REMPEC  
& Assisting Partie(s)

STEP	Form	Annex
3.	POLREP	Annex II.2
5.1 & 6.1	Request of MAU Experts	Annex II.3
5.2 & 6.2	Request of Equipment and Products	Annex II.4
7.	Offer of Assistance	Annex II.5
8.	Acknowledge receipt	Annex II.6
8.	Acceptance	Annex II.7
8.	Items to consider by both Parties	Appendix to Annex II.7
8.	Decline / On Hold	Annex II.8
10.	SITREP	Annex II.9

## Chapter 2 Administrative, Legal and Financial Aspects

This Chapter gives useful information on administrative, legal and financial aspects related to the requests and offers of assistance.

### 2.1 Administrative aspects

Once the management structure of the affected Country has accepted solicited and unsolicited offers of assistance from other countries and private entities including the bringing of combating resources by the Responsible Party, it shall, in particular:

- make the necessary arrangements for accommodation and transportation, within the country, of all assisting personnel;
- take the necessary measures to provide the following facilities for equipment and other means received from the assisting Parties:
  - safe storage space or parking places, as appropriate, including cranes, fork-lifts and other handling equipment, as necessary;
  - fuel, lubricants and basic repair and maintenance facilities.

As regards the stay in the territory of the Requesting Country, of vessels and aircraft rendered as assistance by other Parties, the management structure shall take the necessary measures to ensure assistance to the crews at airports and in ports, as appropriate, and to provide security services for ships, aircraft and related equipment, while these are in ports or at airports of the Requesting Country.

#### 2.1.1 Customs

The management structure shall determine how best it can facilitate the entry of the equipment, property or personnel from Assisting Parties into its own territory. These may be government or private sector owned resources or REMPEC experts. To that end, the management structure shall ensure that measures are taken to facilitate the arrival of accepted resources, including expeditious processing or complete waiver of customs and visa requirements.

The management structure shall also provide regular information and updates to arriving experts or response teams with regard to entry points, customs, and visa requirements, and other arrival arrangements.

Many countries have laws in place for customs duty and/or restriction exemptions with regard to certain types of resources imported and exported for use in emergencies. The management structure shall evaluate the applicability of such laws, if they exist within its country, for emergencies related to marine pollution incidents.

If such laws exist within the affected Country and can be applied to international assistance for pollution response, the management structure shall determine how these exemptions will be implemented for response equipment, property and personnel arriving from the Assisting Parties. International responders from the Assisting Party shall have prepared and have ready detailed manifests of their equipment or property, in order to facilitate expeditious customs processing.

#### 2.1.2 Immigration issues

Immigration laws regarding employment of foreign nationals may require that consent be obtained for them to work within a country. For purposes of immigration, customs and excise laws, it is recommended, subject to security consideration, that affected countries consider legislating special emergency procedures, or allowing temporary easements, that could be invoked by the management structure in the event of a spill in which a foreign response organisation's services are needed. It is recommended that the management structure for international assistance coordinates closely with the appropriate national agencies or departments within the affected country to determine if any easements or provisions can be made to facilitate foreign nationals working on the spill response, if

appropriate. Ideally, this coordination would occur in a planning context, in advance of a marine pollution incident.

### **2.1.3 Points of entry**

It is recommended that all Contracting Parties and organisations consider establishing pre-identified points of entry for incoming resources when implementing an international assistance system as part of their response to a large, complex or significant oil spill. Entry points can be any type of border crossings (e.g. roads, rivers, ports, railroads, airports). It is recommended that the management structure of the affected Party makes all necessary arrangements to receive and expedite entry of the incoming resources at the points of entry, as appropriate.

## **2.2 Transboundary movement of response personnel, equipment, products and self-contained units**

The management structure of the affected Party shall:

- make arrangements for the rapid entry of equipment, products and personnel prior to their arrival and ensure that customs formalities are facilitated to the maximum extent. Equipment should be admitted on a temporary basis and products should be admitted free of excise and duties;
- ensure that, should ships and aircraft be provided, ships are granted all necessary authorisations and aircraft cleared to fly in the national air space. A flight plan or a flight notification will be filled and accepted as an authorisation for aircraft to take off, land ashore or at sea outside regular customs airfields.

### **2.2.1 Overflight procedures**

The management structure of the affected Party should allow aircraft of assisting parties to enter and operate in the airspace of the affected Party for one of the following purposes:

- search and rescue;
- surveillance flights;
- transportation of response personnel, equipment and products;
- spraying of dispersants or other treatment products.

A Contracting Party should make, in advance, the necessary arrangements concerning the rapid granting of permits and clearances for civilian aircraft (fixed wing or helicopters) of other Contracting Parties and other Assisting Parties who might be requested to or will take part in response operations within its airspace. Similar arrangements will be made for the use of airport facilities by civilian fixed wing aircraft and helicopters engaged in response operations.

Overflight, for the above mentioned purposes, over the national territory or territorial waters of one of the Contracting Parties by military aircraft of other Contracting Parties will be decided on a case-by-case basis by the Parties concerned.

### **2.2.2 Navigation procedures**

Upon the request and the approval of the management structure of the affected Party, vessels of the Assisting Parties might enter and operate in the territorial waters of the affected Party for one of the following purposes:

- search and rescue;
- salvage operations;
- pollution response operations, including containment and recovery of spilled products, spraying of dispersants or other treatment products, storage and transportation of recovered pollutant;
- transportation of response personnel, equipment and products;

- any other voyage related to pollution response operations.

The management structure of the affected Party shall make, in advance, the necessary arrangements concerning the rapid granting of permits and clearances for the navigation of civilian vessels (ships, boats, specialised anti-pollution vessels) of the other Contracting Parties and other Assisting Parties who might be requested to or will take part in response operations within its internal and territorial waters. Similar arrangements will be made for the use of port facilities by civilian vessels engaged in Joint response operations.

Navigation, for the above mentioned purposes, in the internal or territorial waters of the affected Party by naval vessels of other Contracting Parties will be decided on a case-by-case basis by the Parties concerned.

In all cases, the provisions of the International Convention on Facilitation of International Maritime Traffic, as amended, will be taken into account by the Parties concerned.

### **2.2.3 Personnel, equipment, products and self-contained units provided by the industry**

Any personnel, equipment, products and self-contained units provided by the industry or any other entity to respond to a marine pollution incident in the territory, the territorial sea of the affected Party may need approval by the management structure for international cooperation and mutual assistance of that Party. Once approved, the management structure will facilitate their movements as mentioned above.

## **2.3 Legal aspects**

### **2.3.1 Liability for injuries or damage/insurance of personnel**

The management structure of the affected Party shall coordinate with the Assisting Parties to determine which party will assume the responsibility for equipment damage and loss, as well as third-party claims. A Responsible Party may obtain documented liability coverage and insurance of personnel. If suitable insurance cannot be obtained that defines the costs to either party, it is recommended that another means of guarantee be requested. A secure means of insuring the replacement of damaged or lost equipment is to request that a bond be placed with a financial institution in the value of the equipment and include it in the cost for the loaned equipment.

In order to streamline and expedite this process of cooperation and to avoid any potential for later misunderstanding, it is recommended that the management structure of the affected Party and Assisting Party agree on the principles for compensating the potential damage suffered by third parties as early as possible, ideally already during the process of requesting, offering, and accepting the international assistance. It is recommended that both the management structure of the affected Party and assisting Party declare their willingness or non-willingness to cover damage suffered by third parties. (*Annex II.4*)

### **2.3.2 Medical insurance and medical assistance**

Parties, i.e. Requesting Party, Assisting Parties, industry (Government, private sector) shall take the necessary measures to insure against death, illness and injury, their personnel who might participate in response operations.

The management structure of the affected Party will endeavour to offer as far as possible the best possible initial medical care and services to any person from an Assisting Party who is injured or taken ill during his/her participation in response operations.

The management structure of the affected Party will facilitate the repatriation of assisting personnel who are injured or taken ill during response operations.

The costs of hospitalisation and medical assistance rendered within the affected Party to injured or ill personnel of the Assisting Party may be borne by the Requesting Party according to medical insurance. The Requesting Party might decide to include such costs in its claims.

### **2.3.3 Conditions of work**

The management structure of the affected Party should ensure that adequate local facilities and services are provided for administration and management of assisting Party's assets.

### **2.3.4 Legal framework**

One of the greatest potential legal hurdles for acceptance and utilisation of international assistance involves the potential liability and financial risks that could be faced by a responder involved in response activities in a foreign country or foreign waters. Awareness of the laws applicable to the Assisting Party and its responsibilities is a key element in avoiding any possible liability issues (e.g. fines for causing secondary pollution and property damage, disputes regarding the success and termination of a clean-up operation, waste disposal regulations, etc.).

It is the responsibility of the Requesting Country to ensure that solid and systematic solutions, ready to identify relevant legal issues that may constitute obstacles to the overall objective of facilitating the provision of international assistance, do exist, and, if appropriate, to modify the legislation.

It is recommended that the management structure of the affected Party considers granting legal exemptions, in particular regarding:

- responder's immunity (partial or complete);
- product immunity protecting the supplier/manufacturer (partial or complete);
- exempting the requested/accepted equipment from all custom duties, taxes, tariffs, or any governmental fees, and exempting them from all export transit and import restrictions;
- simplifying and minimizing documentation requirements for export, transit and import;
- permitting the re-exportation of goods and equipment used, in the event that the Requesting Country is requested or required by the Assisting Party to return the items; and
- waiving or reducing inspection requirements (where this is difficult, consider using pre-clearance processes where possible to clear equipment more rapidly).

## **2.4 Financial aspects**

In order to make commitments with foreign sources of equipment, response resources and technical specialists, the management structure for cooperation and international assistance should request spending authorisation and funds to draw upon, at either the National or the Field level. In a number of cases, there are greater efficiencies for the spending authority and funds, to be designated at the Field level. Additionally, it is important to clarify in advance the funding authorities and sources to be used during the international assistance process, as an unauthorised commitment of any kind to a foreign source, without spending authority, could ultimately impede the resources required to assist in the spill response. For these reasons, the National and Field levels should clarify and understand their financial roles based on applicable regulations before beginning the international assistance process. The management structures must have a financial section, with a financial officer at the field level.

### **2.4.1 Financing response measures and assistance**

Financing response measures undertaken by the government of the affected country using its own resources or resources locally contracted as well as requested resources provided by foreign assisting parties may require the affected country to pay up front using its own internal funds. Reimbursement from the polluter may or may not take time, or may or may not be achievable depending on how the liability of the polluter and compensation regimes are enacted and enforced in the affected country.

Therefore due consideration should be given to funding and reimbursement when requesting international assistance.

When a country is responding to a large or complex oil spill that requires international assistance the management structure for cooperation and international assistance should determine to what degree the Responsible Party will fund upfront the resources utilised as part of international assistance, as well as any associated and negotiated maintenance, rental, compensation or replacement costs, and transportation costs. If the affected country bears any of the upfront costs associated with obtaining, transporting, deploying, and returning resources requested through the international assistance process, the management structure for cooperation and international assistance should determine which expenses and to what extent they can fund international assistance resources and associated "out of pocket" costs, as well as by which mechanisms the management structure's costs will be recovered or compensated.

If an affected country is unable to provide "out of pocket" funds for resources from international assistance or other costs, it is recommended that the management structure for cooperation and international assistance and other relevant agencies work with the Responsible Party to determine the Responsible Party's ability to cover international assistance costs. The Assisting Party may require and accept a guarantee of payment from the Requesting Country. Such guarantee may be obtained from the P&I Club of the ship involved or from the insurer of an offshore unit or a handling facility.

The affected country may have other avenues available to it. It is recommended that the affected country investigates whether such options are available to it prior to an oil spill situation.

#### **2.4.1.1 Financing response measures carried out and assistance provided by Assisting Parties (Assisting Country or private contractors) at the request of the affected country**

Both the OPRC Convention and the Prevention and Emergency Protocol (Article 13) contain specific provisions regarding reimbursement of cost of assistance:

The principle is that:

- Unless an agreement concerning the financial arrangements governing actions of Parties to deal with pollution incidents has been concluded on a bilateral or multilateral basis prior to the pollution incident, Parties shall bear the costs of their respective action in dealing with pollution:
  - if the action was taken by one Party at the express request of another Party, the Requesting Party shall reimburse to the Assisting Party the costs of its action. If the request is cancelled, the Requesting Party shall bear the costs already incurred or committed by the Assisting Party;
  - if the action was taken by a Party on its own initiative, that Party shall bear the cost of its action;
  - the principles laid down in subparagraphs above shall apply unless the Parties concerned otherwise agree in any individual case.
- Unless otherwise agreed, the costs of the action taken by a Party at the request of another Party shall be fairly calculated according to the law and current practice of the Assisting Party concerning the reimbursement of such costs.
- The Party requesting assistance and the Assisting Party shall, where appropriate, cooperate in concluding any action in response to a compensation claim. To that end, they shall give due consideration to existing legal regimes. Where the action thus concluded does not permit full compensation for expenses incurred in the assistance operation, the Party requesting assistance may ask the assisting Party to waive reimbursement of the expenses exceeding the sums compensated or to reduce the costs which have been calculated. It may also request a postponement of the reimbursement of such costs. In considering such a request, Assisting Parties shall give due consideration to the needs of developing countries.

These provisions shall not be interpreted as in any way prejudicing the rights of Parties to recover from third parties the costs of actions taken to deal with pollution incidents under other applicable provisions and rules of national and international law applicable to one or to the other Party involved in the assistance.

#### **2.4.1.2 The Responsible Party may accept to pay directly the Assisting Party requested by the Requesting Country**

It may be the case, in particular when the experts of the ship's insurer consider that the response resources requested, and actions planned and taken, are fully justified and reasonable, and will contribute efficiently to reduce the impact of the pollution.

When according to the national preparedness and response system it is expected that the polluter will carry out response operations and provide the majority of response resources, the polluter will support the cost of technically reasonable response measures undertaken at the request of the government or undertaken at its own initiative with the agreement of the relevant government authorities.

#### **2.4.1.3 REMPEC assistance**

REMPEC will support the initial financing of the sending of experts to provide the assistance mentioned above. In addition, in exceptional circumstances, REMPEC will do its utmost to identify sources of provisional financing to cover the cost of requested assistance.

### **2.4.2 Reimbursement of costs of response measures and assistance**

The "Polluter Pays Principle" is a concept that is generally well-accepted throughout the world, but should be established in formal legislation or policy. Liability for the costs of a pollution incident will generally be set-out in law in relevant national legislation. In practice, national laws require that whoever caused the pollution shall pay for the response and remediation efforts in accordance with the polluter's legal liability, under the conditions of the applicable liability regime.

**In case of pollution from a ship**, countries may obtain prompt compensation under the international compensation regime to which they are party (1969 CLC / 1992 CLC, Fund Convention and Supplementary Fund Protocol, Bunkers Convention).

In cases where there is no owner, such as a mystery spill, or in cases where the polluter is unable to pay for the response, the government will usually pay for the response and then seek remuneration from a national pollution response fund where available or in accordance with international liability and compensation conventions to which the government is party.

**In case of pollution originated from an offshore unit or a handling facility** the liability regime applicable is the one the country will impose upon the operators of offshore units and handling facilities. Government shall require that operator of offshore unit and of handling facility have insurance or financial guarantee for covering their liability in case of pollution.

### **2.4.3 Calculation of costs of response measures and assistance**

Under the international liability and compensation regime, reimbursement for actions taken during spills from vessels may be available for reasonable response measures. As a consequence, it is recommended that careful consideration be given to the mobilisation of resources to ensure they are reasonable, if compensation is to be sought subsequently through one of the relevant conventions. The IOPC Funds' claims manual has further information on admissibility of claims and claims criteria (<http://www.iopcfunds.org/publications/>). (*Annex III.1*)

Careful documentation of operational activities and their associated costs during a spill response will assist in resolving disputes over cost recovery and in the preparation of claims for compensation. In the event of loss or damage to the equipment, insurance claims will need to be substantiated by supporting documentation.

It is important to ensure that careful documentation and explanation of operational activities is provided, and to designate and train personnel to carry out the task of keeping a log of spill-related actions and their associated costs.

It is recommended that daily records be maintained of resources mobilised by the management structure for international assistance (at the central level and at the field level), documenting as a minimum:

- Response measures: detailed records of response measures carried out during the entire operation and of the related costs incurred by parties participating in the response (establish the necessary documentation) must be kept;
- Equipment: date when mobilised, duration of use, location, initial condition, condition during and at the end of its use, operators on duty, consumables used and replacement cost; and
- Personnel: date when mobilised, number of workers on site, hours worked, compensation and attendance.

Whoever has suffered a loss caused by oil pollution damage may submit a claim for compensation, but the management structure for cooperation and international assistance may decide to collate the claims and present them together with the necessary documentation to the responsible party, insurers and / or to the IOPC Funds, or other mechanisms liable for compensation.

#### **2.4.4 Preparation and submission of claims**

When taking measures to respond to spills, but also when requesting or offering assistance, both Requesting Countries and Assisting Countries shall take into consideration the process required for the preparation and submission of claims to the IOPC Funds. Summary information concerning preparation, submission, assessment and settlement of claims is given in **Annex III.1** and **Annex III.2**.

Although applying primarily to incidents involving IOPC Funds the information included in these two Annexes also provide guidance useful *mutatis mutandis* to many other jurisdictions, including incidents in non-Fund countries, incidents involving vessels other than tankers, and other incidents causing pollution of the marine environment such as those involving offshore installations or handling facilities.

## **ANNEXES**

### **Draft Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution Incidents**



**ANNEX I**

**LISTS, DIRECTORIES, INVENTORIES and GUIDELINES**



## ANNEX I.1

### INTERNATIONAL AND REGIONAL INSTITUTIONS (GOVERNMENTAL, NON-GOVERNMENTAL)

#### International Governmental Institutions

##### 1. International Maritime Organization (IMO)

Address: 4, Albert Embankment, London, SE1 7SR, United Kingdom  
Tel +44 (0)20 7735 7611  
Fax +44 (0)20 7587 3210  
Email: [info@imo.org](mailto:info@imo.org)  
Web: <http://www.imo.org/>

##### 2. United Nations Environment Programme / Coordinating Unit for the Mediterranean Action Plan (UN Environment/MAP)

Address: 48, Vassileos Konstantinou Ave., 11635 Athens, P.O Box: 18019, Greece  
Tel: +30 210 7273100  
Fax: +30 210 7253196  
Email:  
Web: <http://web.unep.org/unepmap>

##### 3. Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC)

Address: Maritime House, Lascaris Wharf, Valletta, VLT 1921, Malta  
Tel: +356 21 337 296 - +356 21 337 297 - +356 21 337 298  
Emergency line: +356 79 505 011  
Fax: +356 21 33 99 51  
General enquiry email: [rempec@rempec.org](mailto:rempec@rempec.org)  
Emergency email: [emergency@rempec.org](mailto:emergency@rempec.org)  
Web: <http://www.rempec.org>

##### 4. The UN Environment / Office for the Coordination of Humanitarian Affairs (OCHA) Joint Unit (JEU)

Address: Palais des Nations, CH-1211 Geneva 10  
Tel:  
Emergency line: +41 22 917 2010 (OCHA Duty Officer)  
Fax:  
Email: [ochaunep@un.org](mailto:ochaunep@un.org)  
Web: <http://www.unocha.org/unep>

##### 5. International Oil Pollution Compensation Funds (IOPC Funds)

Address: 4, Albert Embankment, London, SE1 7SR, United Kingdom  
Tel: +44 (0)20 7592 7100  
Fax: +44 (0)20 7592 7111  
Email: [info@iopcfunds.org](mailto:info@iopcfunds.org) (for general enquiries)  
[claims@iopcfunds.org](mailto:claims@iopcfunds.org) (for claims-related enquiries)  
Web: <http://www.iopcfunds.org/>

## 6. European Commission (EC)

### Emergency Response Coordination Centre (ERCC)

Address: 86, Rue de la Loi 1049 Brussels, Belgium

Tel No : +32 2 29 21 112

Fax.: +32-2 298 66 51

E-mail : [echo-ercc@ec.europa.eu](mailto:echo-ercc@ec.europa.eu)

Web: [http://ec.europa.eu/echo/what/civil-protection/emergency-response-coordination-centre-ercc\\_en](http://ec.europa.eu/echo/what/civil-protection/emergency-response-coordination-centre-ercc_en)

### European Maritime Safety Agency (EMSA)

Address: Praça Europa 4, Cais do Sodré 1249-206 Lisboa, Portugal

Mobile: +351 911 089 200

Tel No: +351 211 209 415

Fax No: +351 211 209 480

E-mail: [MaritimeSupportServices@emsa.europa.eu](mailto:MaritimeSupportServices@emsa.europa.eu)

Web: <http://www.emsa.europa.eu/>

---

The **background information** (legal, institutional, relationships, etc.) for each International Governmental Institutions which may be involved in the coordination and/or mutual assistance in case of pollution incident is developed in respective Fiches describing their name, status, obligations/responsibilities (WHO); their role/services, resources (WHAT); and their procedures, conditions and contacts (HOW).

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

### International Maritime Organization (IMO)



#### WHO

##### **Brief presentation:**

IMO is a specialized agency of the United Nations and the global standard-setting authority for the safety, security and environmental performance of international shipping. Its main role is to create a regulatory framework for the shipping industry that is fair and effective, universally adopted and implemented.

**Status type:**      Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

IMO (formerly named 'Inter-Governmental Maritime Consultative Organization (IMCO)' until 1981) was established by means of a convention adopted in Geneva in 1948 and entered into force in 1958. The Organization met for the first time in 1959. IMO currently has 172 Member States and three associate members as of January 2017.

##### **Obligations/responsibilities:**

IMO, as the Organization that sets the international regulatory framework for shipping, has promoted the adoption of some 50 conventions and protocols and adopted more than 1000 codes and recommendations concerning maritime safety and security, the prevention of pollution from shipping and other related matters. With regard to the protection of the marine environment, a series of conventions and other instruments, which are periodically updated and amended, have been adopted to address the prevention of pollution, preparedness and response to marine pollution incidents and compensation for pollution damage.

In this connection, the International Convention on Oil Pollution Preparedness Response and Co-operation, (OPRC), 1990, and its associated Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances (OPRC-HNS Protocol), outline a number of obligations for countries in both preparing for and responding to an incidents involving oil and hazardous and noxious substances in the marine environment.

In addition to encouraging and assisting member States in the ratification and implementation of the OPRC Convention and the OPRC-HNS Protocol, article 12 of the OPRC Convention and article 10 of the OPRC-HNS Protocol requests IMO to perform a number of functions, subject to its agreement and the availability of resources, which include the provision and coordination of information services; assistance in identifying sources of financing; and to facilitate the provision of technical assistance and advice upon request by Parties. (See the section below on '**Role and/or Services**' for further details)

**REMPEC:** The "Conference of Plenipotentiaries of the Coastal States of the Mediterranean Region for the Protection of the Mediterranean Sea" (Barcelona, 1976) agreed to establish a Regional Centre and to entrust IMO with the responsibility, as Co-operating Agency, for the establishment and operation of the aforesaid Regional Centre, with the understanding that the exercise of functions and responsibilities by IMO should not lead to an increase in its budget. Subsequent to this, the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) was established

#### WHAT

##### **Role and/or Services related to emergency response and international cooperation and assistance:**

IMO's principal focus is the creation and implementation of a global regulatory framework for the shipping industry. The following information outlines the IMO's main roles and services related to marine pollution, response and cooperation.

##### **1. Information services**

IMO receives, on request, collates and disseminates the information provided by Parties and by other sources regarding marine pollution incidents.

##### **Information to be provided to IMO**

##### ***National operational contact points responsible for the receipt of pollution incident reports***

In accordance with the provisions of Protocol I of MARPOL, the master of a ship involved in a pollution incident shall report, without delay, to the nearest coastal State, and Parties to MARPOL Convention shall make arrangements for an appropriate

officer or agency to receive and process all incident reports. Parties shall notify IMO with complete details of such arrangements for circulation to other Parties and Member States of the Organization (MARPOL, Protocol I, article 8).

#### **Information on oil or HNS pollution incidents**

When the severity of an oil or HNS pollution incident so justifies, a Party that receives an oil or HNS pollution incident report or pollution information provided by other sources should provide the IMO directly or, as appropriate, through the relevant regional organization or arrangements with the following information:

- the nature, extent and possible consequences of the incident;
- details of the Party's assessments and any action it has taken, or intends to take, to deal with the incident; and
- further information, as appropriate.

When the severity of an oil or HNS pollution incident so justifies, other States affected by the incident are urged to inform the IMO directly or, as appropriate, through the relevant regional organizations or arrangements of:

- the assessments by other States, affected by the incident, of the extent of the threat to their interests and any action taken or intended (see article 4 and article 5(1), (2) and (3) of the OPRC Convention, article 3(1) of the OPRC-HNS Protocol)

#### **2. The provision of assistance in identifying sources of financing**

A Party which has requested assistance in accordance with the provisions of the OPRC Convention or the OPRC-HNS Protocol may request IMO to assist in identifying sources of provisional financing of the cost for such assistance (OPRC, art.7(2), and art.12(1); OPRC-HNS, art.5(2), and art.10(1))

#### **3. Facilitating the provision of technical assistance and advices**

Upon the request of States facing major pollution incidents, IMO may facilitate the provision of technical assistance and advice.

#### **4. Backstopping of REMPEC**

In cases of marine pollution incidents which require international assistance, IMO will assist REMPEC in carrying out its functions and provide the necessary backstopping that the situation may require.

#### **Resources (where applicable):**

##### **1. IMODOCS**

<https://docs.imo.org/>

Contains circulars, circular letters, meeting documents, meeting audio, notes verbales, treaties, etc.

##### **2. Global Integrated Shipping Information System (GISIS)**

<https://gis.imo.org/Public/Default.aspx>

GISIS has been developed by the IMO Secretariat in compliance with the decisions by IMO Members requesting public access to sets of data collected by the Secretariat and stored in off-line databases. Its aim is to allow on-line access to information supplied to the IMO Secretariat by Maritime Administrations, in compliance with IMO's instruments. The databases are maintained and updated by National Maritime Administrations directly, or by submission to the Secretariat.

##### **3. List of national operational contact points responsible for the receipt, transmission and processing of urgent reports on incidents involving harmful substances, including oil from ships to coastal States**

(The most up-to-date contact points can be found by consulting the appropriate module in GISIS at: <http://www.imo.org/OurWork/Circulars/Pages/CP.aspx>)

This national contact points list is provided as an annex to the MSC-MEPC.6 circular, as amended, which is updated based on the GISIS database on a quarterly basis. The list is used for the following requirements of MARPOL Convention (art. 8), OPRC Convention and OPRC-HNS Protocol

Regulation 37 of MARPOL Annex I requires that the Shipboard Oil Pollution Emergency Plan (SOPEP) shall contain a list of authorities or persons to be contacted in the event of a pollution incident involving such substances. Requirements for oil pollution emergency plans and relevant oil pollution reporting procedures are contained in Articles 3 and 4 of the OPRC Convention.

Regulation 17 of MARPOL Annex II requires that the Shipboard Marine Pollution Emergency Plan (SMPEP) for oil and/or noxious liquid substances shall contain a list of authorities or persons to be contacted in the event of a pollution incident involving such substances. In this context, requirements for emergency plans and reporting for hazardous and noxious substances are also contained in Article 3 of the OPRC-HNS Protocol.

##### **4. IMO Publications**

<http://www.imo.org/en/Publications/Pages/Home.aspx>

Sets out those IMO publications available for purchase, such as conventions, codes, guidelines, manuals and model courses

##### **5. Provision of experts**

Upon the request of States, and subject to the availability of adequate resources, IMO may provide staff members or external experts to provide technical assistance and advice for responding to major pollution incidents

HOW

**Procedure:**

**1. Information to be provided to IMO**

See the above "Roles and/or Services" section.

**2. Response to enquiries related to OPRC Convention/OPRC-HNS Protocol**

Any person or body, that has any enquiries related to OPRC Convention/OPRC-HNS Protocol, can contact the officers responsible for OPRC/OPRC-HNS matters within IMO's Marine Environment Division.

**Conditions:**

**IMODOCS and GISIS:** user registration is necessary for access (free of charge)

**List of national operational contact points:** no restriction for access (IMO public website)

**IMO Publications:** IMO publications and materials listed in the catalogue can be purchased from IMO or its authorized distributors

**Provision of experts:** Upon request, subject to IMO's agreement and the availability of adequate resources.

**Contact:**

Officers responsible for OPRC/OPRC-HNS matters  
Marine Environment Division

Tel: +44 (0)20 7735 7611 (**IMO switch board**)

Fax: +44 (0)20 7587 3210

E-mail: [info@imo.org](mailto:info@imo.org)

**Changes or additions to the SOPEP Contact Points**

Update the database in *GISIS* (<https://gisis.imo.org/Public/Default.aspx>) - *Contact Points - List of national operational contact points responsible for the receipt, transmission and processing of urgent reports on incidents involving harmful substances, including oil from ships to coastal states*; or in case of emergency (e.g. cannot access to the GISIS database), alternatively send the information on such changes or additions to:

Fax: +44 (0)20 7587 3210

E-mail: [SafePol-contacts@imo.org](mailto:SafePol-contacts@imo.org)

**Post address**

International Maritime Organization  
4, Albert Embankment  
London, United Kingdom  
SE1 7SR



## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.

### Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC)



#### WHO

##### **Brief presentation:**

REMPEC is one of the components (Regional Activity Centre) of the Mediterranean Action Plan (UN Environment/MAP). It is administered by IMO and UN Environment. One of the objectives of REMPEC is to develop regional co-operation and to facilitate co-operation among the Mediterranean coastal States in order to respond to pollution incidents which result or may result in a discharge of oil or other hazardous and noxious substances and which require emergency actions or other immediate response.

**Status type:**  Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

REMPEC has been established by Resolution 7 adopted by the conference of the Plenipotentiaries of the coastal States of the Mediterranean Region on the Protection of the Mediterranean Sea at Barcelona on 9 February 1976. Its legal bases are the Prevention and Emergency Protocol and the Offshore Protocol regarding the response to marine pollution incident. Its objectives and functions are defined by the Contracting Parties to the Barcelona Convention.

##### **Obligations/responsibilities:**

Prevention and Emergency Protocol Article 12: "Any Party requiring assistance to deal with a pollution incident may call for assistance from other Parties, either directly or through the Regional Centre ... "; and, "where the Parties engaged in an operation to combat pollution cannot agree on the organisation of the operation, the Regional Centre may, with the approval of all the Parties involved, coordinate the activity of the facilities put into operation by these Parties".

Offshore Protocol Article 16: "In cases of emergency the Contracting Parties shall implement *mutatis mutandis* the Emergency Protocol". Article 18 "In cases of emergency, a Party requiring assistance may request help from the other Parties, either directly or through the Regional Centre (REMPEC), which shall do their utmost to provide the assistance requested".

Functions of REMPEC: among the main functions of REMPEC are:

- To assist coastal States of the Mediterranean region, which in cases of emergency so request, in obtaining assistance of the other Parties to the Prevention and Emergency Protocol, or when the possibilities for assistance do not exist within the region, in obtaining international assistance from outside the region;
- To prepare and keep up to date operational arrangements and guidelines, aimed at facilitating co-operation between Mediterranean coastal States in cases of emergency;
- To organize and activate the Mediterranean Assistance Unit for combating accidental marine pollution created by a decision of the Eighth Ordinary Meeting of the Contracting Parties (Antalya, 12 - 15 October 1993) in the conditions described in this decision;
- To collect and disseminate information regarding preparedness and in cases of emergency regarding response actions."

#### WHAT

##### **Role and/or Services:**

REMPEC has developed and maintains a Regional Information System (RIS) composed of directories and inventories; operational guides and technical documents; and which is complemented by decision support system tools, including the Maritime Integrated Decision Support Information System (MIDSIS-TROCS), the waste management decision support system, the Mediterranean Integrated GIS on Marine Pollution Risk Assessment and Response (MEDGIS-MAR).

REMPEC maintains regular contact with national competent authorities of the Contracting Parties in particular with the national designated OPRC, Mutual assistance and 24 hour Focal Points.

Then, in cases of emergency, REMPEC will:

- Provide requested information and advices on operational, technical, administrative and legal aspects of pollution response;
- Collect and disseminate information on marine pollution events and on follow up actions;
- Facilitate obtaining assistance and if needed and requested co-ordinating the providing of international assistance (clearing mechanism).

In particular REMPEC can assist in:

- helping the command structure in the field in carrying out a detailed assessment of the situation;
- helping the command structure to evaluate the needs for international assistance and to specify, as precisely as possible, the type and quantity of equipment and products needed;
- helping the management structure in identifying from whom to get assistance;
- the evaluation of offers of assistance;
- the coordination of international assistance;
- facilitating relationship with parties involved;
- facilitating communication and exchange of information;
- in exceptional circumstances, by helping in mobilising financing support, in particular through UN financing mechanisms.

**Resources (if applicable):**

- Providing expert advice on the site of accident by dispatching REMPEC officers or by mobilising the Mediterranean Assistance Unit (MAU);
- With the view to initiate promptly assistance (dispatching REMPEC officers or The MAU) to a Party which so request in case of emergency, a revolving fund has been established.

**HOW**

**Procedure:**

**Reporting pollution incident**

The first communication by the Contracting Parties should be made through the OFFICER-ON-DUTY at REMPEC by:  
a phone call on the **Emergency line**, operational 24/7;  
sending an e-mail at the **Emergency email**.

Once contact has been established by mobile phone or e-mail, further communication, using the **POLREP format**, could also be exchanged using REMPEC's fax number.

(Once REMPEC is mobilized following the above procedure, phone calls can also be made on the office lines.)

**Requesting assistance**

Request directly to REMPEC of experts/ Mediterranean Assistance Unit, the standard form shall be used).  
Request of equipment and product through REMPEC (facilitating and coordinating role), the standard form shall be used.

**Keeping REMPEC regularly informed**

Use the Situation Report (SITREP).

**Conditions:**

REMPEC shall cover the initial costs of the sending of REMPEC officers and /or the Mediterranean Assistance Unit: air ticket, daily subsistence allowance and possibly fees on a pre-arrange basis.

**Contact:**

<p><b>Address</b> REMPEC MARITIME HOUSE LASCARIS WHARF VALLETTA VLT 1921 MALTA</p> <p><b>Website</b> <a href="http://www.rempec.org">www.rempec.org</a></p>	<p><b>Telephone</b> +356 21 337 296/7/8</p> <p><b>Fax</b> +356 21 339 951</p> <p><b>Email</b> <a href="mailto:rempec@rempec.org">rempec@rempec.org</a></p>
<p><b>In case of emergency only (24H) - Restricted to official use only :</b></p>	
<p><b>Emergency email</b> <a href="mailto:emergency@rempec.org">emergency@rempec.org</a></p>	<p><b>Emergency line</b> +356 - 79 505 011</p>

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

**UN Environment / OCHA Joint Unit (JEU)**



### WHO

**Brief presentation:** The UN Environment / Office for the Coordination of Humanitarian Affairs (OCHA) Joint Unit (JEU) is the United Nations mechanism to mobilise and coordinate emergency assistance to countries affected by environmental emergencies and humanitarian crisis with significant environmental impacts.

**Status type:**  Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

OCHA is the part of the United Nations Secretariat responsible for bringing together humanitarian actors to ensure a coherent response to emergencies. The JEU is housed in OCHA's Emergency Services Branch (ESB) and has full access to OCHA's tools and services to support member states in the coordination of the international response.

**Obligations/responsibilities:** JEU is recognized as the principal multilateral entity and primary point of contact for mobilizing and coordinating international action in partnership with national and international actors in response to environmental emergencies

**Regarding marine pollution incident** although other organisations (IMO, REMPEC) and national and regional preparedness and response systems will have the lead role, the assistance of JEU may be requested in particular when human health and environment (sensitive marine ecosystem) are threatened and affected on a major scale.

Upon receipt of an official request for assistance from an affected country the JEU will advise on immediate actions and, if necessary, forward a request for assistance to its network of partners. The JEU provides support specifically on the coordination elements of a response, as well as in assessing and mitigating the possible harmful environmental impacts of a disaster or emergency.

In case of marine pollution incident which may require assistance from JEU, JEU will work in close collaboration with the International Maritime Organization, regional organizations (REMPEC and UN Environment/MAP) as well as with other humanitarian and disaster response actors, including the clusters and the World Health Organization.

### WHAT

**Role and/or Services:**

The JEU provides a wide range of services to member states and humanitarian organizations in responding to environmental emergencies, including:

- provision of technical expertise through existing emergency response and preparedness mechanisms;
- maintaining a wide network of contacts and partners providing support on a range of environmental topics;
- developing joint guidelines and tools representing best practice; sharing knowledge and expertise through the Environmental Emergencies Centre ([www.eecentre.org](http://www.eecentre.org));

**Resources:**

The JEU has access to the resources and response tools of the international humanitarian system. These include the Virtual On-Site Operations Coordination Centre (VOSOCC) (<https://vosocc.unocha.org>), a real time, online coordination platform designed to support information exchange and coordination among international responders in the early phase of major sudden onset disasters. The On-Site Operations Coordination Centre (OSOCC) concept is a rapid response tool for OCHA and the United Nations Disaster Assessment and Coordination teams that works in close cooperation with the affected Government and the assigned national focal points. The Environmental Emergencies Centre (EEC) ([www.eecentre.org](http://www.eecentre.org)) is an online preparedness tool designed to strengthen the capacity of national responders to environmental emergencies.

**Types of assistance:** Depending on the nature of the incident the JEU will endeavour to tailor-fit the expertise needed. The following types of response support can be requested:

- Off-site expert advices
- On-site expert advices
- On site sampling and analysis
- Brokerage with relevant emergency responders

**Areas of expertise:**

- Release of hazardous and toxic materials
- Impact of hazardous and toxic materials on natural resources and livelihoods
- Water contamination
- Disaster wastes and debris management.

**HOW**

**Procedure:** When requesting assistance to an environmental emergency please provide as much information as possible on the event and your needs, using the checklist found in the Environmental Emergencies Guidelines, 2017 (Annex 2) as a guide. Please send your information in an email to the UN Environment/OCHA Joint Unit (JEU) ([ochaunep@un.org](mailto:ochaunep@un.org)), while also immediately calling the OCHA Duty Officer (available 24/7 at +41 22 917 2010). Based on your needs and requirements, detailed Terms of Reference for support will be developed by the requesting party, with the support of the JEU.

**Conditions:** Official request from affected state is required.

**Contact:**

UN Environment / OCHA Joint Unit –  
OCHA Emergency Services Branch,  
Palais des Nations,  
CH-1211 Geneva 10,  
Switzerland  
E-mail: [ochaunep@un.org](mailto:ochaunep@un.org)  
Tel: +41 22 917 2010 (for emergencies only, OCHA Duty Officer),  
[www.unocha.org/unep](http://www.unocha.org/unep)

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

### International Oil Pollution Compensation Funds (IOPC Funds)



WHO

#### **Brief presentation:**

The IOPC Funds are two intergovernmental organisations (the 1992 Fund and the Supplementary Fund) which provide compensation for oil pollution damage resulting from spills of persistent oil from tankers.

The IOPC Funds have been involved in 150 incidents since 1978 and have paid some £600 million in compensation. The 1992 Fund has 114 Member States, 31 of those are also Supplementary Fund Member States.

**Status type:**     Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

Originally established in 1978, the international liability and compensation regime is now based on two IMO Conventions which ensure the sharing of the cost of oil spill incidents at sea between the shipowner and the oil receivers.

The relevant Conventions are:

- the 1992 International Convention on Civil Liability for Oil Pollution Damage (1992 Civil Liability Convention); and
- the 1992 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (1992 Fund Convention).

A Protocol to the 1992 Fund Convention was adopted in 2003, which established a Supplementary Fund (Supplementary Fund Protocol).

The IOPC Funds are funded by the oil industry and managed by Governments. Its objectives and functions are defined by the Contracting Parties to the 1992 Fund Convention and Supplementary Fund Protocol.

#### **Obligations/responsibilities:**

##### **1992 Civil Liability Convention, Article II**

The 1992 Civil Liability Convention applies (a) to pollution damage caused:

- (i) in the territory, including the territorial sea, of a Contracting State, and
- (ii) in the exclusive economic zone of a Contracting State, established in accordance with international law, or, if a Contracting State has not established such a zone, in an area beyond and adjacent to the territorial sea of that State determined by that State in accordance with international law and extending not more than 200 nautical miles from the baselines from which the breadth of its territorial sea is measured;

(b) to preventive measures, wherever taken, to prevent or minimize such damage.

##### **1992 Fund Convention, Article 2**

The aim of the 1992 Fund is to provide compensation for pollution damage to the extent that the protection afforded by the 1992 Civil Liability Convention is inadequate.

##### **Supplementary Fund Protocol, Article 4**

The Supplementary Fund shall pay compensation to any person suffering pollution damage if such person has been unable to obtain full and adequate compensation for an established claim for such damage under the terms of the 1992 Fund Convention, because the total damage exceeds, or there is a risk that it will exceed, the applicable limit of compensation laid down in article 4, paragraph 4, of the 1992 Fund Convention in respect of any one incident.

**Role and/or Services:**

Under the 1992 Civil Liability Convention, which provides the first tier of compensation, the shipowner has strict liability for any pollution damage caused by the oil, i.e. the owner is liable even if there was no fault on the part of the ship or its crew. However, the shipowner can normally limit his financial liability to an amount that is determined by the tonnage of the ship. This amount is guaranteed by the shipowner's liability insurer.

The 1992 Fund Convention provides a second tier of compensation which is financed by receivers of oil in 1992 Fund Member States after sea transport. An extra layer of compensation is available to Supplementary Fund Member States. The international liability and compensation regime can provide up to 203 million SDR (\$US 285.6 million) to 1992 Fund Member States and 750 million SDR (\$US 1 055 million) to Supplementary Fund Member States.

The 1992 Fund Convention also applies to spills of persistent oil even if the ship from which the oil came cannot be identified, provided that it is shown to the satisfaction of the 1992 Fund, or in the case of dispute to the satisfaction of a competent court, that the oil originated from a ship as defined in the 1992 Fund Convention.

**Resources (if applicable):**

The 1992 Fund normally prepares claim forms for each incident<sup>1</sup>. The form will be available to download from [www.iopcfunds.org](http://www.iopcfunds.org) or can be requested from the 1992 Fund/shipowner's insurer. Claimants are advised to use the claim form and submit it together with all the documentation necessary to support their claim.

The IOPC Funds has published a Claims Information Pack to assist claimants in a Member State following an oil spill incident. The pack includes the 1992 Fund Claims Manual, which is practical guide to presenting claims against the IOPC Funds, as well as a number of sector-specific guidelines. These documents are available electronically via the Funds' website ([www.iopcfunds.org](http://www.iopcfunds.org)) and hard copies are available from the Secretariat upon request.

Occasionally, when an incident gives rise to a large number of claims, the 1992 Fund and the P&I Club jointly set up a local claims office so that claims may be processed more easily.

It is recommended that authorities in an IOPC Funds Member State affected by an incident involving a tanker carrying persistent oil should contact the IOPC Funds' Secretariat as soon as possible following the incident. Prompt notification will enable the IOPC Funds to consider taking appropriate action that could prove beneficial for the efficient processing of future claims.

---

<sup>1</sup> An online claims submission system is under development and expected to be available from 2017.

HOW

**Procedure:**

The 1992 Fund should be notified of any significant oil pollution incident involving a tanker carrying persistent oil as soon as possible to enable it to engage experts and closely monitor the situation.

Since in most cases the 1992 Fund only pays compensation once the shipowner/insurer has paid up to the limit applicable to the ship involved, claims should first be submitted to the shipowner or his P&I Club.

In practice, claims are often channelled through the office of the P&I Club's correspondent closest to the incident location. Because of the close co-operation between the Fund and the insurer, claims, including supporting documentation, need only be sent to either the P&I Club/correspondent or the Fund.

The 1992 Fund and the P&I Clubs try to reach agreement with claimants and pay compensation as promptly as possible. They may make provisional payments before a final agreement can be reached if a claimant would otherwise suffer undue financial hardship. Within one month of receipt of a completed claim form and registration of a claim, the Secretariat will aim to provide claimants with an acknowledgement of receipt of the claim together with an explanation of the assessment procedure which will be followed thereafter. Additionally within six months of registration of the claim, the Secretariat will aim to provide the claimant with an initial view in the form of a letter notifying the claimant.

If it is not possible to reach an agreement on the assessment of the claim, the claimant has the right to bring his or her claim before the competent court in the State in which the damage occurred. However, since the international compensation regime was established in 1978, court actions by claimants have not proved necessary in the majority of incidents involving the 1992 Fund and its predecessor.

Claimants will ultimately lose their right to compensation under the 1992 Fund Convention unless they bring court action against the 1992 Fund within three years of the date on which the damage occurred, or make formal notification to the 1992 Fund of a court action against the shipowner or his insurer within the three-year period. Although damage may occur some time after an incident takes place, court action must in any event be brought within six years of the date of the incident.

**Conditions:**

Only those affected by pollution damage within a State Party to the 1992 Fund Convention can submit a claim for compensation against the 1992 Fund. The criteria for admissibility is set out in the Claims Manual. Asking the following questions may help a claimant to establish whether or not they should submit a claim.

- Have you already actually suffered the expense, loss or damage?
- Does the expense relate to measures taken following the incident which are reasonable and can be justified?
- Was the expense, loss or damage caused by contamination resulting from the spill?
- Can you reasonably link the cause of the expense, loss or damage covered by the claim to the contamination caused by the spill?
- Can you quantify the loss you have suffered?
- Can you prove the amount of your expense, loss or damage and supply appropriate documents or other evidence?

**Contact:**

International Oil Pollution Compensation Funds  
4 Albert Embankment  
London SE1 7SR  
United Kingdom

Telephone: +44 (0)20 7592 7100  
Telefax: +44 (0)20 7592 7111  
E-mail: [info@iopcfunds.org](mailto:info@iopcfunds.org)  
Web: [www.iopcfunds.org](http://www.iopcfunds.org)



## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

**European Union  
DG ECHO - Emergency Response Coordination Centre  
(ERCC) and European Maritime Safety Agency (EMSA)**



WHO

### **Brief presentation**

**European Commission–DG ECHO:** The **Union Civil Protection Mechanism (UCPM)** within the **European Commission, Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO)** aims to strengthen the cooperation between the Union and the Member States in the field of civil protection in order to improve the effectiveness of systems for preventing, preparing for and responding to natural and man-made disasters including marine pollution incidents. **The Emergency Response Coordination Centre (ERCC)** within **DG ECHO** is the 24/7 operational hub of the UCPM. More info at [http://ec.europa.eu/echo/what/civil-protection/mechanism\\_en](http://ec.europa.eu/echo/what/civil-protection/mechanism_en).

**The European Maritime Safety Agency (EMSA)** provides technical expertise and operational assistance to the European Commission - Union Mechanism (ERCC), EU Member States and operational assistance to 3<sup>rd</sup> Countries sharing a regional sea basin with the EU in cases of marine pollution incident. More info at <http://www.emsa.europa.eu/>.

**Status type:**  Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

The **European Commission** is an European Union Institution. **EMSA** is one of the 44 European Union decentralized agencies, established in 2003 and it is based in Lisbon, Portugal.

The **European Union (EU)** is a Contracting Party to the Barcelona Convention and its Protocols.

### **Obligations/responsibilities:**

The **European Commission** through DG ECHO has the responsibility to manage the ERCC, a Common Emergency Communication and Information System (CECIS), establish a European Emergency Response Capacity (EERC) composed of pre-committed resources from Member States (modules<sup>2</sup>) and experts. In case of an emergency, the Commission, through the ERCC, acts as a hub to collect information, circulate it between Member States and facilitate the offers of assistance and promotes consistency in the response to disasters outside the Union.

The affected country may request assistance through the ERCC (cf. below), assistance may also be requested through the United Nations and its agencies, or a relevant international organization.

**EMSA** shall provide EU Member States and third countries sharing a sea basin with the EU with additional response assets when a request has been presented by the affected State.

WHAT

### **Role and/or Services (in the context of the Barcelona Convention and its Protocols):**

#### **European Commission–DG ECHO**

**Information and Coordination** The ERCC is the main contact point for the Contracting Parties to the Barcelona Convention and its Protocols for

- (1) requesting assistance from EMSA resources and services (cf. below); and,
- (2) activating the UCPM – extending the request for assistance to all the Participating States of the UCPM<sup>3</sup>.

#### **Resources which can be mobilized:**

- Expert teams to support the assessment and facilitate the coordination on site;
- Additional transport resources (the UCPM may finance up to 55% of the transport costs for the assistance provided by MS)
- Modules under the EERC. Currently two modules for marine pollution have been registered:
  - Maritime Incident Response Group for extinguishing fires on board from the Netherlands
  - Shoreline cleaning response team, trainers+ protective equipment for 50 people from Sweden.

<sup>2</sup> Modules are pre-committed resources (equipment and personnel) able to work autonomously, identified by the Member States, the decision to dispatch the modules lays with the State which have committed the resource.

<sup>3</sup> 28 EU Member States, the former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Serbia and Turkey are participating in the UCPM

## **EMSA**

### **Resources:**

- A network of stand-by oil spill response vessels, with different types of oil-combatting equipment arrangements and dispersants;
- An equipment assistance service, offering dedicated stockpiles of pollution response equipment.

### **Services**

- The MAR-ICE Network, a service for chemical emergencies providing expert information and advice could be made available to 3<sup>rd</sup> countries. In order to have access to this service, 3<sup>rd</sup> countries need to request access to DG-ECHO.
- The Agency also provides a satellite-based oil spill monitoring service known as CleanSeaNet. In case of an emergency, the service could be made available to third countries through a request to DG ECHO.

More information on EMSA's pollution response services can be found on the website:

<http://emsa.europa.eu/operations/pollution-response-services.html>

and in the MEDGIS MAR [http://www.rempec.org/tools.asp?theIDS=2\\_250&theName=Tools&daChk=1](http://www.rempec.org/tools.asp?theIDS=2_250&theName=Tools&daChk=1)

For more information on the CleanSeaNet service: <http://emsa.europa.eu/operations/earthobservationservices.html>

## **HOW**

### **Procedure:**

Official requests for assistance for EMSA resources/services and/or activation of the Union Civil Protection Mechanism (UCPM) must be made through the ERCC by using the Common Emergency Communication and Information System – CECIS Marine Pollution.

The CECIS Marine Pollution is an application installed in the ERCC and is used in case of marine pollution incidents. CECIS link <https://webgate.ec.europa.eu/CECIS>

Alternatively if the country does not have access to the CECIS Marine Pollution, the request can be addressed in writing (e.g. by email) to the ERCC (Tel.: +32 2 29 21112; Fax: +32 2 29 866 51; Email: [ECHO-ERCC@ec.europa.eu](mailto:ECHO-ERCC@ec.europa.eu)).

*NB: It is recommended that EMSA is also alerted by putting EMSA Maritime Support Services (MSS) in copy:*

*Email: [MaritimeSupportServices@emsa.europa.eu](mailto:MaritimeSupportServices@emsa.europa.eu); Tel.: + 351 211 209 415, Fax: + 351 211 209 480.*

### **Conditions:**

In case of activation of **EMSA's pollution response services (Vessels and Equipment Assistance Service)**, the provisions set in the Incident Response Contract will apply.

The Incident Response Contract is the framework for the provision of the response services to Requesting States during an incident and covers the conditions for the performance of oil recovery operations, including tariffs. The Incident Response Contract Form is to be signed by EMSA service contractor and the Requesting State.

The rates applicable to EU Member States, will also apply to the 3<sup>rd</sup> countries. For more information please contact: [MaritimeSupportServices@emsa.europa.eu](mailto:MaritimeSupportServices@emsa.europa.eu)

### **Contact:**

<p><b>Address</b> <b>European Commission</b> Directorate-General for European Civil Protection and Humanitarian Aid Operations ECHO A/1 – Emergency Response Coordination Centre (ERCC) L-86 00/11 B-1049 Brussels/Belgium <b>Website</b> <a href="http://ec.europa.eu/echo/what/civil-protection/emergency-response-coordination-centre-ercc_en">http://ec.europa.eu/echo/what/civil-protection/emergency-response-coordination-centre-ercc_en</a></p>	<p><b>Telephone</b> +32 2 29 21112 <b>Fax</b> +32 2 29 866 51 <b>Email</b> <a href="mailto:ECHO-ERCC@ec.europa.eu">ECHO-ERCC@ec.europa.eu</a></p>
<p><b>Address</b> <b>EMSA</b> Praça Europa nº4 1249-206 Lisboa/Portugal <b>Website</b> <a href="http://emsa.europa.eu/">http://emsa.europa.eu/</a></p>	<p><b>Telephone</b> + 351 211 209 415 <b>Fax</b> + 351 211 209 480 <b>Email</b> <a href="mailto:MaritimeSupportServices@emsa.europa.eu">MaritimeSupportServices@emsa.europa.eu</a></p>

## **Non-governmental Institutions**

### **7. International Tanker Owners Pollution Federation (ITOPF)**

Address: 1 Oliver's Yard 55 City Road, London, EC1Y 1HQ, UK  
Tel: +44 (0)20 7566 6999  
Emergency: +44 (0) 7623984606 (Alternative: +44 (0)20 7566 6998)  
Fax:  
Email: [central@itopf.com](mailto:central@itopf.com)  
Web: <http://www.itopf.com/>

### **8. The global oil and gas industry association for environmental and social issues (IPIECA)**

Address: 14th Floor, City Tower, 40 Basinghall Street, London, EC2V 5DE, United Kingdom  
Tel: +44 (0)20 7633 2388  
Fax: +44 (0)20 7633 2389  
Email:  
Web: <http://www.ipieca.org/>

### **9. The European Chemical Industry Council (CEFIC) / Intervention in Chemical transport Emergencies (ICE)**

Address: Avenue E. van Nieuwenhuysse, 4 box 1 - 1160 Brussels – Belgium  
Tel: +32 2 676 73 78  
Fax: +32 2 676 73 31  
Email: [fle@cefic.be](mailto:fle@cefic.be)  
Web: <http://ice-chem.net>

### **10. International Salvage Union (ISU)**

Address: International Salvage Union, Holland House, 1 - 4 Bury Street, London, EC3A 5AW, England  
Mobile: +44 7805 955348  
Tel: +44 20 7220 6597  
Fax:  
Email: [isu@marine-salvage.com](mailto:isu@marine-salvage.com)  
Web: <http://www.marine-salvage.com/>

### **11. International Association of Classification Societies (IACS)**

Address: Permanent Secretariat, 6th Floor, 36 Broadway, London SW1H 0BH, UK  
Tel: +44 (0)20 7976 0660  
Fax: +44 (0)20 7808 1100  
Email: [permsec@iacs.org.uk](mailto:permsec@iacs.org.uk)  
Web: <http://www.iacs.org.uk/>

---

The **background information** (legal, institutional, relationships, etc.) for each Non-governmental Institutions which may be involved in the coordination and/or mutual assistance in case of pollution incident is developed in respective Fiches describing their name, status, obligations/responsibilities (WHO); their role/services, resources (WHAT); and their procedures, conditions and contacts (HOW).



## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

**International Tanker Owners Pollution Federation (ITOPF)**



### WHO

#### **Brief presentation:**

ITOPF is the marine industry's primary source of objective technical advice, expertise and information on effective response to ship-source pollution. ITOPF's advice rests on a science-based appreciation of the fate and effects of pollutants in the marine environment and a practical evaluation of response options and claims for compensation. Since the 1970s, ITOPF has been providing services of emergency response to tanker owners (*Members*) and, from 1999, due to the growing awareness of pollution from non-tank vessels this service was formally extended to the owners of other types of ship who were eligible to become *Associates* of ITOPF. Since its establishment in 1968, ITOPF has responded to over 800 marine spills worldwide. This first-hand experience is in turns used during training assignments, the preparation of contingency plans, and contributions to policy discussions and legal texts through its Observer status at the IMO and IOPC Funds. More recently, the pollution potential of substances other than oil, primarily chemicals, and the development of corresponding international conventions, e.g. the HNS Convention, has led to an increase in demand for ITOPF expertise in these areas.

**Status type:**       Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

ITOPF is a mutual trading association which activities are overseen by an international Board of Directors representing its Members, Associates and P&I Insurers.

#### **Obligations/responsibilities:**

N/A

### WHAT

#### **Role and/or Services:**

##### Spill response

ITOPF is available 24 hours a day, 365 days of the year to attend spills of oil, chemicals and other hazardous substances worldwide.

##### Claims Analysis & Damage Assessment

ITOPF gives advice on pollution damage caused by spills and assesses the technical merits of claims for compensation.

##### Training and education

ITOPF runs training courses and seminars worldwide where it shares its technical knowledge and first-hand experiences. Training is often undertaken alongside key governmental partners or industry bodies.

##### Contingency planning & advice

ITOPF regularly advises governments and industry on the preparation of contingency plans and other matters related to accidental pollution from ships. These activities are an opportunity to pass on messages of good practice outside the pressurised environment of a real incident.

##### Research and development

ITOPF supports research and development activities through its annual R&D Award and is a source of comprehensive information on marine pollution through its library, technical publications, statistics, films and website.

#### **Resources**

ITOPF's London-based team of 35, includes 15 technical staff with a diverse set of skills. It encompasses several different nationalities and six languages (English, French, Italian, Mandarin Chinese, Portuguese and Spanish).

**Procedure:**

In the case of a spill of oil or HNS, please call on the numbers below for advice and/or mobilisation to site.

**Conditions:**

ITOPF services are usually provided at no cost to Members (tanker owners), Associates (other shipowners) and their P&I insurers. ITOPF services may also be available to non-Members/-Associates on a fee-paying basis. The decision to provide services to non-Members/-Associates is at the discretion of ITOPF pending the availability of staff and the absence of potential conflict of interests in relation to the proposed activity.

**Contact:**

<b>Address</b> 1 Oliver's Yard 55 City Road London EC1Y 1HQ UK	<b>Telephone</b> +44 (0)20 7566 6999
<b>Website</b> <a href="http://www.itopf.com">www.itopf.com</a>	<b>Fax</b> +44 (0)20 7566 6950
<b>In case of emergency only (24H) - Restricted to official use only :</b>	
<b>Emergency email</b> Please advise ITOPF of emergencies by phone only	<b>Emergency lines</b> +44 (0) 20 7566 6999 (UK business hours) +44 (0) 76 23984606

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

**The Global Oil and Gas Industry Association for  
Environmental and Social Issues (IPIECA)**

**IPIECA**

WHO

### **Brief presentation:**

IPIECA develops, shares and promotes good practice and knowledge to help the industry and improve its environmental and social performance. We do this with the understanding that the issues that dominate the sustainable development agenda – climate and energy, environmental and social issues – are too big for individual companies to tackle alone. The industry must work together to achieve improvements that have real impact. IPIECA helps to achieve this goal.

**Status type:**       Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

IPIECA is a not for profit association that provides a forum for encouraging continuous improvement in industry performance. IPIECA is the only global association involving both the upstream and downstream oil and gas industry. IPIECA is an NGO in "Special Consultative Status" with the United Nations and is also the industry's principal channel of communication with the U.N.

### **Obligations/responsibilities:**

Oil spills can have a long-term environmental and socio-economic impact, and therefore pose a serious risk which needs to be managed; IPIECA has been working for 30 years to harness the oil and gas industry's collective expertise and technology on oil spill preparedness and response. While prevention is always the goal, the industry gives equally high priority to developing the capability to respond to spills, enabling its members to improve oil spill preparedness and response globally.

IPIECA does not respond to pollution incidents – its mandate is solely to act as a convening organization for the Oil & Gas Industry to establish good practice. It also cooperates with UN system organizations such as IMO and REMPEC to encourage joint activities in support of conventions such as OPRC 1990.

One of IPIECA's long-standing activities is a partnership with the International Maritime Organization (IMO) through the Global Initiative, which brings together industry and governments to enhance oil spill preparedness and response. The Global Initiative (GI) is an umbrella program under which governments, through the International Maritime Organization (IMO), and the oil industry, through IPIECA, work together to assist countries in developing national structures and capability for oil spill preparedness and response.

WHAT

**Role and/or Services:**

Develops and publishes good practice guidance; holds periodic workshops on various oil spill response topics; supports regional improvements in oil spill response preparedness through the Global Initiative (GI) program jointly with the IMO.

**Resources (if applicable):**

HOW

**Procedure:**

N/A

**Conditions:**

N/A

**Contact:**

Tel: +44 (0) 20 7633 2388

Fax: +44 (0) 20 7633 2389

IPIECA | 14<sup>th</sup> Floor | City Tower | 40 Basinghall Street | London EC2V 5DE

Twitter: @IPIECA | LinkedIn: IPIECA

**IPIECA**

THE GLOBAL OIL AND GAS INDUSTRY ASSOCIATION  
FOR ENVIRONMENTAL AND SOCIAL ISSUES

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

### Intervention in Chemical transport Emergencies (ICE)

WHO

#### **Brief presentation:**

Chemical companies that practice Responsible Care® make every effort to transport goods to and from their manufacturing sites and storage locations safely and in full accordance with relevant regulations and codes of practice. In the event of an incident, they commit to provide information, practical help and, if necessary and doable, appropriate equipment to the competent authorities in charge on the emergency response to minimise any adverse effects of the incident. They have set up the ICE (Intervention in Chemical transport Emergencies) scheme to achieve this goal.

**Status type:**       Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

ICE is a co-operative network of national centres in European countries that participate in the scheme on a voluntary basis. It is coordinated by Cefic. In each country where a national scheme has been established, ICE seeks to create a framework for providing assistance in an effective way. It is normally opened to all manufacturers and distributors of chemical products, and administered by the national chemical industry federation which keeps a register of participating members and arranges for financial contribution.

#### **Obligations/responsibilities:**

ICE seeks to create a framework for providing assistance in an effective way: (1) by making use of the emergency response schemes of individual chemical companies; (2) by building on existing emergency response schemes, either local, regional or product-related (chlorine, isocyanates, ethylene oxide, etc.); (3) by co-operating with national authorities through national chemical federations; and (4) by promoting mutual assistance within the chemical industry.

Participation in the national ICE schemes is voluntary. To provide relevant information to the authorities in charge of the emergency response, responders in national ICE centres or in companies must meet a number of minimum requirements, either by experience or by training. These requirements have been agreed within the chemical industry and are described in a Cefic publication (see Resources /Sources of information).

Before providing assistance or advice in incidents involving their own products, chemical companies should confirm with their insurers that their policies cover any potential claims that may arise from such involvement. Companies which may be involved in giving assistance or advice relating to other manufacturers' products should notify their insurers specifically of this fact and obtain confirmation that their general public liability policy will provide cover for these activities.

The ultimate responsibility for any intervention at the scene of an incident remains with the competent authorities in charge of the emergency response.

**Role and/or Services:**

National ICE schemes apply to distribution incidents (i.e. those that occur outside the manufacturing fences).

For maritime incidents, Cefic, Cedre and EMSA have created the MAR-ICE network in order to provide information and expert advice on chemicals involved in maritime emergencies. MAR-ICE offers remote product and incident-specific information and advice within 1 hour of the request, and more detailed information shortly thereafter. This service is available 24 hours a day /7 days a week via a dedicated contact point at Cedre that is accessible by the relevant national maritime administrations. To connect to EMSA website, click [here](#).

For on-land incidents, ICE assistance is provided by chemical companies. Depending on their capabilities and resources, they can offer three levels of intervention: Level 1 - remote product information and general advice by telephone or fax; Level 2 - advice from a company expert at the scene of the incident; Level 3 - assistance with personnel/equipment at the scene of the incident. Such a commitment applies firstly to products manufactured by the company itself and is normally incorporated into the company's own distribution emergency response scheme. If the product supplier is not known or cannot be contacted, certain companies may offer assistance on the basis of a prior arrangement with the national ICE scheme. However, in such a case, Level 2 and Level 3 interventions shall not be carried out at the expense of the safety of their own facilities.

The key document in the protocol between the competent national authorities and the chemical industry (represented by the national chemical federation) is the list of participating companies. This document provides contact details of each participant such as address, telephone and fax number, range of products (hazardous products are identified by the four-digit UN number), time availability, intervention equipment and area of intervention (if limited). It normally includes a map, showing the location of the participating companies so that the competent authorities can contact the site nearest to the transport incident.

**Resources:**

The members of the ICE network are BELINTRA (Belgium), CERET (Spain), CHEMIEFACHBERATUNG (Switzerland), CHEMSAFE (UK), DCRM (The Netherlands), DINS (Slovakia), FINTEC (Finland), KEMIAKUTEN (Sweden), PIBF-RVK (Denmark), RVK (Norway), SET (Italy), SPOT (Poland), TRANSAID (France), TRINS (Czechia), TUIS (Austria /Germany), VERIK (Hungary).

The national centres are manned 24 hours a day by at least one person who, in addition to the local language(s), can also speak English to facilitate communication with the other national centres.

**Sources of information**

Safety Data Sheets (SDS) are the main source of information. Participating companies therefore ensure that SDS for their own products are accessible at all times at the locations identified as company contacts in the national ICE scheme. To provide initial advice, the national ICE centres have a series of reference books or databases or may have access to a set of SDS.

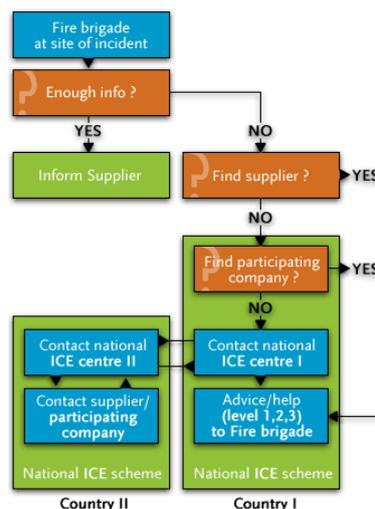
Cefic has produced a guideline on "[Distribution Emergency Response - Guidelines for use by the chemical industry](#)" (1993). EMSA has produced a brochure on MAR-ICE network. To get access to it, click [here](#).

**HOW**

**Procedure:**

The national ICE centre is the focal point of the scheme for the authorities in charge of the emergency response to on-land transport incidents. They can call it when: (1) the supplier cannot be contacted; (2) an incident happens to international movements necessitating coordination with other countries; (3) mutual assistance needs to be mobilised within the national ICE scheme; and (4) the product or the producing company cannot be readily identified. When called, the national ICE centre provides, in the local language, initial telephone advice for the immediate control of the incident. It promptly alerts the producing company, obtains further information (possibly via other national ICE centres) or mobilises mutual assistance. To do this, the centre has at its disposal appropriate communication equipment, a library of reference books or databases and up-to-date lists of telephone and fax numbers for contacts within the chemical industry.

The following chart illustrates the typical flow of response in on-land transport emergencies. However, each country can adapt the operation of a national ICE scheme according to its own specific needs and practices already in place.



**Conditions:**

Level 1 information is provided free of charge by the national centres participating in ICE. Costs incurred for Levels 2 and 3 interventions are reimbursable.

**Contact:**

<p><b>Address</b> CEFIC AVENUE E. VAN NIEUWENHUYSE 4 B-1160 BRUSSELS BELGIUM</p> <p><b>Website</b> <a href="http://www.ice-chem.net">www.ice-chem.net</a></p>	<p><b>Telephone</b> +32 2 676 73 78</p> <p><b>Fax</b> +32 2 676 73 31</p> <p><b>Email</b> <a href="mailto:fle@cefic.be">fle@cefic.be</a></p>
<p><b>In case of emergency only (24H) - Restricted to official use only : n.a.</b></p>	
<p><b>Emergency email</b> n.a.</p>	<p><b>Emergency line</b> n.a.</p>



## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

### International Salvage Union (ISU)



#### WHO

##### **Brief presentation:**

The International Salvage Union (ISU) is the sole representative organisation for the international marine salvage industry with a membership of 60 salvage companies from 35 different countries. Membership of the ISU is restricted to those companies with a record of successful salvage and pollution prevention. Members are required to have the high level of expertise expected of the professional salvor.

In addition, Associate Membership of the ISU is open to all organisations and professionals with an interest in salvage, including P&I Clubs, other marine insurers, law firms, ports, national response organisations, shipowners and managers, coastal local authorities, environmental organisations, clean-up specialists and others. The ISU has around 80 Affiliated and Associate Members.

**Status type:**      Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

ISU is a company limited by guarantee registered under English law.

ISU has had consultative status at the International Maritime Organisation (IMO) since 1979.

ISU has consultative status at the International Oil Pollution Convention (IOPC) Funds.

##### **Obligations/responsibilities:**

One of the ISU's primary objectives is to foster a wider understanding of the salvage industry's contribution to environmental protection and the recovery of property. The ISU also plays an active role in encouraging inter-industry debate concerning the many legal and commercial issues influencing the efficient performance of salvage and pollution prevention services.

ISU is a member of the Lloyd's Salvage Group and SCOPIC Committee.

The International Union of Marine Insurance, INTERTANKO, INTERCARGO, BIMCO, The Baltic Exchange, International Bunker Industry Association, International Maritime Industries' Forum, Association of Average Adjusters, European Tugowners Association, London Shipping Law Centre, International Ship Managers' Association and the American Salvage Association are affiliated to the ISU on a reciprocal basis.

#### WHAT

##### **Role and/or Services:**

To provide representation for the international marine salvage industry at numerous international, national, legal and commercial fora.

##### **Resources (if applicable):**

The ISU is managed by a Secretariat based in London.

**Procedure:**

**N/A**

**Conditions:**

N/A

**Contact:**

Mark Hoddinott  
General Manager



International Salvage Union  
Holland House, 1-4 Bury Street, London, EC3A 5AW, UK  
Phone: +44 20 7220 6597 | Mobile: +44 7805 955348  
Email: [isu@marine-salvage.com](mailto:isu@marine-salvage.com) | Website: [www.marine-salvage.com](http://www.marine-salvage.com)

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

**International Association of Classification Societies  
(IACS)**



### WHO

#### **Brief presentation:**

Dedicated to safe ships and clean seas, IACS makes a unique contribution to maritime safety and regulation through technical support, compliance verification and research and development. More than 90% of the world's cargo carrying tonnage is covered by the classification design, construction and through-life compliance Rules and standards set by the twelve Member Societies of IACS.

**Status type:**       Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

#### **Obligations/responsibilities:**

IACS is a Technical Association of its Members that develops and agrees minimum technical standards, interpretations to relevant international regulations and other relevant resolutions. All IACS publications are available on the IACS website.

IACS is not involved in the operational and commercial activities of its Members, including appraisal, approval surveying and testing of vessels, materials and equipment and the issuing of classification and statutory certificates where authorized.

Similarly, IACS does not certify companies' products or services including Type Approval. However, IACS Members do.

Each IACS Member incorporates IACS standards into their own Rules. At the same time, each IACS Member remains free to set more stringent requirements in their Rules, if they wish to do so.

### WHAT

#### **Role and/or Services:**

**IACS has no role to play, no services to provide nor any responsibilities in responding to marine pollution incidents and is similarly not able to provide assistance upon request.**

#### **Resources (if applicable):**

To assist those bodies/organisations that are looking for providers of shore-based emergency response services, IACS has produced Rec.145: Recommendation for the Operation of Shore-Based Emergency Response Services which is available on its website at: <http://www.iacs.org.uk/publications/publications.aspx?pageid=4&sectionid=5>

This publication gives recommendations for the operation of shore-based emergency response services in order to assist in complying with the following regulations and guidelines, as well as any applicable National Authority requirements.

- MARPOL Annex I, Regulation 37 - Shipboard oil pollution emergency plan (SOPEP)
- MARPOL Annex II, Regulation 17 - Shipboard marine pollution emergency plan for noxious liquid substances (SMPEP)
- Oil Pollution Act (OPA 90), CFR 155.240 - Damage stability information for oil tankers and offshore barges
- ISM Code, Regulation 8 - Emergency Preparedness
- SOLAS, Chapter II-1, Part B-1, Regulation 8-1 - System capabilities and operational information after a flooding casualty on passenger ships
- MSC Circular 1400 - Guidelines on Operational Information for Masters of Passenger Ships for Safe Return to Port by Own Power or Under Tow

**Procedure:**

N/A

**Conditions:**

Use of the Website Materials materials, including Rec.145, is to be done only in accordance with the IACS [Guidelines](#) and [Terms and Conditions](#).

**Contact:**

**IACS Permanent Secretariat**  
**IACS International Association of Classification Societies Ltd**  
**36 Broadway, London, England SW1H 0BH**

**TEL: +44 (0)20 7976 0660 FAX: +44(0)20 7808 1100**  
**EMAIL: [permsec@iacs.org.uk](mailto:permsec@iacs.org.uk) WEB: [www.iacs.org.uk](http://www.iacs.org.uk)**

**ANNEX I.2**  
**LISTS OF CONTRACTING PARTIES' FOCAL POINTS<sup>4</sup>**

**1. Governmental Focal Point<sup>5</sup>**

Country	Name, Department or position	Contact details
<b>Albania</b>	Ms Klodiana MARIKA Director of the Biodiversity and Protected Area Ministry of Environment	Blv. ZhanD'Ark Tirana Tel:+355 4 22 67 233 Cell:+355 69 20 92 2 Telefax:
<b>Algeria</b>	Mr Djihed Eddine BELKAS Directeur de l'Environnement et du Développement Durable Ministère des affaires étrangères	Promontoire des Anassers Kouba Alger Tel: +213 21 50 43 18 Cell: Telefax+213 21 50 13 22
<b>Bosnia Herzegovina</b>	Prof. Tarik KUPUSOVIC Special Advisor to the Minister of Physical Planning and Environment, Hydo Engineering Institute	Stjepana Tomica 1 71000 Sarajevo Tel:+387 33 212 466/7 Cell:+387 61 158 007 Telefax:+387 33 207 949
<b>Croatia</b>	Mr Mario STIPETIĆ Head of Sector Ministry of Environment and Energy Directorate of Climate Activities, Sustainable Development and Protection of Soil, Air and Sea Sector for Protection of Soil, Air and Sea	Radnička cesta 80 10000 Zagreb Tel:+ +385 1 37 17 204 Cell:+ +385 91 61 06 758 Telefax:+ 385 1 37 17 135
<b>Cyprus</b>	Dr Charalambos HAJIPAKKOS Senior Environment Officer Ministry of Agriculture, Rural Development and Environment	17 Taghmatarhou Poulou, Nicosia 1411 Tel:+357 22 408 927 Cell: Telefax:+357 22 77 49 45
<b>Egypt</b>	Dr Mona Mohamed KAMAL Chief Executive Officer Egyptian Environment Affairs Agency (EEAA) Ministry of Environment Cabinet of Ministers	30 Misr-Helwan El-Zyrae Road Maadi, Cairo Tel:+20 22 525 64 45 Cell: Telefax:+20 22 525 64 54
<b>France</b>	Mme. Marie-Sophie DUFAU-	69 rue de Varennes, 75007 Paris

<sup>4</sup> Extracted from [REMPEC's Country Profile](#) – Contacts updated by REMPEC upon official notification

<sup>5</sup> **Governmental Focal Point:** Office or officer of either the Ministry of Foreign Affairs or the Ministry of Environment which is usually the same Office or officer fulfilling the role of MAP Focal Point having general responsibility for the implementation of the provisions of the Barcelona Convention and its Protocols and for coordination, at the national level, of MAP activities

	RICHET Chargée de mission pour les questions internationales, Secrétariat Général de la Mer	Tel:+33 1 42 75 66 53 Cell:+33 6 61 53 95 01 Telefax:+33 1 42 75 66 78
<b>Greece</b>	H.E. the Minister of Maritime Affairs and Insular Policy Ministry of Maritime Affairs and Insular Policy	Akti Vasileiadi – Gate E1-E2 (inside port), 18510 Piraeus Tel:+30 213 1371 718 Cell: Telefax: +30 210 422 07 71
<b>Israel</b>	Mr. Ran AMIR Director, Marine and Coastal Environment Division, Ministry of Environmental Protection	15a Pal-Yam st., P.O. Box 811, Haifa 31007 Tel:+972 4 863 35 00 Cell:+972 50 62 33 050 Telefax:+972 4 863 35 20
<b>Italy</b>	Mrs Maria Carmela GIARRATANO General Director Directorate of Nature and Sea Protection Ministry for the Environment, Land and Sea	Via Cristoforo Colombo, 44, 00147 Rome Tel:+39 06 57 22 34 33 Cell: Telefax:+39 06 57 22 34 70
<b>Lebanon</b>	Mr. Georges BERBARI Chief of Service of Regional Departments and Environmental Police, Ministry of Environment	Mid-Town – Lazarieh Building Block A 4 7th Floor (Room 7-49) P.O. Box 11/ 2727, Beirut Tel:+961 (1) 976 555 ext 412 Cell:+961 (3 ) 029 547 Telefax:+961 (1) 976 512
<b>Libya</b>	Mr. Abdulbaset Hussein ALMIRI Director of Environment Emergency Office Environment General Authority (EGA)	P.O. Box 83618 Tripoli Libya Tel: Cell: +218 91 311 1994 Telefax:+218 21 361 52 45
<b>Malta</b>	Ms Chantal SCIBERRAS Director Multilateral and Global Issues Ministry for Foreign Affairs	Palazzo Parisio Merchant Street Valletta VLT1171 Tel:+356 2204 22 86 Cell: Telefax:+356 21 240 210
<b>Monaco</b>	Mme. Marie-Pierre GRAMAGLIA Conseiller de Gouvernement pour l'Equipement, l'Environnement et de l'Urbanisme	Place de la Visitation MC-98000 Monaco Tel:+377 98 98 85 67 Cell: Telefax:+377 98 98 92 33
<b>Montenegro</b>	Ms Jelena KNEZEVIC Head of Department for Sustainable Development and Tourism	IV Proleterske brigade no. 19 81000 Podgorica Tel:+382 20 446 225 Cell:+382 67 255 604

		Telefax:+382 20 446 215
<b>Morocco</b>	Mme. Naoual ZOUBAIR Chef du service Littoral Direction des Programmes et Réalisations Ministère délégué chargé de l'Environnement	9, Avenue Al Araar, secteur 16, Hay Ryad, Rabat Tel:+212 5 37 57 06 01 Cell:+212 662 10 81 54 Telefax:+212 5 37 57 66 45
<b>Slovenia</b>	Mr Aleš GOMBAC Ministry of Infrastructure, Slovenian Maritime Administration, Department for safety of the coastal sea	Ukmarjev trg 2, 6000 Koper Tel:+386 5 66 32 100 Cell: Telefax:+386 5 66 32 102
<b>Spain</b>	Mr José CONSARNAU GUARDIOLA Subdirector General de Organismos Internacionales Técnicos Dirección General de Política Exterior y Asuntos Multilaterales, Globales y de Seguridad Ministerio de Asuntos Exteriores y de Cooperación	Serrano Galvache No. 26 28071 Madrid Tel:+ +34 91 379 17 35/ 44 Cell: Telefax: +34 91 394 86 49
<b>Syria</b>	Eng. Fathia MOHAMMAD Directorate of Chemicals Safety and Solid Waste Ministry of State for Environmental Affairs	Yousef Alazma Square PO Box 3773 Damascus Tel:+963 11 239 63 91/231 63 71 Cell:+963 93 229 14 50 Telefax:+963 11 231 21 20
<b>Tunisia</b>	M.le Directeur Général, Agence nationale de protection de l'environnement (ANPE)	Centre Urbain Nord , 15 rue 7051 cité Essalem 2080 Tunis B.P. N° 52 Le Bélvédère Tel:+216 71 767 448 Cell:+216 22 560 141 Telefax:+216 71 751 268/751 750
<b>Turkey</b>	Mr Murat TURAN Head of Department for Marine and Coastal Management Ministry of Environment and Urbanization Directorate General of Environmental Management	Ehlibeyt Mahallesi, Ceyhun Atif Kansu Caddesi 1271 Sokak No 13 06520 Balgat Ankara Tel:+90 312 586 30 44 Cell: Telefax:+90 312 474 03 35
<b>European Union</b>	Marijana MANCE Policy Officer European Commission Directorate-General for Environment	European Commission B-1049 Brussels/Belgium Avenue de Baulieu 5, office BU 9 04/110 Tel.: +32 2 2982011 E.mail: <a href="mailto:marijana.mance@ec.europa.eu">marijana.mance@ec.europa.eu</a>



## 2. OPRC Focal Points<sup>6</sup>

Country	Name, Department or position	Contact details
<b>Albania</b>	Mr Elson THANA Specialist, Department of Maritime Transport Polices, Ministry of Transport an	Sheshi Skënderbej Nr. 5 Tirana Tel:+355 4 23 80 744 Cell:+355 68 68 11 242 Telefax:+355 4 22 25 196
<b>Algeria</b>	M. Raouf HADJ AISSA Sous-Directeur de la Préservation du Littoral, du milieu marin et des zones humides Ministère des Ressources en eau et de l'Environnement	03 Rue Caire Kouba Alger Tel:+213 21 43 28 75 Cell:+213 550 82 51 86 Telefax:+213 21 43 28 75
<b>Bosnia Herzegovina</b>	Prof. Tarik KUPUSOVIC Special Advisor to the Minister of Physical Planning and Environment, Hydro Engineering Institute	Stjepana Tomica 1, 71000 Sarajevo Tel:+387 33 212 466/7 Cell:+387 61 158 007 Telefax:+387 33 207 949
<b>Croatia</b>	Captain Darko GLAZAR Harbour Master , Ministry of Maritime Affairs, Transport and Infrastructure , Safety of Navigation, Marine Environment and Inland Waters Protection Authority	Senjsko pristanište, 3, 51000 Rijeka Tel:+385 51 214 113 Cell:+385 99 2111 247 Telefax:+385 51 211 660
<b>Cyprus</b>	Director Department of Fisheries and Marine Research, Ministry of Agriculture, Natural Resources and Environment	101 Vithleem Street, Nicosia 1416 Tel:+357 22 807 867 Cell: Telefax:+357 22 781 226;+357 22 77 59 55
<b>Egypt</b>	Mr. Ahmed Kasem Kasem SHETA Environmental Disasters & Crises Management Director, Egyptian Environment Affairs Agency (EEAA) , Cabinet of Ministers	30 Misr-Helwan Agricultural Road Maadi, Cairo Tel:+20 22 525 64 91-92 Cell:+20 100 382 46 00 Telefax:+20 22 525 64 94
<b>France</b>	Mme. Marie-Sophie DUFAU-RICHET Chargée de mission pour les questions internationales, Secrétariat Général de la Mer	69 rue de Varennes, 75007 Paris Tel:+33 1 42 75 66 53 Cell:+33 6 61 53 95 01 Telefax:+33 1 42 75 66 78
<b>Greece</b>	Captain H.C.G. (eng) Markoulakis STYLIANOS Director of the Marine Environment Protection Directorate Ministry of Maritime Affairs and Insular Policy	Akti Vasileiadi – Gate E1-E2 (inside port), 18510 Piraeus Tel:+30 213 137 1132 Cell:+30 694 433 1880 Telefax:+30 210 422 04 40

<sup>6</sup> **OPRC Focal Point:** Office or officer of the national authority responsible for preparedness for and response to accidental marine pollution, if possible designated as such in the relative national contingency plans; the responsibility for preparedness for and response to accidental marine pollution varies from country to country and may fall under the responsibilities of, for example, the national authority in charge of maritime affairs or the national authority in charge of environment or the national authority in charge of civil protection

<b>Israel</b>	Mr. Ran AMIR Director, Marine and Coastal Environment Division, Ministry of Environmental Protection	15a Pal-Yam st., P.O. Box 811, Haifa 31007 Tel:+972 4 863 35 00 Cell:+972 50 62 33 050 Telefax:+972 4 863 35 20
<b>Italy</b>	Dr. Giuseppe ITALIANO Head of Unit VII " Marine Protection from Pollutions, General directorate for Nature's Protection and Sea, Ministry of Environment	Via Cristoforo Colombo, 44, 00147 Rome Tel:+39 06 57 22 83 03 Cell:+39 33 16 22 00 14 Telefax:+39 06 57 22 83 90
<b>Lebanon</b>	Mr. Georges BERBARI Chief of Service of Regional Departments and Environmental Police, Ministry of Environment	Mid-Town – Lazarieh Building Block A 4 7th Floor (Room 7-49) P.O. Box 11/ 2727, Beirut Tel:+961 (1) 976 555 ext 412 Cell:+961 (3 ) 029 547 Telefax:+961 (1) 976 512
<b>Libya</b>	Mr. Khairi Sulliman KROUZ Hse Advisor	Bashir Essadawe Street Tripoli Tel:+218 91 415 43 36 Cell:+218 91 516 38 33 Telefax:+218 21 444 7501
<b>Malta</b>	Captain Richard GABRIELE Head Pollution and Incident Response, Ports and and Yachting Directorate, Authority for Transport in Malta, Malta Transport Centre	Xatt I-Ghassara ta' I-Gheneb, Marsa MRS 1917 Tel:+356 2291 44 20 Cell:+356 9949 43 12 Telefax:+356 2291 44 29
<b>Monaco</b>	M. Patrice CELLARIO Conseiller de Gouvernement pour l'Intérieur, Département de l'Intérieur	Place de la Visitation MC-98000 Monaco Tel:+377 98 98 84 56; +377 98 98 82 35 Cell: Telefax:+377 98 98 82 45
<b>Montenegro</b>	Captain Predrag RATKOVIC Senior Advisor, Head of Sector for Prevention of Sea Pollution from Ships, Maritime Safety Department	Maršala Tita br.7, P.O. Box 14, 85000 Bar Tel:+382 30 313 241 Cell:+382 69 632 930 Telefax:+382 30 313 274
<b>Morocco</b>	Mme. Naoual ZOUBAIR Chef du Service Stratégies d'Intervention, Division Prévention et Stratégies d'Intervention, Direction de la Surveillance et de la Prévention des Risques, Département de l'Environnement, Secrétariat d'Etat chargé de l'eau et de l'environnement	9, Avenue Al Araar, secteur 16, Hay Ryad, Rabat Tel:+212 5 37 57 06 01 Cell:+212 662 10 81 54 Telefax:+212 5 37 57 06 01; +212 5 37 57 18 29
<b>Slovenia</b>	Mr Aleš GOMBAČ Ministry of Infrastructure, Slovenian Maritime Administration, Department for safety of the coastal sea	Ukmarjev trg 2, 6000 Koper Tel:+386 5 66 32 100 Cell: Telefax:+386 5 66 32 102

<b>Spain</b>	Mr Jose Luis GARCIA LENA Subdirector General de Seguridad, Contaminación e Inspección Marítima Dirección General de la Marina Mercante, Ministerio de Fomento	C/Ruiz de Alarcon, 1 28071 Madrid, Spain Tel:+34 91 597 92 69/70 Cell: Telefax:+34 91 597 92 87/597 92 35
<b>Syria</b>	Admiral Maitham Ibrahim AL YOUSEF General Director of Ports General Directorate of Ports, Ministry of Transport	P.O. Box 505, Al Gazair Street, Lattakia Tel:+963 41 47 33 33/47 90 41/47 25 93/47 38 76 Cell: Telefax:+963 41 47 58 05/47 90 41
<b>Tunisia</b>	M.le Directeur Général, Agence nationale de protection de l'environnement (ANPE)	Centre Urbain Nord , 15 rue 7051 cité Essalem 2080 Tunis B.P. N° 52 Le Bélvédère Tel:+216 71 767 448 Cell:+216 22 560 141 Telefax:+216 71 751 268/751 750
<b>Turkey</b>	Mr. Murat KORÇAK Engineer Marine Environment and Tourism Department Ministry of Transport, Maritime Affairs and Communications of Turkey	Ulastirma, Denizcilik ve Haberlesme Bakanligi; Deniz ve Icsular Duzenleme Genel Müdürlüğü Hakkı Turaylıç Cad. No:5 06338 Emek- Ankara TÜRKIYE Tel:+90 312 203 1000 Ext. 3420 Cell: Telefax:
<b>European Union</b>	Mr. DE LA FUENTE GARRIGOSA Alfonso Acting Head of Unit, DG ECHO A.4 - Civil Protection Policy Unit European Commission	86, Rue de la Loi 1049 Brussels, BELGIUM Tel:+ 32 229-65741 E-mail: Alfonso.DELAFUENTE@ec.europa.eu

### 3. Mutual assistance Focal Points<sup>7</sup>

Country	Name, Department or position	Contact details
<b>Albania</b>	Ms. Klodiana MARIKA Director of the Biodiversity and Protected Area Ministry of Environment Excellence	Blv. ZhanD'Ark Tirana <a href="tel:+35542267233">Tel:+355 4 2267 233</a> Cell:+355 69 20 92 872 Telefax:
<b>Algeria</b>	M. Raouf HADJ AISSA Sous-Directeur de la Préservation du Littoral, du milieu marin et des zones humides Ministère des Ressources en eau et de l'Environnement	03 Rue Caire Kouba Alger Tel:+213 21 43 28 75 Cell:+213 550 82 51 86 Telefax:+213 21 43 28 75
<b>Bosnia Herzegovina</b>	UNIT OF BORDER POLICE OF BOSNIA AND HERZEGOVINA	88390 Neum Tel:+387 36 885 212 Cell: Telefax:+387 36 855 218
<b>Croatia</b>		Tel: Cell: Telefax:
<b>Cyprus</b>	Director Department of Fisheries and Marine Research, Ministry of Agriculture, Natural Resources and Environment	101 Vithleem Street, Nicosia 1416 Tel:+357 22 807 867 Cell: Telefax:+357 22 781 226;+357 22 77 59 55
<b>Egypt</b>	Egyptian Environment Affairs Agency (EEAA) Central Operations Room (COR) Cabinet of Ministers Ministry of Environment	30 Misr Helwan El-Zyrae Road Maadi, Cairo P.O. Box 11728  Tel:+ +20 22 525 6491/ 92 Cell: +20 100 382 46 00 Telefax:+ +20 22 525 64 94
<b>France</b>	Mme. Marie-Sophie DUFAU-RICHET Chargée de mission pour les questions internationales, Secrétariat Général de la Mer	69 rue de Varennes, 75007 Paris Tel:+33 1 42 75 66 53 Cell:+33 6 61 53 95 01 Telefax:+33 1 42 75 66 78
<b>Greece</b>	Captain H.C.G. Markoulakis STYLIANOS Director of the Marine Environment Protection Directorate Ministry of Shipping, Maritime Affairs and the Aegean. Akti Vasileiadi	Akti Vasileiadi – Gate E1-E2 (inside port), 18510 Piraeus Tel: +30 213 137 1132 Cell: +30 694 433 1880 Telefax: +30 210 422 0440
<b>Israel</b>	Captain Michael Solomon	15a Pal-Yam st., P.O. Box

<sup>7</sup> **Mutual assistance Focal Point:** Competent national authority [or officer] responsible for dealing with matters related to mutual assistance in case of emergency.

	Senior Marine Surveyor / MRCC Manager Shipping and Ports Administration, Ministry of Shipping and Transport	811, P.O. Box 806, Haifa 31007 Tel: +972 4 863 2110 Cell: +972 50 62 12 923 Telefax:+972 4 863 35 20
<b>Italy</b>	Dr. Giuseppe ITALIANO Head of Unit VII “ Marine Protection from Pollutions, General directorate for Nature's Protection and Sea, Ministry of Environment	Via Cristoforo Colombo, 44, 00147 Rome Tel:+39 06 57 22 83 03 Cell:+39 33 16 22 00 14 Telefax:+39 06 57 22 83 90
<b>Lebanon</b>	Mr. Georges BERBARI Chief of Service of Regional Departments and Environmental Police, Ministry of Environment	Mid-Town – Lazarieh Building Block A 4 7th Floor (Room 7-49) P.O. Box 11/ 2727, Beirut Tel:+961 1 976 555 ext 412 Cell:+961 3 029 547 Telefax:+961 1 976 512
<b>Libya</b>		Tel: Cell: Telefax:
<b>Malta</b>	Malta Civil Protection Director	Ta' Kandja L/O Siggiewi SG 2610 Tel:+356 2393 0000 Cell: Telefax:+356 21462 607
<b>Monaco</b>		Tel: Cell: Telefax:
<b>Montenegro</b>	Captain Vladan RADONIJC Director , Maritime Safety Department	Maršala Tita br.7 ,P.O. Box 14, 85000 Bar Tel:+382 30 313 241 Cell:+382 69 333 252 Telefax:+382 30 313 274
<b>Morocco</b>	Mme. Naoual ZOUBAIR Chef du Service Stratégies d'Intervention, Division Prévention et Stratégies d'Intervention, Direction de la Surveillance et de la Prévention des Risques, Département de l'Environnement, Secrétariat d'Etat chargé de l'eau et de l'environnement	9 Avenue El Araar secteur, 16 Hay Ryad, Rabat Tel:+212 537 57 06 01 Cell:+212 662 10 81 54 Telefax:+212 537 57 18 29; 537 57 06 01
<b>Slovenia</b>	Mr. Darko BUT Director General Administration of the Republic of Slovenia for Civil Protection and Disaster Relief Ministry of Defence of the Republic of Slovenia	Vojkova cesta 61, SI-1000 Ljubljana Tel:+386 1 471 33 22 Cell: Telefax:+386 1 431 81 17
<b>Spain</b>		Tel: Cell: Telefax:

<b>Syria</b>	Eng. Fathia MOHAMMAD DDirectorate of Chemicals Safety and Solid Waste , Ministry of State for Environmental Affairs	Yousef Alazma Square , P.O. Box 3773, Damascus Tel:+963 11 239 63 91; 231 63 71 Cell:+963 93 229 14 50 Telefax:+963 11 231 21 20
<b>Tunisia</b>	M. le Directeur Général Agence nationale de protection de l'environnement (ANPE)	12, Rue du Cameroun, Le Belvédère, 1002 Tunis Tel:+216 71 767 448 Cell:+216 22 560 141 Telefax:+216 71 751 268/751 750
<b>Turkey</b>	Ministry of Transport, Maritime Affairs and Communications General Directorate for Regulating of Sea and Inland Waters Director General (at present Cemalettin SEVLI)	Ulastirma, Denizcilik ve Haberlesme Bakanligi; Deniz ve Icsular Duzenleme Genel Müdürlüğü Hakkı Turaylıç Cad. No:5 06338 Emek- Ankara TÜRKIYE Tel:+90 312 203 10 00 Ext. 2210 Cell: Telefax:+90 312 231 33 06
<b>European Union</b>	Emergency Response Co-ordination Centre (ERCC), DG ECHO - Humanitarian Aid and Civil Protection, European Commission/  European Maritime Safety Agency (EMSA) Maritime Support Services	<b>ERCC:</b> 86, Rue de la Loi 1049 Brussels, BELGIUM/ Phone:+ 32 2 292 1112 Fax:+ 32 2 298 6651  <b>EMSA:</b> Praça Europa, 4 Cais do Sodré 1249-206 LISBOA PORTUGAL Phone: + 351 211 209 415 Mobile:+ 351 911 089 200 Fax: + 351 211 209 480

#### 4. 24 hour Focal Points<sup>8</sup>

Country	Name, Department or position	Contact details
<b>Albania</b>	Mr Paulin NDREU Director of Harbour Masters, General Maritime Directorate	Durres Tel:+355 5 22 20 017 Cell:+355 68 20 24 866 Telefax:+355 5 22 20 017
<b>Algeria</b>	Centre National des Opérations de Surveillance et de Sauvetage en Mer (CNOSS) Ministère de la Défense Nationale – Commandements des Forces Navales	B.P. 8 Amirauté Alger Tel:+213 21 43 01 78 Cell: Telefax:+213 21 43 71 08
<b>Bosnia Herzegovina</b>	Prof. Tarik KUPUSOVIC Special Advisor to the Minister of Physical Planning and Environment, Hydro Engineering Institute	Stjepana Tomica 1, 71000 Sarajevo Tel:+387 33 212 466/7 Cell:+387 61 158 007 Telefax:+387 33 207 949
<b>Croatia</b>	MRCC – Maritime Search and Rescue Co-ordination Centre	Senjsko pristaniste 3, 51000 Rijeka Tel:+385 1 195 Cell: Telefax:+385 51 312 254
<b>Cyprus</b>	Director Department of Fisheries and Marine Research, Ministry of Agriculture, Natural Resources and Environment	101 Vithleem Street, Nicosia 1416 Tel:+357 22 807 867 Cell: Telefax:+357 22 781 226;+357 22 77 59 55
<b>Egypt</b>	Operations' Centre , Maritime Transport Section Ministry of Transport	4, Ptolemy Street, Alexandria, Egypt, Post Box: 21514 Tel:+20 3 487 57 67 Cell: Telefax:+20 3 486 90 08
<b>France</b>	CROSS-MED Centre régional opérationnel de surveillance et de sauvetage en méditerranée	Chemin du Fort Sainte Marguerite, B.P. 70069, 83953 La Garde, Cedex Tel:+33 4 94 61 16 16 Cell: Telefax:+33 4 94 27 11 49
<b>Greece</b>	Operational Centre of H.C.G.	Akti Vasileiadi Gate E1-E2

<sup>8</sup> **24 hour Focal Point:** National centre or contact point responsible for receiving reports on marine pollution accidents which is easily contactable on a twenty-four hours basis and capable of processing the said reports and alerting the competent national authorities responsible for initiating the relative response action; [It is expected that this information is consistent with the same information submitted to the International Maritime Organization (IMO) for inclusion in its 'List of National Operational Contact Points Responsible for the Receipt, Transmission and Processing of Urgent Reports on Incidents involving Harmful Substances, including Oil from Ships to Coastal States' (MSC-MEPC.6/Circ.14 – Annex 2) and which is available on the [IMO website](#)

	ry of Shipping, Maritime Affairs and the Aegean	(inside port), 18510 Piraeus Tel: +30 210 419 1626; 411 2500; Cell: Telefax: +30 210 417 3501
<b>Israel</b>	MRCC Haifa Shipping and Ports Administration, Ministry of Transport and Road Safety	15 A Pal-Yam Str., P.O. Box 806, Haifa 31007 Tel:+972 4 863 21 45 / 8632072 / 8632073 / 8632074 / 8632075 Iridium: 0088162347554 Inmarsat: 00870772577926 Cell: Telefax:+972 4 863 21 17 Fax to mail: +972 3 6849867
<b>Italy</b>	Mr. Leonardo QUINTAVALLE Head of Operative Centre for Sea Emergencies of the Ministry for the Environment and Territory and Sea Directorate General Direction for Nature's Protection and Sea, Division VII – Marine Protection from Pollutions	Via Cristoforo Colombo, 44, 00147 Rome Tel:+39 06 57 55 34 67/6/5 Cell:+39 329 381 0317 Telefax:+39 06 57 22 34 72
<b>Lebanon</b>	Eng. Abdel Hafeez KAISSI Director General of Land and Maritime Transport, Ministry of Public Works and Transport, Directorate General of Land and Maritime Transport	Starco Building, 3rd Floor, Beirut Tel:+961 1 371 644/645 Cell:+961 3 312 385 Telefax:+961 1 371 647
<b>Libya</b>	Mr Abuagilla ALI ALSAWEI Naval Operation Officer Libya Coast Guard	Libya - Zawea Tripoli Tel:+218 92 672 68 42 Cell: Telefax:
<b>Malta</b>	Armed Forces of Malta Duty Officer, Operation Centre, AFM	Luqa Barracks, Luqa Tel:+3562249 4202 Cell: Telefax:+356 21 809 860
<b>Monaco</b>	Commandant Principal de Police - M Patrick REYNIER Chef de la Division de la Police Maritime et Aéroportuaire, Département de l'Intérieur Direction de la Sûreté Publique	14 quai Antoine 1 er, MC 98 000 Monaco Tel:+377 93 15 30 16 Cell: Telefax:+377 93 30 22 45; 93 50 65 47
<b>Montenegro</b>	Maritime Rescue Co-ordination Centre (MRCC-BAR) Search and Rescue Sector, Maritime Safety Department	Dobra Voda bb, 85000 Bar Tel:+382 30 313 088 Cell:+382 67 642 179 Telefax:+382 30 313 600
<b>Morocco</b>	Service de la Prévention de la Pollution Direction de la Marine Marchande	Boulevard Félix Houphouet Boigny, 20000 Casablanca Tel:+212 5 29 02 86 08 Cell:

		Telefax:+212 5 22 27 33 40
<b>Slovenia</b>	Emergency Notification Centre of the Republic of Slovenia Administration for Civil Protection and Disaster Relief	Vojkova cesta 61, 1000 Ljubljana Tel:+386 1 471 32 22 Cell: Telefax:+386 1 431 81 17
<b>Spain</b>	Ms. Lourdes OÑA Directora del Centro Nacional de Coordinación de Salvamento (CNCS Madrid) Sociedad de Salvamento y Seguridad Marítima (SASEMAR)	Fruela, 3 28011 Madrid, Spain Tel:+34 91 755 9133 Cell: Telefax: +34 91 526 1440; 755 91 09
<b>Syria</b>	Admiral Maitham Ibrahim AL YOUSEF General Director of Ports General Directorate of Ports, Ministry of Transport	P.O. Box 505 ,Al Gazair Street Lattakia Tel:+963 41 47 90 41 Cell:+963 944 362 702 Telefax:+963 41 47 53 05
<b>Tunisia</b>	Service National de Surveillance Côtière (SNCS)	La Base Navale de la Goulette, Tunis Tel:+216 (71) 736 330 Cell: Telefax:+216 (71) 736 804
<b>Turkey</b>	Ministry of Transport, Maritime Affairs and Communications General Directorate for Regulating of Sea and Inland Waters Main Search and Rescue Co-ordination Centre	Gaza Mustafa Kemal Bulvar No 128 06570 Maltepe - Ankara Tel:+90 312 2232 47 83; 232 38 49; 231 91 05 Cell: Telefax:+90 312 232 08 23
<b>European Union</b>	Emergency Response Co-ordination Centre (ERCC)/ European Commission/  European Maritime Safety Agency (EMSA) Maritime Support Services	86, Rue de la Loi 1049 Brussels, BELGIUM/ ERCC: Tel:+32 2 292 1112 Telefax:+32 2 298 6651  EMSA: Praça Europa, 4 Cais do Sodré 1249-206 LISBOA PORTUGAL Tel: + 351 211 209 415 Cell:+ 351 911 089 200 Fax: + 351 211 209 480



### ANNEX I.3

## DIRECTORY OF COMPANIES OFFERING SERVICES IN THE MEDITERRANEAN IN CASE OF EMERGENCY<sup>9</sup>

### **ALBANIA**

Address  
Telephone (24 hours / day)  
Mobile  
Telefax  
Further details

### **CROATIA**

#### **CIAN“ D.O.O. SPLIT**

Address 21000 SPLIT, Varazdinska 51  
Telephone (24 hours / day) +385 21/540 190  
Mobile:  
Telefax +385 21/540 199  
Further details Director (Mr Petar Bojic) / 18 peoples trained and available 24 h for participating in response operations

#### **„CIKLON“ D.O.O. ZADAR**

Address 23000 ZADAR, Put Murvice 14  
Telephone (24 hours / day) 385 23 / 344 000  
Mobile  
Telefax +385 23 / 344 001  
Further details Director (Ms Jasminka Plenkovic) / 9 peoples trained and available 24 h for participating in response operations

#### **„DEZINSEKCIJA“ D.O.O. RIJEKA**

Address 51000 RIJEKA, Brajšina 13  
Telephone (24 hours / day) +385 (51 ) 506 920  
Mobile  
Telefax +385 (51) 512 769  
Further details Director: Mr Ranko Dujmovic / 10 peoples trained and available 24 h for participating in response operations

#### **«EKOOPERATIVA» D.O.O.**

Address 51211 MATULJI, Dalmatinskih brigada 17  
Telephone (24 hours / day) +385 (51) 277-542  
Mobile  
Telefax +385 (51) 274-534  
Further details Providing services of waste management and other services / 11 peoples trained and available 24 h for participating in response operations

#### **„EKO-KEM“ D.O.O. RIJEKA**

Address 51000 RIJEKA, Luzine 7d  
Telephone (24 hours / day) +385 (51) 226 714  
Mobile  
Telefax +385 (51) 226 714  
Further details Director: Mr Anton Sciran / 4 people trained and available 24 h for participating in response operations

#### **„JADRANSKI NAFTAVOD“ D.D. ZAGREB**

---

<sup>9</sup> Extracted from REMPEC's Country Profiles updated by OPRC Focal Points

Address Terminal Omišalj --- Kancinar 1, 51513 Omišalj  
Telephone (24 hours / day) 385 (51) 206-200  
Mobile Person in charge: Bruno Jankovic, terminal manager, Mobile: +385 98 479 454; tel: +385 (51) 206 232, fax: +385 (51) 842 273 1 / Contact person: Mr Vladimir Budimir, Mobile: +385 98 474 768, tel: +385 (51) 206 258  
Telefax  
Further details 7 people trained and available 24 h for participating in response operations

**INA – INDUSTRIJA NAFTE“ D.D. ZAGREB**

Address Oil refinery Rijeka R ----- M. Bara&#269;a 26, 51000 Rijeka  
Telephone (24 hours / day) +385 (51) 201-011  
Mobile  
Telefax 385 (51) 201-000  
Further details Director: Mr Ivan Kreši&#263;

**IND EKO“ d.o.o.**

Address 51000 RIJEKA, Korzo 40  
Telephone (24 hours / day) +385 (51) 336-152, 336-093, 211-758  
Mobile  
Telefax +385 (51) 336-022  
Further details Director: Mr Ilija Smitran (+385 98 260-851) / 30 people trained and available 24 h for participating in response operations

**„RIJEKATANK» EKOLOGIJA I ZAŠTITA OKOLIŠA D.O.O. RIJEKA**

Address 51000 RIJEKA, Kružna 10  
Telephone (24 hours / day) +385 (51) 212-838  
Mobile +385 91 125-7102 (Mr Zeljko Grujicic )  
Telefax 385 (51) 211-864  
Further details Director: Mr Milorad Smitran/ 30 people trained and available 24 h for participating in response operations

**JADRANSKI POMORSKI SERVIS“ D.D. RIJEKA**

Address 51000 RIJEKA, Verdijeve 19  
Telephone (24 hours / day) +385 (51) 335 000, +385 (51) 331 113  
Mobile  
Telefax +385 (51) 313 161  
Further details Contact person: Mr Tomislav / 25 people trained and available 24 h for participating in response operations  
Directory of companies offering services in the Mediterranean in case of emergency Page 4 / 9

**CYPRUS**

**EDT Towage and Salvage Co. Ltd.**

Address 124 Ayias Paraskevis Street, Yermasoyla, PO Box 4548, 3725 Limassol, Cyprus  
Telephone (24 hours / day) +357 55 326 108  
Mobile  
Telefax +357 55 324 440  
Further details OPERATIONAL ARRANGEMENTS ORDER FOR SERVICES SHOULD BE MADE TO : Same  
as above PREFERRED WAY OF COMMUNICATION : fax, telex, phone WORKING LANGUAGES : Greek, French, English 24-HOUR SERVICE : Yes INTERVENTION (IN THE MEDITERRANEAN) IN LESS THAN : 24 hrs AREAS: East Mediterranean seas

**EGYPT**

**MARIDIVE & OIL SERVICES s.a.e. ADDRESS :**

Address Cairo office: 32, Gol Gamal St., Dokki, 12411, Cairo - Egypt Alexandria office: 10, Ahmed Yehia St., Gleem, 21411, Alexandria - Egypt  
Telephone (24 hours / day) +20 2 3022993 (Cairo) / 3 5802899 (Alexandria)  
Mobile  
Telefax +20 2 3463380 (Cairo) / 3 5874668 (Alexandria)

Further details OPERATIONAL ARRANGEMENTS ORDER FOR SERVICES SHOULD BE MADE TO : see

above PREFERRED WAY OF COMMUNICATION : fax / telephone WORKING LANGUAGES : Arabic, English 24-HOUR SERVICE : Yes INTERVENTION (IN THE MEDITERRANEAN) IN LESS THAN: 24 hrs AREAS: Eastern part of Mediterranean Sea

## **FRANCE**

### **FOST**

Address Quartier de la Tête Noire; RD 113; 13340 ROGNAC - France  
Telephone (24 hours / day) +33 (0)4 42 87 59 37 / +33 (0)1 47 44 82 29  
Mobile

Telefax +33 (0)4 42 87 59 38 / +33 (0)1 47 44 62 05

Further details DISPOSITIONS OPERATIONNELLES MOYEN DE COMMUNICATION SOUHAITÉ :  
Téléphone LANGUES DE TRAVAIL : Français, Anglais SERVICE 24 HEURES SUR 24: oui  
INTERVENTION (EN MÉDITERRANÉE) EN MOINS DE : 24 hrs ZONES DU BASSIN  
MÉDITERRANÉEN : Partout

### **LESABEILLES**

Address Chaussée Lamandé, BP 1351, 76065 Le Havre cedex - France  
Telephone (24 hours / day) +33 2 35 19 77 85  
Mobile

Telefax +33 2 35 41 78 98

Further details DISPOSITIONS OPERATIONNELLES LA DEMANDE DE SERVICES DEVRA ÊTRE FAITE À :

Service des sauvetages ( voir coordonnées ci-dessus) MOYEN DE COMMUNICATION SOUHAITÉ : Téléphone / Fax LANGUES DE TRAVAIL : Français, Anglais SERVICE 24 HEURES SUR 24: Oui INTERVENTION (EN MÉDITERRANÉE) EN MOINS DE : 12 hrs  
Directory of companies offering services in the Mediterranean in case of emergency Page 5 / 9  
ZONES DU BASSIN MÉDITERRANÉEN OÙ VOTRE SOCIÉTÉ PEUT OFFRIR SES SERVICES : CONDITIONS SOUS LESQUELLES LES SERVICES PEUVENT ÊTRE FOURNIS : LLOYD's Open Form TOWHIRE (BIMCO) TOWCON

### **GRAND PORT MARITIME DE MARSEILLE-FOS**

Address 23, Place de la Joliette BP 1965 13226 Marseille cedex 02 - France  
Telephone (24 hours / day) +33 4 91 39 40 00 / 4 91 39 44 44  
Mobile

Telefax +33 4 91 39 40 44 / 4 91 39 40 38

Further details DISPOSITIONS OPERATIONNELLES LA DEMANDE DE SERVICES DEVRA ÊTRE FAITE À :

M. Joel Zattara - Chef du Service Sécurité Environnement Manutention Auxiliaires du Navire MOYEN DE COMMUNICATION SOUHAITÉ : Telex / Fax LANGUES DE TRAVAIL : Français SERVICE 24 HEURES SUR 24: Oui INTERVENTION (EN MÉDITERRANÉE) EN MOINS DE : 24 hrs ZONES DU BASSIN MÉDITERRANÉEN OÙ VOTRE SOCIÉTÉ PEUT OFFRIR SES SERVICES : France, Espagne, Italie, Grèce, Pays di Maghreb. CONDITIONS SOUS LESQUELLES LES SERVICES PEUVENT ÊTRE FOURNIS : La requête d'assistance internationale sera considérée sur demande et une convention fixant toutes les conditions sera signée.

### **SEACOR FISH**

Address 23 Rue Notre-Dame des Victoires 75002 Paris France  
Telephone (24 hours / day) +33 1 53 40 21 00  
Mobile

Telefax 33 1 53 40 21 23

Further details DISPOSITIONS OPERATIONNELLES LA DEMANDE DE SERVICES DEVRA ÊTRE FAITE À :

John Gellert; Jean-Pierre Pruleau LANGUES DE TRAVAIL : Français, Anglais SERVICE 24 HEURES SUR 24: Non INTERVENTION (EN MÉDITERRANÉE) EN MOINS DE : 24 hrs  
ZONES DU BASSIN MÉDITERRANÉEN : Zones côtières, entre les frontières espagnoles et italiennes

### **STOLT COMEX SEAWAY**

Address 467, Chemin du Littoral BP 69 13321 Marseille cedex 16 France

Telephone (24 hours / day) +33 4 91 09 68 09 / 4 91 09 68 15

Mobile

Telefax +33 4 91 09 68 00

Further details DISPOSITIONS OPERATIONNELLES LA DEMANDE DE SERVICES DEVRA ÊTRE FAITE À :

Direction Générale (Mr. Vincent Chirié, Directeur des opérations) MOYEN DE

COMMUNICATION SOUHAITÉ : Fax LANGUES DE TRAVAIL : Français, Anglais SERVICE

24 HEURES SUR 24: Oui

### **SYCOPOL**

Address Avenue des Pierrelets 45380 Chaingy France

Telephone (24 hours / day) +33 2 38 43 44 97

Mobile

Telefax +33 2 38 43 95 47

Further details DISPOSITIONS OPERATIONNELLES MOYEN DE COMMUNICATION SOUHAITÉ :

Fax

ou, en cas d'urgence, Téléphone (au +33 8 36 61 61 36 suivi du code 166547 et laisser un message) LANGUES DE TRAVAIL : Français, Anglais SERVICE 24 HEURES SUR 24:

Oui INTERVENTION (EN MÉDITERRANÉE) EN MOINS DE : 48 hrs ZONES DU BASSIN

MÉDITERRANÉEN : Partout en Méditerranée CONDITIONS SOUS LESQUELLES LES

SERVICES PEUVENT ÊTRE FOURNIS : Contrat pour service ou équipements à négocier.

Directory of companies offering services in the Mediterranean in case of emergency Page 6 / 9

### **ISRAEL**

#### **MOPS, MAAGAN. GALYAM, EMCO-YAM**

Address

Telephone (24 hours / day)

Mobile

Telefax

Further details

### **ITALY**

#### **CRISMANI Group**

Address Via Roma 30 34 132 Trieste Italy

Telephone (24 hours / day) +39 040 7606138

Mobile

Telefax +39 040 7606017

Further details gents in the Mediterranean : AGMAR - Ravenna - Italy GENEMAR - Venezia - Italy

INGEMAR - Crotone – Italy OPERATIONAL ARRANGEMENTS ORDER FOR SERVICES

SHOULD BE MADE TO : Crismani Group PREFERRED WAY OF COMMUNICATION : tel. /

fax / telex WORKING LANGUAGES : Italian English 24-HOUR SERVICE : Yes

CONDITIONS ON WHICH SERVICES MAY BE PROVIDED :Usual ship's charters

#### **ECOLMARE s.p.a.**

Address Via delle Rose 50 / A 80063 Piano Di Sorrento (Naples) Italy T

Telephone (24 hours / day) +39 81 5321516

Mobile

Telefax : +39 81 5336245

Further details Agents in the Mediterranean : &#1048708; ECOLMARE IBERICA Passeig Joan de Borbon, 92 - 08003 Barcelona - Spain - Tel.: 3 310 28 08 / 27 50 - fax.: 3 319 76 72

&#1048708; ECOLMARINE Hellas - 35 - 39 Akti Miaouli - 18535 Piraeus - Greece - Tel.: 1

4292195 - fax.: 1 4292427 - Tlx.: 212616 OPERATIONAL ARRANGEMENTS PREFERRED

WAY OF COMMUNICATION : fax WORKING LANGUAGES : Italian, English 24-HOUR

SERVICE : Yes AREAS OF THE MEDITERRANEAN BASIN WHERE THE COMPANY CAN

OFFER ITS SERVICES : Italy, Spain, Greece CONDITIONS ON WHICH SERVICES MAY

BE PROVIDED : Standard international procedures (World Bank, EU) can be accepted.

Daily rate contract. Each item to be quantified on the basis of the service to offer

Directory of companies offering services in the Mediterranean in case of emergency Page 7 / 9

**EUROPEAN BOATMEN'S ASSOCIATION (EBA)**

Address Ponte A. Doria 16126 Genoa Italy  
Telephone (24 hours / day) +39 010 265110  
Mobile  
Telefax +39 010 255657

Further details OPERATIONAL ARRANGEMENTS WORKING LANGUAGES : English , Italien 24-HOUR

SERVICE : No The service is provided in the Country where EBA is present, if required by the national/local responsible Authority as cooperating activity (on a cost-reimbursement basis)

**MALTA**

**Civil Protection Department, Director**

Address CPD Ta' Kandia L/o Siggiewi  
Telephone (24 hours / day) +356 21 462 610  
Mobile  
Telefax +356 21 462 607  
Further details

**MONACO**

**Monaco Remorquage Maritime - Héli air Monaco**

Address  
Telephone (24 hours / day)  
Mobile  
Telefax  
Further details

**MONTENEGRO**

**Specialized private company "HEMOSAN"**

Address Popovici 46, 85 000 Bar, MONTENEGRO  
Telephone (24 hours / day) +382 (0) 30 346 232  
Mobile +382 (0) 67 314 218  
Telefax +382 (0) 30 346 234  
Further details

**SPAIN**

Directory of companies offering services in the Mediterranean in case of emergency Page 8 / 9

**Markleen Terra Phone/Sorbcontrol**

Address Polígono Río Gallego, C/ E nº 22 50840 San Mateo de Gállego (Zaragoza) España/Plaza de Vilanoveta. CALLE DEL 'SRabassaires, 9 08812 San Pere d Rives Barcelona  
Telephone (24 hours / day) +34 91 976683000/+34 90 208809192  
Mobile  
Telefax +91 976683001/+34 93 8148175  
Further details

**TURKEY**

**SEACORE ENV&#304;RONMENTAL SERVICES INC. SESMEKE**

Address Mebusan Yokusu No.95 Kat 5 Findikli I34437 Istanbul  
Telephone (24 hours / day) +90 212 251 41 10  
Mobile  
Telefax +90 212 251 41 21  
Further details

REMPEC/WG.41/8

Annex I.3

Page 6

**Meke Marine Environmental Protection Services**

Address Mebusan Yokusu, Timsah Sok. No:6 Fındikli 34437 Istanbul

Telephone (24 hours / day) +90 (212) 292 34 70 (pbx)

Mobile

Telefax +90 (212) 244 04 12

Further details

**Mavi Deniz Çevre Hizmetleri A.Ş. #350;**

Address Bagdat cd. Çiçek sok. No:12 Güzelyalı---Istanbul 81710

Telephone (24 hours / day) 90 216 392 41 43 / +90 216 392 55 5

Mobile

Telefax +90 216 392 47 00

**ANNEX I.4**

**MEDITERRANEAN “PRINCIPLES AND GUIDELINES ON  
COOPERATION AND MUTUAL ASSISTANCE”**

**I.4.1. GUIDELINES FOR CO-OPERATION IN COMBATING MARINE OIL POLLUTION IN THE MEDITERRANEAN** *Adopted by the Fifth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Athens, 11 September 1987 (UNEP/IG.74/5)*

**I.4.2. PRINCIPLES AND GUIDELINES CONCERNING COOPERATION AND MUTUAL ASSISTANCE** *Adopted by the Seventh Meeting of the Contracting Parties to the Barcelona Convention, Cairo, 11 October 1991 (UNEP(OCA)/MED IG.2/4, Annex IV, Appendices I-VI)*

**I.4.3 GUIDELINES CONCERNING THE EXCHANGE OF LIAISON OFFICERS BETWEEN THE CONTRACTING PARTIES IN CASE OF RESPONSE OPERATIONS INVOLVING SEVERAL STATES** *Adopted by the Ninth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Barcelona, 5-8 June 1995 (UNEP(OCA)/MED IG.5/16, Annex XII, Appendix IV)*

**I.4.4. GUIDELINES CONCERNING ARRANGEMENTS WHICH MIGHT BE MADE WITH A VIEW TO ENSURING, IN CASE OF AN ACCIDENT, LIAISON BETWEEN THE GOVERNMENTAL AUTHORITIES AND OTHER INTERESTED PARTIES** *Adopted by the Ninth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Barcelona, 5-8 June 1995 (UNEP(OCA)/MED IG.5/16, Annex XII, Appendix IV)*

### **I.4.1. GUIDELINES FOR CO-OPERATION IN COMBATING MARINE OIL POLLUTION IN THE MEDITERRANEAN**

*Adopted by the Fifth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Athens, 11 September 1987 (UNEP/IG.74/5)*

#### **The Contracting Parties**

- *Recalling* their commitments under the Protocol concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency, hereafter referred to as "the Protocol",
- *Recalling* the need to establish National Contingency Plans for combating oil pollution, Considering that in the light of experience there is a need for Guidelines to facilitate the implementation of the Protocol and in particular mutual co-operation in the Mediterranean,
- *Recognizing* that such co-operation cannot replace the individual action of each Contracting Party, which is essential in the initial hours following an incident to mitigate the effects of pollution,
- *Recalling* the role of the Regional Oil Combating Centre for the Mediterranean Sea hereafter referred to as "the Centre",

**Recommend** that the following Guidelines be used to the extent possible

1. The Parties to report to the Centre at least all spillages or discharges of oil in excess of 50 cubic meters as soon as they have knowledge of them. Part I (POLWARN) of the Standard Pollution Report (POLREP) will be used for this purpose<sup>10</sup>.
2. The Parties will acquire individually the necessary facilities to combat oil pollution in their territorial waters, including those means needed to provide initial response in case of major pollution incidents. In determining the minimum level of response capabilities, consideration should be given to the National Contingency Plan and in particular to the most vulnerable and high risk areas
3. When in case of an incident the requirements for combating pollution exceed the national capabilities and when a Party requests the assistance of other Parties, this assistance may involve equipment, products and specialized personnel. Such assistance will be requested:
  - from other Contracting Parties either directly or through the Centre;
  - or, when bilateral or multilateral agreements exist, directly by the Authorities of the Party requesting assistance (hereafter referred to as "the Requesting Party") to the Authorities of one or several Parties (hereafter referred to as "the Assisting Party"). The Centre will be systematically informed of all requests for assistance and consequent action taken.
4. Whenever assistance is requested, the Requesting Party will be in full charge of response operations. If response teams are put at the disposal of the Requesting Party it will issue instructions to response team leaders who will then be in charge of looking after the details of the operation.
5. The Requesting Party will:
  - make its request in a clear and precise manner (quantity, type etc) by indicating for which purposes equipment, products and response personnel will be used;

---

<sup>10</sup> "The Meeting discussed the appropriate threshold for reporting on the oil spills: 100 m<sup>3</sup> was not deemed appropriate and a reference was made to MARPOL threshold of 50 m<sup>3</sup>. The Meeting concluded that spills of 50 m<sup>3</sup> should be reported, whereas countries could also opt to report on spillages of lower amounts." - UNEP(DEPI)/MED WG.417/17 <https://wedocs.unep.org/rest/bitstreams/9135/retrieve>

- appoint an authority to receive the equipment, products and/or personnel and to ensure control of operations from the moment equipment, products and personnel arrive in the country and while these are conveyed to and from the scene of operations;
- make arrangements for the rapid entry of equipment, products and personnel prior to their arrival and ensure that customs formalities are facilitated to the maximum extent. Equipment should be admitted on a temporary basis and products should be admitted free of excise and duties;
- supply all that is needed for the correct operation and maintenance of equipment and provide accommodation and food for response teams;
- ensure that, should ships and aircraft be provided, ships are granted all necessary authorizations and aircraft cleared to fly in the national air space. A flight plan or a flight notification will be filed and accepted as an authorization for aircraft to take off, land ashore or at sea outside regular customs airfields;
- return, once response operations are over, all unused products and ensure that returned equipment is in the best possible working order;
- send a report on the effectiveness of equipment, products and personnel provided, to the appropriate Authorities of the Assisting Party. A copy of the report will be sent to the Centre.

6. The Assisting Party will provide:

- a detailed statement and complete list of all equipment, products and personnel within those listed by the Requesting Party it can provide as well as instructions for use of equipment and products;
- equipment that is in good working order and suitable for the requirements of the Requesting Party;
- only products approved for use in its own territory;
- competent specialized personnel, if possible equipped with own kit needed for their action. Non-specialized personnel should not normally be sent out except perhaps in case of a particularly massive oil pollution.

7. In the absence of bilateral or multilateral agreements, the financial conditions for the operation will be agreed between the Assisting and the Requesting Parties.

8. For regional co-operation to work effectively and rapidly in case of emergency, each Party will update annually, the information provided to the Centre in accordance with Article 7 of the Protocol and any other relevant information including:

- the national organization and the competent national authorities in charge of combating marine pollution;
- specific national regulations aimed at preventing accidents likely to cause marine pollution;
- national regulations regarding the use of products and combating techniques;
- bilateral or multilateral agreements on marine pollution signed with other Mediterranean Parties;
- research programmes, experiments and major exercises on the various aspects of marine pollution response;
- purchase of major items of equipment.

9. Updates referred in paragraph 8, shall be made preferably by the OPRC Focal Points, through REMPEC's Country Profile (<http://www.rempec.org/country.asp>) for all issues referred above with the exception of updates on equipment which shall be reported on the Mediterranean

Integrated Geographical Information System on Marine Pollution Risk Assessment and Response (MEDGIS-MAR - <http://medgismar.rempec.org/#>).

## I.4.2. PRINCIPLES AND GUIDELINES CONCERNING COOPERATION AND MUTUAL ASSISTANCE

*Adopted by the Seventh Meeting of the Contracting Parties to the Barcelona Convention, Cairo, 11 October 1991 (UNEP(OCA)/MED IG.2/4, Annex IV, Appendices I-VI)*

### A. Principles and guidelines concerning the role and responsibilities of experts sent on mission by the Centre, following the request of a State in case of emergency, and duties and obligations of States towards them

1. The Contracting Parties to the Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency (Protocol to the Barcelona Convention) may, in case of accidents causing or likely to cause marine pollution, request inter alia assistance in the form of expert advice either from the Regional Centre or from another Contracting Party.
2. A directory of experts and Centres of expertise able to offer this type of assistance in case of emergency has been established and is regularly updated by the OPRC Focal Point of each Contracting Parties through the REMPEC's Country Profile (<http://www.rempec.org/country.asp>).
3. On the request of a State in case of emergency, the Centre can, if the circumstances necessitate it, send an expert with a view to providing national authorities with advice and technical expertise which they may need during the initial period in order to decide which measures to take. This advice and technical expertise may include:
  - assessment of the situation;
  - adapting national response organization to the circumstances of the accident;
  - response methods and techniques;
  - experts, equipment and products which can be requested from other Contracting Parties or from private organizations
4. The role and responsibility of the expert are to help national authorities in taking decisions and, in this respect, s/he only has an advisory role. Every operational decision, as well as its consequences, falls under the complete responsibility of the competent authorities of the requesting State.
5. In all his/her activities related to such an advisory mission, the expert should endeavour to protect the interests of the State which requested his/her services, in particular concerning protection of the environment and of the resources and taking into account economic and financial implications.
6. The State requesting the assistance of an expert should endeavour to specify as precisely as possible, considering the given circumstances, the field or fields of expertise required. The Standard form for request of experts (**Annex II.3**) may be used to this effect.
7. The State requesting the assistance of an expert should make the necessary arrangements concerning immigration procedures and customs clearance for the expert and material (including written or electronically recorded) which the expert may bring with him/her in order to help him/her in executing his/her duties.
8. The authorities of the requesting State, in consultation with the Regional Centre and the expert should also make the necessary arrangements for safe and secured accommodation of the expert and provide him/her with necessary working space and office facilities. The exact address of accommodation and of the office shall be communicated to the Regional Centre and to the expert prior to his/her departure on mission. They should also provide for free access of the expert to necessary communication facilities (telephone, telex, telefax, internet, radio when it is available) which he/she may need in his/her work.
9. Initial financing (air tickets, daily subsistence allowance, etc.) of the expert's mission will be taken in charge by the Regional Centre

B. Principles and guidelines concerning the sending, receiving and returning of equipment in case of international assistance operation

1. International assistance, by one or more States, in case of accidents resulting in serious marine pollution may necessitate transfer of equipment and products from one country to another.
2. Sending, receiving and returning of such material creates a number of logistic, administrative and legal problems which should be resolved quickly, since a delay in the above chain of actions may considerably reduce the efficiency of the assistance. General arrangements in this regard should be adopted prior to any accident and could be usefully included in the National Contingency Plan. Thus only the details of application remain to be settled at the time of action.
3. Following the detailed evaluation of the situation, the State requesting assistance should specify, as precisely as possible, the type and quantity of equipment and products needed. The Standard form for request of equipment and products (Annex II.4) may be used to this effect.
4. The State supplying assistance should, in its reply, attach a detailed list of equipment and products available, including necessary technical specifications (dimensions, weights, capacities), precise power requirement (type of fuel, consumption, etc.) and envisaged transport modalities. It should also indicate the equipment needed for handling such material in the port or airport of entry, the number of people required for off-loading operations and the necessary means of transportation of response material to the site of the accident.
5. In order to put such equipment in use as soon as possible, the requesting State will take the necessary measures for immediate customs clearance of all arriving material and, if needed, authorize their use (e.g. authorization to navigate), as well as for the immediate clearing of immigration formalities for personnel needed for operating the equipment. The same arrangements should be implemented when the personnel and the equipment are provided by the ship insurers, the operator of offshore unit, or the operators of sea ports and oil or chemical handling facilities. The Standard form for request of equipment and products (Annex II.4) may be used to this effect.
6. The Requesting State undertakes to return the equipment as soon as the operations are terminated, if requested to do so by the supplier.

C. Principles and guidelines concerning arrangements and operational procedures which could be applied in case of a joint operation

1. Command structure for joint combat operations

The organisational structure in joint operations should contain two main co-ordination and command levels, namely Operational Control ashore and Tactical Command on the scene of operations.

Operational Control should be exercised by the country that has asked for assistance (lead country), which normally is the country within whose zone the operation takes place.

Change of Operational Control and Tactical Command might, when practical and agreed between the Parties concerned, take place when the main body of a combating operation moves from one zone to another.

Liaison officers from participating countries should be integrated in the staff of the Operational Control to secure necessary knowledge of rendered national resources.

The overall Tactical Command is laid upon a designated Supreme On-Scene Commander/Co-ordinator (SOSC) from the lead country;

Strike teams provided by assisting countries should operate under the command of a National On-Scene Commanders/Co-ordinator (NOSC).

The NOSC operates under the command/co-ordination of the SOSC.

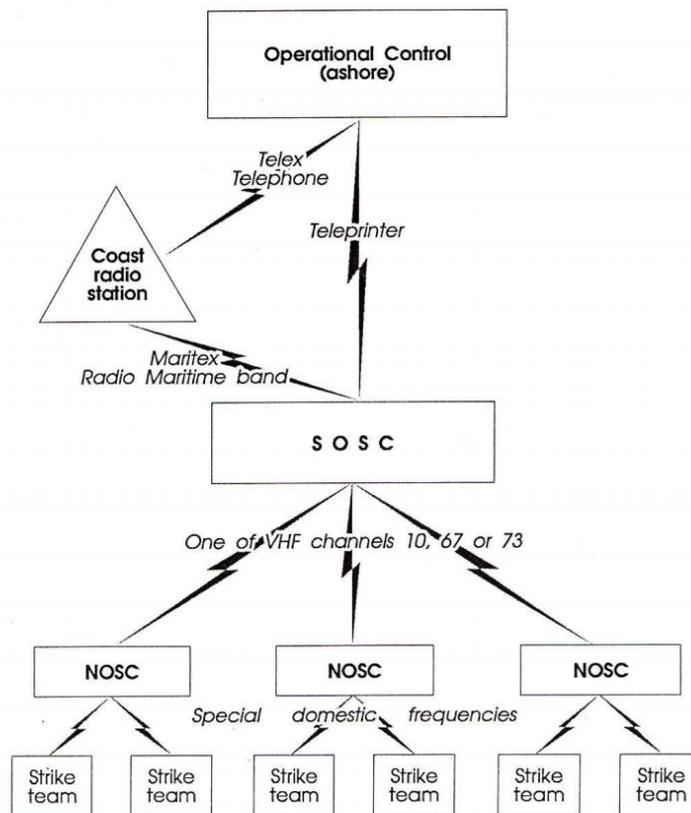
2. Arrangements concerning radio communications in joint operations

In order to avoid disturbance and jamming in a joint operation, there is a strong need for different radio communication frequencies, on the one hand between the Operational Control ashore and the Supreme On-Scene Commander/Co-ordinator (SOSC) and, on the other hand, between the

SOSC and participating National On-Scene Commander/Co-ordinators (NOSCs) as well as between the different NOSCs and their respective team units. In accordance with the provisional scheme of radio communications for joint combating operations presented below, the following procedures should be followed:

- Concerning communications between the Operational Control ashore and the SOSC (which is the concern of the lead country of the operation), consideration should be given to the possibility of using wireless communication means;
- communications between the SOSC and the NOSCs should be performed on one or, if needed, more of the international VHF channels 10, 67 and 73;
- the vessels from which the SOSC operates should have at least two VHF stations on board with a stand-by function on channel 16;
- communications between a NOSC and the strike team units should be performed on special domestic (internal) frequencies;
- the working language between OSCs from different countries should be the most appropriate one;
- the broad aspects of the radio communication problems in joint oil combating operations at sea should be presented to the telecommunications authority in each country for information and internal consideration.

PROVISIONAL SCHEME OF RADIO COMMUNICATIONS FOR JOINT COMBATING OPERATIONS



D. Check-list of procedures to be followed and persons to be contacted in case of emergency

This check-list deals with the sequence of actions to be carried out by the competent national authorities responsible under the National Contingency Plan for dealing with matters relating to response to marine pollution incidents, following the receipt of information of a pollution or threat thereof, in order to implement the provisions of the Protocol to the Barcelona Convention concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency.

Although this check-list, which is by no means exhaustive, has been prepared primarily for incidents involving vessels, it should be used where applicable in case of incidents involving offshore units or other oil handling facilities.

1. Initial assessment:

An initial assessment necessitates the gathering of information as listed in "a" below through a number of contacts as described in "b".

a. Information required:

- place, time, nature, extent and cause of the incident;
- identification of vessel;
- identification of owner/operator and his representatives and insurers;
- condition of the vessel;
- identification of the cargo and its state;
- intentions of the master;
- intentions of the salvor, if any;
- intentions of the owner or his representative.

b. Contacts:

- master of the vessel;
- salvor/salvage company, if any;
- shipowner or his representative;
- last port(s) of call;
- next port(s) of call.

2. Notification

Once the Party has finalized its initial assessment and when the severity of the incident so justifies, it should:

- a. inform the relevant bodies within the country in accordance with the National Contingency Plan;
- b. inform all Parties whose interests are affected or likely to be affected by the pollution, as well as REMPEC, and provide them with:
  - i. details of its assessments and any action it has taken, or intends to take, to deal with the incident, and
  - ii. further information as appropriate,

until the action taken to respond to the incident has been concluded or until joint action has been decided by such Parties.

For transmitting such information, use should be made of the pollution reporting system (POLREP) and the list of competent national authorities, as they appear in Annex I.2 of the present Guide and in REMPEC Country Profile - <http://www.rempec.org/country.asp>.

- c. contact the vessel's insurers and, if the incident involves oil:
  - the International Tanker Owners Pollution Federation Ltd. (ITOPF);

- the IOPC Fund when the Party possibly affected by the pollution is a Party to the Fund Conventions.
  - d. Contact the Offshore unit or oil handling facility according to national laws and insurance of operators or their financial guaranty.
3. Response measures
- a. Activation of national pollution response arrangements as stipulated by the National Contingency Plan or otherwise.
  - b. Continuous evaluation of the situation by using:
    - expertise available within the country;
    - expertise available from/through REMPEC<sup>11</sup>;
    - expertise available from other sources<sup>8</sup>.
  - e. Decision on measures and actions appropriate for mitigating the consequences of the pollution incident, such as intervention on the vessel itself or offshore unit/handling facility, combating pollution at sea, protection of sensitive areas, restoration.
  - f. Mobilizing the necessary personnel, equipment and products either from national sources or by requesting outside assistance, using standard forms proposed in the Guide (Annex II.3, Annex II.4):
    - directly from other Contracting Parties;
    - from other Contracting Parties through REMPEC;
    - from other sources, including stockpiles owned by oil and shipping industry.

4. Financial matters

- a. Detailed records of the costs incurred by Parties participating in the response during the entire operation should be kept by the Party(ies) directly in charge of the response and by the assisting Parties, if any.
- b. These Parties should designate a body to collate the relevant financial documentation, preferably as stipulated in the contingency plan, and request all those taking part in the response to establish the necessary documentation.
- c. Prepare claims in accordance with the recommendations of applicable compensation schemes.
- d. Present the necessary documentation to the insurers, IOPC Fund or other organizations liable for compensation.
- e. The assisted and assisting Parties should co-operate in concluding any action in response to a compensation claim. Unless the assisted Party(ies) disagree, assisting Parties may present their claims for reimbursement directly to compensating organizations.

Note: For all these steps, expertise from other Contracting Parties or from REMPEC may be requested. For matters related to claim, **Annexes III** shall be considered and IOPC Funds contacted or consulted as required.

---

<sup>11</sup> Such experts will assist national authorities to take decisions, but in no case should take decisions themselves in lieu of the responsible national authorities. (Cf. Recommendation 6 adopted by the Seventh Ordinary Meeting of the Contracting Parties, Cairo, 8-11 October 1991, UNEP(OCA)/MED.IG.2/4 Annex IV).

E. Check-list of principal institutional provisions aimed at facilitating mutual assistance in case of a major marine pollution accident which should be included in National Contingency Plans

A quick intervention and facilitation of mutual assistance in the case of a major marine pollution accident must be planned and organised. To this end, within the National Contingency Plan, special institutional arrangements should be adopted and administrative and financial arrangements should be established, such as:

1. designation of the competent national authority which, once the situation has been assessed, will determine the extent of the required assistance (command structure);
2. designation of a national authority entitled to act on behalf of the State to request or to decide to provide assistance, as well as to deal with the legal and financial aspects of mutual assistance, and arrangements which would enable this authority to be contacted rapidly in case of an urgent request for assistance (management structure for international assistance, preferably the Mutual Assistance Focal Point referred in Annex I.2);
3. financial modalities applicable to mutual assistance, based on Article 13 of the Prevention and Emergency Protocol on "Reimbursement of costs of assistance and on the recommendations adopted by the Seventh Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Cairo, 8-11 October 1991 (UNEP(OCA)/MED.IG.2/4 Annex IV);
4. roles and obligations of the Party requesting assistance concerning:
  - a. the receipt of equipment;
  - b. costs of board and lodging, possible medical expenses and repatriation of assisting personnel;
  - c. arrangements, in particular concerning customs and immigration, for facilitating the movement of personnel, vessels, aircraft and equipment, based on the provisions of **Annex I.4.1** of the Guide.

### **I.4.3 GUIDELINES CONCERNING THE EXCHANGE OF LIAISON OFFICERS BETWEEN THE CONTRACTING PARTIES IN CASE OF RESPONSE OPERATIONS INVOLVING SEVERAL STATES**

*Adopted by the Ninth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Barcelona, 5-8 June 1995 (UNEP(OCA)/MED IG.5/16, Annex XII, Appendix IV)*

1. In order to achieve prompt and efficient exchange of information and effective operational command over pollution response operations, the Contracting to the Emergency Protocol to the Barcelona Convention shall endeavour to establish and maintain permanent liaison between the competent national authority of the Party whose territorial sea, coasts and related interests are directly affected by pollution and who has the overall operational command over the response operations, and the competent national authorities of the assisting Parties or Parties taking part in the response operations. Two main cases arise:
  - either pollution occurs in the waters of one Contracting Party and threatens the waters of another; or,
  - the scale of the assistance provided by one Contracting Party to another justifies the presence of a liaison officer from the assisting Contracting Party at the response headquarters of the assisted Contracting Party.
2. With a view to establishing and maintaining such liaison, the Parties may decide to exchange Liaison Officers in all cases when, in the opinion of their respective competent national authorities in charge of response to a pollution incident, the circumstances of the incident and/or the scale of the response measures call for it.
3. The role of such Liaison Officers shall be limited:
  - a. in the first case referred to in paragraph 1, to facilitating mutual information exchange between threatened Contracting Parties with a view to enabling a Contracting Party which might be subsequently affected to prepare its response actions and, when appropriate, to start response operations without waiting for the pollution to reach its waters.
  - b. in the second case referred to in paragraph 1, to transmitting the orders of the authority having overall command over response operations (Supreme On Scene Commander) to the officers in charge of the resources of the assisting Party.
4. Each Contracting Party shall endeavour to include the liaison officers among the staff of its response command and to facilitate the performance of their duties, in particular by arranging access to communication means.
5. In designating their Liaison Officers, the Parties shall take into consideration that the selected persons should have relevant specialist knowledge, a good command of the working language of the other Party and confirmed communication skills, in addition to being able to work efficiently under stress.
6. The Party receiving a Liaison Officer from another Party, shall make the necessary arrangements concerning immigration and custom formalities for his/her entry into the country.

#### I.4.4. GUIDELINES CONCERNING ARRANGEMENTS WHICH MIGHT BE MADE WITH A VIEW TO ENSURING, IN CASE OF AN ACCIDENT, LIAISON BETWEEN THE GOVERNMENTAL AUTHORITIES AND OTHER INTERESTED PARTIES

*Adopted by the Ninth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Barcelona, 5-8 June 1995 (UNEP(OCA)/MED IG.5/16, Annex XII, Appendix IV)*

1. The competent national authorities of a Contracting Party affected by a marine pollution incident threatening its territorial sea, coasts and related interests shall endeavour to establish and maintain, throughout all phases of the planning and implementation of response activities, liaison with other parties having an interest in the pollution incident (further on referred to as "interested parties"), including, as the case may be:
  - the owners of the ship(s) and the cargo and, in particular, their insurers and their respective technical advisors and experts; **[or]**
  - the operator of the offshore unit, in particular, their insurers and their respective technical advisors and experts; or
  - the operator of the oil handling facility, in particular, their insurers and their respective technical advisors and experts;
  
2. The objective of such liaison shall primarily be to obtain and exchange necessary technical information required for the planning and implementation of appropriate pollution response measures, with a view to increasing the effectiveness of response operations, to reducing the effects of pollution on the environment and resources at risk, and to reducing the overall costs of the pollution response measures, and to consider possible legal and financial implications of taken or planned response actions. This information shall *inter alia* include:
  - a) on the part of the relevant interested parties: information concerning:
    - **Contact** details of the person reporting the incident;
    - **Name** of the ship, offshore unit or oil handling facility vessel and owner;
    - **Date and time** of the incident (specifying local time or GMT/UTC)
    - **Position** (e.g. latitude and longitude or distance and direction from the nearest port or landmark);
    - **Cause of the incident** (e.g. collision, grounding, explosion, fire, etc.) and nature of damage;
    - **Description** and quantity of cargo and bunker fuel on board, in case of pollution from ship;
    - **Estimate** of the quantity spilled or likelihood of spillage;
    - **Status** of the vessel and any planned salvage activities, in case of pollution from ship;
    - **Name of the cargo** owner in case of pollution from ship;
    - **Response measures** taken or planned by these parties,
    - **Resources**, including personnel, equipment and other means, which these parties have available for responding to the incident,
    - **Contingency plans** prepared by them, and the availability of funds through their insurers;
  
  - b) on the part of the competent national authorities of the affected Contracting Party: information concerning the national organization for accidental marine pollution response, national and local contingency plans, available resources including personnel, equipment and other means, arrangements made or planned by the competent national authorities for responding to the pollution incident, and national laws and regulations covering the field of accidental marine pollution, including liability and compensation.

3. In order to ensure the permanent liaison with other parties having an interest in the pollution incident, the competent national authorities of the Contracting Party affected by such an incident shall request other interested parties to designate persons who will be in permanent contact with the competent national authorities in charge of the response operations.
4. The competent national authorities shall ensure that the persons designated by the government to act as counterparts to the contact persons designated by the representatives of other interested parties have a good knowledge of the technical, legal and financial issues related to marine pollution incidents, including liability and compensation schemes.



## ANNEX I.5

### MEDITERRANEAN ASSISTANCE UNIT FOR COMBATING ACCIDENTAL MARINE POLLUTION

*Decision taken by the Eighth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Antalya, 12-15 October 1993 (UNEP(OCA)/MED IG.3/5, Appendix II)*

With a view to implementing the Protocol concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency (Barcelona, 16 February 1976),

#### **the Contracting Parties to the Barcelona Convention decided to:**

1. **Establish** a Mediterranean Assistance Unit for combating accidental marine pollution which the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) will organize and activate within the limits of the budget allocated to it by the Meeting of Contracting Parties;
2. **Undertake** to make every effort to assist the organization and functioning of the Mediterranean Assistance Unit.

#### **I. General Principles**

- 1.1 A Mediterranean Assistance Unit for combating accidental marine pollution shall be formed within the framework of the Protocol on Co-operation in Combating Pollution of the Mediterranean Sea by Oil and Harmful Substances in Cases of Emergency.
- 1.2 The organization and the activation of the Mediterranean Assistance Unit shall be the responsibility of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) which shall assume this responsibility in accordance to the Protocol on Co-operation in Cases of Emergency, the various decisions taken by the Meetings of the Contracting Parties to the Barcelona Convention and in conformity with the provisions of this document.
- 1.3 The primary objective of the Mediterranean Assistance Unit shall be to rapidly provide the services of selected experts to a Contracting Party which, in case of emergency, will request such assistance. By going to the scene of an accident the experts shall provide advice and technical expertise to the authorities with a view to assisting them during the initial phases to decide on the combating measures to take and on the assistance that could be necessary to request. Another role of the Mediterranean Assistance Unit shall be to help the requesting State to implement the provisions for regional co-operation in case of emergency, particularly through the arrangements and procedures adopted by the Meetings of Contracting Parties aimed at facilitating co-operation and mutual assistance.
- 1.4 The Mediterranean Assistance Unit shall be an "expert advice" capability established by the Contracting Parties to the Protocol on co-operation in cases of emergency which could be rapidly mobilized and activated at their request to serve the Mediterranean coastal States.

#### **II Geographical Coverage and Scope**

- 2.1 The geographical coverage of the Mediterranean Assistance Unit shall be that of the Protocol on Co-operation in Cases of Emergency.
- 2.2 The scope rationae materiae of the Mediterranean Assistance Unit shall be combating accidental marine pollution by oil and other harmful substances. The Assistance Unit shall provide expert services in the following areas, among others:
  - a) response to pollution by oil

- Crisis management and organization of intervention:
  - . analysis, assessment and forecasting of oil slick behaviour, fate and movement;
  - . response planning and logistics;
  - . response strategy/tactical choices and options.
- Combating methods and techniques at sea:
  - . containment/recovery;
  - . use of dispersants and other treatment products.
- Shore clean-up techniques and methods.
- Treatment and disposal of wastes
- Financial documentation and claims for compensation

b) Response to pollution by harmful substances

- Crisis management and organization of intervention.
- Analysis, assessment and forecasting of fate and behaviour of:
  - . gas clouds
  - . floaters
  - . dissolvers
  - . sinkers
- Recovery of packages at sea
- Response to spilled chemicals depending on their behaviour:
  - . personnel protection;
  - . aquatic toxicity and rehabilitation;
  - . biogeochemical cycling;
- Decontamination
- Treatment and disposal of wastes
- Financial documentation and claims for compensation

### **III Composition**

- 3.1 The Mediterranean Assistance Unit shall be composed of a selected limited number of highly qualified experts and centres of expertise, for each area of expertise. An expert or centre of expertise can be selected for more than one area of expertise.
- 3.2 REMPEC shall select the experts and centres of expertise using its own lists of experts and other means of information in its possession as well as in consultation with the competent national authorities and with other organizations which can give useful advice.
- 3.3 The experts and centres of expertise shall be selected for a duration of 2 years, this period being renewable. During this period, the experts and centres of expertise shall respond, in accordance with permanent instructions, to all the requests made in the case that the Mediterranean Assistance Unit is activated. The composition of the Mediterranean Assistance Unit shall be published by REMPEC every two years and updated as necessary depending on the changes that need to be made.

### **IV Activation**

- 4.1 The Mediterranean Assistance Unit shall be activated by REMPEC at the request of the competent national authority in charge of response to accidental marine pollution or at the request of the authority which is in charge of dealing with mutual assistance in the case of an emergency (refer to REMPEC/RIS/B/1) on behalf of the State affected by the accident. The national

authorities which request REMPEC to provide them with the assistance of the Mediterranean Assistance Unit, must endeavour to specify as precisely as possible what areas of expertise are required according to the circumstances of the case in order to decide jointly with REMPEC on the composition of the team to be sent to the site.

- 4.2 Depending on the circumstances and in agreement with the requesting State and within the limits of the financial resources available, REMPEC shall determine the duration and decide on the end of the mission of the member(s) of the Mediterranean Assistance Unit. If the situation dictates and if the corresponding financial arrangements have been agreed between the parties concerned, the presence of the Mediterranean Assistance Unit can be prolonged beyond the duration permitted by the financial resources available to REMPEC.

## **V Organization**

- 5.1 In the shortest time possible, REMPEC shall establish permanent arrangements for the provision of prepaid air tickets to all Mediterranean destinations as well as for the issue of a visa when one is required.

- 5.2 The State requiring the assistance of the Mediterranean Assistance Unit, shall take all necessary measures to facilitate the mission of the members of the Assistance Unit. Such necessary measures concern:

- a) the immigration and arrival procedures as well as customs formalities in particular for data processing equipment and the associated documentation or computerized material;
- b) accommodation and transport;
- c) the provision of sufficient work space for the expert(s);
- d) access to communication means.

- 5.3 REMPEC shall cover the initial costs of the mission of the Mediterranean Assistance Unit: air tickets, daily subsistence allowance; and possibly fees on a pre-arranged basis.

REMPEC shall reserve the right, according to the applicable legal regimes, to seek reimbursement for the expenses thus incurred.

- 5.4 In accordance with the request of the competent national authorities of the State and in agreement with them, REMPEC shall determine the terms of reference of the mission of the Mediterranean Assistance Unit and shall give instructions to this effect. In their request, the competent national authorities shall specify the name, function and details of the authority the members of the Mediterranean Assistance Unit must contact upon arrival. They shall also specify the authority or authorities to whom the members of the Unit must report.

- 5.5 The members of the Mediterranean Assistance Unit shall maintain contact with REMPEC and shall provide REMPEC with daily reports. REMPEC shall give to the Mediterranean Assistance Unit all the support that it might need.

- 5.6 The Mediterranean Assistance Unit shall work in close co-operation with and be at the service of the public authorities responsible for the organization and the management of response. In order to accomplish their duty, members of the Mediterranean Assistance Unit shall have access to available information, shall carry out the necessary investigations in co-operation and with the support of the responsible national authorities and shall participate in meetings as necessary.

- 5.7 The members of the Mediterranean Assistance Unit shall make a daily report containing an assessment of the situation, their analyses and conclusions and their proposals for actions, which they shall submit, to the authorities to whom they are reporting. The proposal for actions can be related to the organization of response, the tactical options, the methods and techniques of response and to experts, equipment and products that can be requested from other Contracting Parties or private entities. A copy of this report shall be sent to REMPEC by telefax. Members of the Assistance Unit shall submit a final report at the end of the mission.

5.8 In cases where the competent authorities request international assistance, the members of the Mediterranean Assistance Unit, by their good cognizance of the regional system for co-operation, in liaison with REMPEC, shall assist these authorities.

## **VI Role and Responsibilities of members of the Mediterranean Assistance Unit**

6.1 The role and responsibilities of members of the Mediterranean Assistance Unit shall be limited to assisting national authorities in the decision making process. In this regard, their role shall be solely advisory. All decisions related to response operations as well as their consequences shall be the entire responsibility of the competent authority of the requesting State.

6.2 In their advice, the members of the Mediterranean Assistance Unit shall endeavour to protect the interests of the requesting State, in particular the protection of the environment and resources, and they shall take into consideration the economic and financial implications.

6.3 During their missions, the members of the Mediterranean Assistance Unit have a duty of discretion. Unless otherwise specified, they shall not have direct contact with the general public or the media, this being the responsibility of the national authorities.

## **VII Duties of the selected experts and centres of expertise**

7.1 The experts and centres of expertise shall possess a complete and updated version of the Regional Information System. They shall be familiar with this system as well as with the regional arrangements for preparedness and response, specifically the provisions and procedures aimed at facilitating mutual assistance.

7.2 The experts and centres of expertise shall endeavour to inform REMPEC of the time they are able to allot so that the Centre can know in advance of their availability to serve as a member(s) of the Mediterranean Assistance Unit. If an expert is no longer available and is not in a position to respond to a request made as a result of the activation of the Mediterranean Assistance Unit, REMPEC should be informed immediately. In this case, REMPEC shall make arrangements to replace the expert.

---

The MAU is currently composed of:

- The Centre of Documentation, Research and Experimentation on Accidental Water Pollution, based in Brest, France (Cedre);
- The *Federazione Nazionale dell'Industria Chimica*, based in Milan, Italy (Federchimica);
- The Italian National Institute for Environmental Protection and Research, based in Rome, Italy (ISPRA);
- The Mediterranean Operational Network for the Global Ocean Observing System (MONGOOS);
- The Sea Alarm Foundation, based in Brussels, Belgium (SAF);

The **background information** (legal, institutional, relationships, etc.) for each above mentioned institutions which composed currently the MAU is developed in respective Fiches describing their name, status, obligations/responsibilities (WHO); their role/services, resources (WHAT); and their procedures, conditions and contacts (HOW).

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

### Centre of Documentation, Research and Experimentation on Accidental Water Pollution (Cedre)



WHO

#### **Brief presentation:**

Cedre was created on 25th January 1979, as part of the measures taken in the aftermath of the Amoco Cadiz oil spill. It is charged with providing advice and expertise to the authorities responsible for spill response. It is competent both for marine waters and inland surface waters. Cedre is constantly gaining expertise and developing tools to fulfil its various duties. Cedre's advice and expertise can also be provided to foreign authorities or private companies. Cedre is available around the clock to offer authorities and industry technical and scientific assistance either remotely, within incident command centres or in the field. Around 50 people work at Cedre, mainly with scientific backgrounds in a variety of fields (chemistry, biology, oceanography, navigation, oil, oil production, etc.)

**Status type:**     Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

Cedre is a State-approved association with a public service mission.

The association is governed by a General Assembly of members and a Board of Governors. The members of the association belong to French Government administrations, local authorities (various levels), public research establishments and private organisations (trade unions, companies).

Cedre is managed by a tripartite Board of Governors made up of three groups of representatives, the first two of which (State representatives and representatives of public or professional organisations) constitute ex-officio members of the Board.

Cedre's scientific and technical orientations are determined by a Strategic Committee. This body comprises members of the Board of Governors and of other structures involved in spill response or related issues.

#### **Obligations/responsibilities:**

Cedre is accredited in accordance with article L. 211-5-1 of the French Code of the Environment by the Ministry of Ecology, Sustainable Development and Energy and is responsible for conducting missions of general interest providing expertise and support for the authorities at sea, in sea ports, on the shoreline, in lakes and in watercourses.

This accreditation gave rise to an order issued on 16th August 2012.

It provides in particular for Cedre's participation in:

- spill risk analysis, technical support for crisis management, response techniques and a permanent 24-hour emergency duty service to provide operational advice to the authorities concerned in the event of an incident
- the spontaneous transfer of all available relevant data to the Environment Ministry, the maritime authorities, as well as the regional health agencies concerned, in the event of a spill
- the provision of written, photographic and electronic information on all aspects of response to accidental water pollution
- advice on pollutants, their evolution, their fate, the risks they represent, applicable response methods and techniques, suitable equipment and products, operational data management
- the realisation of varied studies and experiments on pollutant behaviour and the assessment of response products and techniques
- the organisation of training courses by a team of professional trainers on the management of and response to oil or chemical spills at sea, in sea ports, on the shoreline, in lakes and in watercourses.

Cedre is accredited through the application of law 2004-811 of 13th August 2004 on the modernisation of civil protection and its decree of application 2006-237 of 27th February 2006.

An interdepartmental accreditation order from Ministry of Interior issued on 9th July 2015 officially recognises Cedre's capacity to work alongside the government services in the management of accidental water pollution in French waters.

It provides for Cedre's integration into the emergency system set up in the event of accidental pollution incidents upon request from the emergency operations manager and under the authority of the operations officer.

Cedre contributes to the Mediterranean Assistance Unit (MAU), by providing technical advice, from its offices in Brest or directly on the field. In case of a marine pollution emergency, Cedre is activated by REMPEC following a request for assistance by a Contracting Party to the Emergency Protocol and/or to the Prevention and Emergency Protocol to the Barcelona Convention.

## WHAT

### **Role and/or Services:**

In the event of an incident, Cedre provides information on the pollutant and on appropriate response techniques. In an emergency, the centre can conduct laboratory testing and study the pollutant's behaviour and weathering, the efficiency of response techniques and the impact of the pollution on the environment, using its experimental tools.

Cedre provides advice on the most appropriate response strategies, techniques and equipment. Its experts can be dispatched on-site to assist the operational command in conducting surveys, contribute to incident management meetings, recommend actions to be taken and define the resources required, provide advice on clean-up site set-up and train responders.

Cedre does not supersede response managers, but rather assists them by providing decision support

### **Resources (if applicable):**

Within a confined 3-hectare site, Cedre's facilities include a 6,000 m<sup>2</sup> man-made beach and a 1,800 m<sup>2</sup>, 2.5-metre deep water basin where pollutants can be released in order to carry out training and trials without putting the environment at risk.

Its trial hall houses a flume tank, known as the polludrome, and a 5-metre high experimentation column, which are used to study the fate of substances in water. A burn test bench and a chemistry test bench are also available.

Its facilities include a greenhouse for experimentation on living organisms, which contains stock and exposure tanks. Cedre has also installed a test bench to assess acute ecotoxicity as well as equipment used to perform OSPAR tests.

The laboratory is fitted with advanced analytical equipment (GC/MS, GC/MS/MS, multifunction autosamplers, GC/FID, HPLC, automated sample preparation systems, etc.). Specialised test systems are available to study the behaviour of oil products and assess the performance and impact of response products (IFP, WSL and MNS dispersant tests, sorbent tests, etc.)■

## HOW

### **Procedure:**

In the framework of the MAU, Cedre can be mobilized through REMPEC's emergency procedure:

The first communication by the Contracting Parties should be made through the OFFICER-ON-DUTY at REMPEC by:

- a phone call on the Emergency line, operational 24/7;
- sending an e-mail at the Emergency email.

Cedre can also be mobilized directly by Contracting Parties, via its emergency number.

### **Conditions:**

In the framework of the MAU, REMPEC shall cover the initial costs of the sending of REMPEC officers and /or the Mediterranean Assistance Unit: air ticket, daily subsistence allowance and possibly fees on a pre-arranged basis.

In case of direct mobilization by a Contracting Party, all costs related to Cedre's assistance will have to be covered by this Party.

### **Contact:**

In the framework of the MAU:

REMPEC's emergency line (24/7): + 356.79 505 011.

Emergency email: [emergency@rempec.org](mailto:emergency@rempec.org)

Outside the MAU:

Cedre's emergency line (24/7): +33.2.98.33.10.10

Emergency email (always phone first!): [intervention@cedre.fr](mailto:intervention@cedre.fr)

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

**Federazione Nazionale dell'Industria Chimica  
(Federchimica)**



WHO

### **Brief presentation:**

Federchimica is the Italian Federation of the chemical industry. At the present time 1400 companies, with a total of 90.000 employees, are part of Federchimica. They are grouped into 17 Associations, articulated into 42 product groups. Federchimica is a member of Confindustria (General Confederation of the Italian Industry) and CEFIC (European Chemical Industry Council). The "Servizio Emergenze Trasporti" (S.E.T.) is a voluntary Programme that involves Companies associated to Federchimica and other Companies and Associations with the common purpose to cooperate with Public Authorities in order to give assistance in case of accidents during the transport of chemicals.

**Status type:**     Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

Federchimica it's the Federation of Italian chemical industry. Founded as the Italian Federation of Chemical Industry Associations in 1920, it became Aschimici in 1945 and was transformed into Federchimica in 1984. Federchimica does not have a commercial nature and does not operate for profit.

### **Obligations/responsibilities:**

Federchimica, whose primary objectives are the coordination and the protection of the role of the Italian chemical industry as well as the promotion of its development capacity, has, among others, the following main duties:

- to elaborate guidelines in economic, industrial and trade union matters and also in the areas of environment, innovation and energy policies;
- to promote these policies with Public Authorities, national economic organisations, other entrepreneurial organisations, international organisations to whom the Federation belongs, trade union leaders, environmental and consumer organisations;
- to carry out studies and projects which inspire and legitimise entrepreneurial choice;
- to contribute to the constant promotion of the level of quality of the companies associated, with a particular attention to the organisation of initiatives in the field of innovation;
- prepare, divulge and improve the Accident Prevention Systems and eventually to support the Action Plan of the Public Authorities through "S.E.T." (a service focused on transport emergencies) with efficient and ready interventions.

"S.E.T." activities are ruled by an Agreement Protocol signed on January 9th 1998 with the Civil Protection Department of the Council of Ministers' Premiership, and with the General Management, Civil Protection, Fire-brigades Services Departments of the Ministry of the Interiors.

A new "Memorandum Of Understanding concerning the participation of Federchimica in the Mediterranean Assistance Unit" has been signed between Federchimica and REMPEC.

**WHAT**

**Role and/or Services:**

Federchimica, operating through the "S.E.T.", supports the activities of REMPEC concerning the emergencies regarding chemical products in Mediterranean Sea by providing:

- (a) the required expertise and advice when remote technical assistance is requested or/and
- (b) expert personnel belonging to member companies of Federchimica which takes part in the Mediterranean Assistant Unit (MAU) missions.

Federchimica shall also ensure that its expert personnel participating in the MAU missions are fully supported by the necessary means available at the main office of Federchimica to execute their advisory role

**HOW**

**Procedure:**

After receiving a request for assistance from a Contracting Party, the Head of Office of REMPEC shall take a decision regarding the activation of the MAU and alert Federchimica, through S.E.T..

The Emergency Transport Service S.E.T. shall acknowledge the receipt of the alert message and, after consulting with the Company, member of Federchimica, shall indicate whether and when the required services can be provided.

For deployment onsite the Emergency Transport Service "S.E.T". shall endeavour to immediately establish the direct telephone contact with REMPEC (through the emergency line) and arrangements for sending experts will be proposed.

For remote assistance, the communication procedure will follow the standard ICE communication procedure

**Conditions:**

N/A

**Contact:**

<p><b>Address</b> Federchimica 20149 Milano Via Giovanni da Procida 11 Italy</p> <p><b>Website</b> <a href="http://www.federchimica.it">www.federchimica.it</a></p>	<p><b>Telephone</b> +39 (0)2-345651</p> <p><b>Fax</b> +39 (0)2 34565.310</p> <p><b>Email</b> <a href="mailto:federchimica@federchimica.it">federchimica@federchimica.it</a></p>
<p><b>In case of emergency only (24H) – Restricted to official use only</b></p>	
<p><b>Servizio Emergenze Trasporti</b> <b>Emergency Email</b> <a href="mailto:set@set-emergenze.it">set@set-emergenze.it</a></p>	<p><b>Servizio Emergenze Trasporti</b> <b>Emergency line</b> (National Only): 800 180 990 (International) +39 (0)362 51 28 68</p>

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.

**Italian National Institute for Environmental Protection  
and Research (ISPRA)**



WHO

### **Brief presentation:**

The Italian national institute for environmental protection and research (*Istituto Superiore per la Protezione e la Ricerca Ambientale*), ISPRA, is the public research body supervised by the Italian Ministry of the environment (*Ministero dell'ambiente e della tutela del territorio e del mare*).

Since January 2017, ISPRA is organised with the "Centro nazionale per le crisi, le emergenze ambientali e il danno" (National centre for the crisis and the environmental emergencies and the environmental damage). Within this new organisation operates the former *Servizio Emergenze Ambientali in Mare (SEAM)*, now "Area per le emergenze ambientali in mare" (environmental emergencies at sea area). This unit is devoted, mainly for the Italian Ministry of the environment, to prevention and response activities related to accidental marine pollution providing technical and scientific expertise.

**Status type:**  Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

ISPRA has been established in 2008 (Decree 25 June 2008 no. 112 converted into Law no. 133 with amendments on 21 August 2008) and performs, with the inherent financial resources, equipment and personnel, the duties of the following institutions merged into ISPRA:

- ex-APAT, Italian Environment Protection and Technical Services Agency (article 38 of Legislative Decree no. 300, July 30, 1999, and subsequently amended);
- ex-INFS, National Institute for Wildlife (Law no. 157 of February 11, 1992, and subsequently amended);
- ex-ICRAM, Central Institute for Scientific and Technological Research applied to the Sea (Decree no. 496, article 1-bis, December 4, 1993, converted into Law no. 61, Article 1, January 21, 1994, with amendments).

### **Obligations/responsibilities:**

In force of a specific agreement and of legislative and administrative obligations, ISPRA provides the Italian Ministry of the environment with technical and scientific support in case of environmental emergencies at sea and in related matters, e.g. prevention and environmental protection in offshore industrial operations. Furthermore, ISPRA is now part of the national system for the environment protection (*Sistema a rete per la protezione ambientale*) with the duty of organising and operate similar environmental capacities of response to accidental pollution distributed in all coastal Italian administrative regions within the regional agencies for the protection of the environment (ARPA).

With respect to the Barcelona Convention Prevention and Emergency Protocol, the Italian Ministry of the environment may request the expertise of ISPRA's dedicated team when remote technical assistance is requested or/and to lead or take part in missions, in particular for providing expert advice on environmental aspects of envisaged response operations.

WHAT

**Role and/or Services:**

ISPRA's *Area per le emergenze ambientali in mare* is in charge of:

- providing 24/7 specialised personnel to be mobilized within the dedicated task force of the Italian Ministry of the environment in case of environmental emergency at sea to provide technical-scientific advices to the institutional "decision makers" on operational and technical aspects of pollution response with the aim of minimizing the environmental consequences of an accidental pollution and providing, in case, evidences of the environmental damage;
- elaborating, mostly on the basis of scientific researches, education material, technical advices, guidelines and publications concerning prevention, containment and mitigation of accidental marine pollution, maritime transport of dangerous goods, potentially polluting shipwrecks, submerged sources of pollutants, environmental damage and environmental restoration;
- providing requested information and advices on operational and technical aspects of pollution response within the Mediterranean Assistance Unit of REMPEC;
- providing technical support on pertinent issues to the Italian Ministry of the environment in the working groups and the Italian delegations attending multilateral meetings.

**Resources (if applicable):**

Coastal oceanographic vessel, Remotely Operated Vehicles, multiparameter probes, sampling and storage devices, SCUBA diving capacities.

HOW

**Procedure:**

**a) Memorandum of Understanding Ispra/Rempec MAU:**

ISPRA, when activated by MAU, will receive the alert message from the Head of Office of REMPEC sent to the mobile telephone number + 39 329 2986226 followed by a written message to the following e-mail address

[emergenzemare@isprambiente.it](mailto:emergenzemare@isprambiente.it)

The Head of Office of REMPEC will include as many data as available on the accident and on the assistance required;

ISPRA shall acknowledge the receipt of the alert message, through the emergency email address: [emergency@rempec.org](mailto:emergency@rempec.org) and REMPEC's fax number: + 356 21 33 99 51, as soon as received and not later than:

- one (1) hour after receipt, during the normal working hours;
- six (6) hours after receipt, when the alert message was sent outside the normal working hours, including non-working days and on public holidays.

When acknowledging receipt, ISPRA shall indicate whether and when the required services can be provided.

After acknowledging the receipt of the alert message ISPRA shall endeavor to immediately establish the direct telephone contact with REMPEC for remote assistance and for deployment onsite with a view to finalizing arrangements for the sending of experts to the Party requesting assistance. ISPRA and REMPEC shall confirm the arrangement by signing a Working order.

**b) 24/7 Environmental emergency at sea task force to the Italian Ministry of the Environment:**

ISPRA provides technical and scientific assistance, including the urgent dispatching of technical personnel on site, when activated by the Italian Ministry of the environment (Division III of DPNM). The dedicated unit (*Area per le emergenze ambientali in mare*) has technical capacities and responsibilities concerning also the provision of advice to the Ministry of environment about the possible use of dispersants to fight an oil spill.

The emergency team on duty receives the alert message/phone call on the mobile telephone number +39- 329 2986226 or at ISPRA's security switchboard H24 +39 06 50072883 or +39 06 5018197 or through the emergency email address [emergenzemare@isprambiente.it](mailto:emergenzemare@isprambiente.it).

**Conditions:**

a) MoU ISPRA- REMPEC

b) Specific convention between ISPRA and the Ministry of the environment covering all incurring expenses.

**Contact:**

<b>Address:</b> Centro nazionale per le crisi, le emergenze ambientali e il danno ISPRA Via Vitaliano Brancati, 60 00144 Roma Website: <a href="http://www.isprambiente.gov.it/">http://www.isprambiente.gov.it/</a>	<b>Telephone:</b> +39 0650071 ISPRA security switchboard H24: +39 06 50072883 or +39 06 5018197 <b>Email:</b> <a href="mailto:emergenzemare@isprambiente.it">emergenzemare@isprambiente.it</a>
---	--



## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

### Mediterranean Oceanography Network for Global Ocean Observing System (MONGOOS)



**WHO**

**Brief presentation:**

MONGOOS was established by the Memorandum of Understanding in 2012 as a merging of Mediterranean Operational Oceanography Network ("MOON") and MEDGOOS to consolidate the activities related to the production and use of operational oceanography services in furtherance of four principal objectives:

- (a) Improved Fitness for Purpose. Continuously advance the scientific understanding and technological development upon which the Services are based.
- (b) Greater Awareness. Promote the visibility and recognition of the Services with governmental agencies and private companies, encourage their integration at national, regional, European and global levels.
- (c) Increased mainstreaming. Enhance the usability of the Services and their usefulness for policy implementation, societal needs and science.
- (d) Improved Capacity. Support the planning and implementation of international initiatives involving operational oceanography and promote the participation of non-EU Mediterranean countries in producing the Services.

MOON partners and REMPEC signed in 2008 an Emergency Response Collaboration Agreement for the Mediterranean Region with a view to ensuring maximum coordination of the work and activities of REMPEC and MOON in respect of matters of common interest. The agreement was renewed as a collaboration of MONGOOS partners and REMPEC in 2015.

Within the MONGOOS&REMPEC agreement the MONGOOS Emergency Response Office is established to support REMPEC in case of emergencies at sea.

**Status type:**       Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

MONGOOS counts 36 partners from the Mediterranean Countries. Three MONGOOS partners (CMCC, ICTS SOCIB and IASA/AM&WFG) are part of the MONGOOS&REMPEC agreement and all relevant MONGOOS partners contribute by providing information and products.

**Obligations/responsibilities:**

MONGOOS partners and REMPEC have agreed to collaborate for the following activities:

- (a) utilise the MONGOOS Members' expertise in the activities which are regularly carried out by REMPEC (e.g. training, organization of workshops, conferences and assistance in contingency planning);
- (b) collaborate in assisting the Mediterranean coastal states, upon request, in emergency situations. In particular, relevant MONGOOS Members will provide the Centre with meteo-oceanographic forecasting data and oil spill drifting predictions for the affected area, for prompt dissemination by REMPEC as appropriate. The MONGOOS Members will further endeavour to identify and establish contact with other relevant oceanographic institutes which could assist REMPEC during the emergency phase;
- (c) collaborate in the development of projects for the prevention of operational pollution from ships in the Mediterranean region. The relevant MONGOOS Members will make available meteo-oceanographic data and oil spill applications (forecasting/hindcasting modelling) to enhance the possibility of identifying the polluting ship;
- (d) collaborate in the development of the MONGOOS Network with a view to enhancing high resolution meteo-oceanographic forecasting data in areas of the Mediterranean where at present there is a lack of data; and
- (e) cooperate in the development of oil risk maps for the Mediterranean region. REMPEC will contribute to fine tuning the development of these maps through its knowledge regarding marine pollution from ships and, where possible, by providing data on the main shipping lanes in the region.

**WHAT**

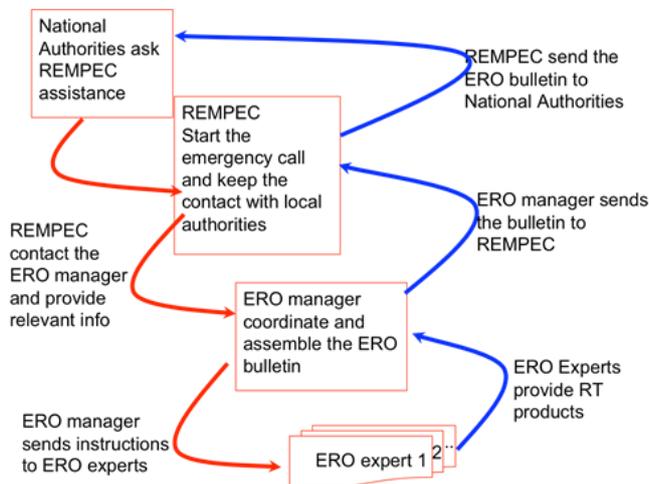
**Role and/or Services:**

A virtual MONGOOS Emergency Response Office (ERO) is established to serve as the coordinating body for MONGOOS Members to receive, evaluate and disseminate information. The ERO consists of an expert board to which each Party has nominated one expert, and is headed by an ERO Manager nominated by the board (currently Dr. Giovanni Coppini).

**Resources (if applicable):** N/A

**Procedure:**

The following procedures describes the steps for the request of support to the ERO of MONGOOS:



- **Phase1:** REMPEC will contact by phone the ERO Manager using the given telephone number and informs him/her that an emergency is ongoing. ERO-Manager can also be contacted using email [ero-manager@cmcc.it](mailto:ero-manager@cmcc.it)

- **Phase2:** REMPEC provides by email the relevant information (accident location, accident time...) on the emergency to the ERO Manager.

- **Phase3:** ERO manager acknowledges the reception of the emergency call (via email, telephone call). In this phase ERO-Manager could ask for clarifications on the provided information. Just afterwards the ERO-Manager will activate the ERO Experts by email. In this email the ERO-Manager will also propose which ERO partners should participate to the emergency call on the basis accident location and the characteristics of their systems and products:

1. Forecasting model domains
2. Availability of ancillary data (wind, waves, SST)
3. Availability of satellite oil spill observations

Invited ERO partners will have to acknowledge the participation to the emergency support activities.

- **Phase4:** ERO manager will decide, eventually consulting ERO partners, the technical details needed to run the models and to produce the outputs:

1. Graphical details (palette scale, domain of the figures to be produced...) on the basis of the time of the accident and location;
2. Information needed to run the models that may be not available in the first (Duration of the spill, type of oil ...);
3. Output frequency of oil spill forecast, duration of the forecast;

ERO Manager will send these information (technical sheet) to the ERO partners. The technical sheet contains the preliminary info sheet.

Note: the Technical sheet can be re-issued at any time when new information became available.

- **Phase5:** ERO activated partners will start at this point the simulations and will start to process their data (satellite...). Once available results of the simulation and satellite products will be available will be sent to the ERO Manager.

- **Phase6:** ERO will first issue an ERO Bulletin in few hours with meteo-oceanographic information in the sub-region of interest and with the oil spill forecasts.

- **Phase7:** ERO will continue to follow the emergency case until REMPEC request support, issuing updated bulletins on daily basis.

- **Phase8:** ERO, after each REMPEC call, will prepare a short note on possible improvements of procedures and protocols and lesson learnt. The objective is to improve the procedures step by step. REMPEC and users may be asked to fill an evaluation report including the feedback from the users and estimate of the advantage (timing, kind of information...) of the service.

**Conditions:**

The services provided under the REMPEC-MONGOOS Collaboration Agreement will be free of charge.

**Contact:**

ERO manager: Giovanni Coppini  
email: [giovanni.coppini@cmcc.it](mailto:giovanni.coppini@cmcc.it)  
mobile+39-392-3857919

## Mediterranean Guide on Cooperation and Mutual Assistance in Responding to Marine Pollution

*Brief information regarding the following institution concerning its responsibilities, involvement, and role in responding to marine pollution incident; in particular regarding the assistance which may be provided upon request.*

### Sea Alarm Foundation (SAF)



#### WHO

##### **Brief presentation:**

Sea Alarm Foundation's vision is to establish coastal oiled wildlife response plans and professional response capabilities worldwide. Sea Alarm seeks to achieve its vision by facilitating and motivating strategic alliances among non-governmental organisations (NGOs), governmental organisations and the oil and maritime industries to: be prepared for an oiled wildlife emergency as part of any oil spill response contingency planning; and respond professionally and effectively to oiled wildlife incidents according to best international standards.

**Status type:**     Inter-Governmental |  Governmental |  Non-Governmental |  International |  Regional |  National

Sea Alarm is a not for profit Non-Government Organisation (NGO) that operates from an office in Brussels, Belgium. Its international Board aims to represent the interests of Wildlife/Nature Conservation/Environmental organisations (NGOs) the Maritime and Oil Industries and Governments in having effective response and preparedness systems in place. Sea Alarm has been established by Royal Decree (6/CH/15.546/S) and is registered in Belgium as a Foundation for Public Interest (Stichting van Algemeen Nut) under number 0894-810-152.

##### **Obligations/responsibilities:**

Sea Alarm is a small non-governmental organisation with a 3-person team that works to improve global preparedness for and response to oiled wildlife incidents. Sea Alarm's personnel have a unique expertise that includes 24/7 wildlife incident assessment and management services, wildlife planning and preparedness development, response network management and alignment, best practice dissemination, design and development of training and exercises. Sea Alarm experts do not handle animals, but as advisers help to create the environment and conditions that all parties, including mobilised hands-on experts, need to make a difference during an incident. Sea Alarm has a longstanding agreement with Oil Spill Response (OSRL) to provide 24/7 response services to OSRL members. Sea Alarm is also a member of the Mediterranean Assistance Unit.

#### WHAT

##### **Role and/or Services:**

Sea Alarm's activities focus on the following fields:

- Encouraging (response) cooperation between experts and expert organizations by forming networks, organizing events, moderating meetings, and initiating and managing projects.
- Developing best practices and guidelines via meetings and research projects
- Promoting and dissemination of best practices and guidelines and their implementation via various media and representation
- Encouraging and assisting the development and implementation of specialized response plans
- Developing and providing training for responders, response teams and managers
- Assisting with the management of wildlife incidents by providing advice, coordination or information services to interested stakeholders.

**Response services:** Sea Alarm is available 24/7 for response services. These include but are not limited to:

- Providing distant advice on strategy and management
- Identify, mobilise and coordinate expert oiled wildlife response resources and equipment
- Carry out an on-site assessment to identify gaps and needs in on-going response activities
- Providing on-site advice on strategy and management; coaching of officers; set up ops room.
- Establishing contacts with industry resources
- Assist with (ensuring the success of) wildlife claims
- These services are available for industry, governments and NGOs. If called out, Sea Alarm will liaise with coordinating bodies and key individuals who work on-site. Sea Alarm has limited resources to support its own mobilisation and that of other responders.
-

**Preparedness services:**

- Maintaining and expanding networks of responders (Europe and worldwide)
  - Developing and disseminating international standards for response and preparedness
  - Assisting governments and NGOs in developing national response and preparedness solutions
  - Developing and providing training and exercises
  - Participating in exercises and meetings
- Communication of news and developments

**Resources (if applicable):**

- Providing expert advice (together with identified expert partners) on the site of the accident as part of the Mediterranean Assistance Unit (MAU), to enhance the capability of the Contracting Parties in responding to oiled wildlife incidents.
- Sea Alarm will also provide remote assistance if required by REMPEC following a request from the Contracting Party and provide technical advice and any other relevant information.

**HOW**

**Procedure:**

**Request for assistance**

After receiving a request for assistance from a Contracting Party, the Director of REMPEC will take a decision regarding the activation of the MAU and alert Sea Alarm as necessary. The alert message to Sea Alarm should be transmitted by phone using one of the emergency line numbers below.

Together with the alert, REMPEC will provide as much data as available on the accident and on the assistance required. If required, data can also be transmitted by email (see emergency email below). In such a case, Sea Alarm will be informed by phone that data is being transmitted by email.

Sea Alarm will ensure that:

- either its duty officer will pick-up the call and acknowledge immediately the request, or
- any alert message left on its phone box will be acknowledged by the means indicated in the message not later than
  - o one (1) hour after receipt, during the normal working hours
  - o six (6) hours after receipt, when the alert message was sent outside the normal working hours, including on public holidays and other non-working days.

When acknowledging receipt Sea Alarm will indicate whether and when the required services can be provided and give an estimate of the duration of its onsite support depending on the relative priority and its financial resources. REMPEC will confirm Sea Alarm's acknowledgment by e-mail or by fax immediately after receipt and, if direct telephone contact has not yet been established with REMPEC, Sea Alarm will endeavour to immediately establish one with a view to finalizing arrangements for the sending of experts to the Contracting Party requesting assistance.

**Conditions:**

Sea Alarm will, subject to the necessary financial arrangements being in place, make its expert personnel available to take part in the MAU missions and provide other assistance under this Memorandum in all cases when so requested by REMPEC, except in case when all qualified personnel had already been assigned to other duties. The mobilization of Sea Alarm will be confirmed by execution of a work order setting out the necessary details of the mission, including the type and duration.

Sea Alarm's mobilisation shall be according to the details of the Mou between REMPEC and Sea Alarm (REMPEC/CONT/08/2011).

**Contact:**

<p><b>Address</b> SEA ALARM FOUNDATION Rue du Cyprès 7-B10 1000 Brussels BELGIUM</p> <p><b>Website</b> <a href="http://www.sea-alarm.org">www.sea-alarm.org</a></p>	<p><b>Telephone</b> +32(0)22788744</p> <p><b>Fax</b> +32(0)25027438</p> <p><b>Email</b> <a href="mailto:nijkamp@sea-alarm.org">nijkamp@sea-alarm.org</a> / <a href="mailto:saskia@sea-alarm.org">saskia@sea-alarm.org</a> / <a href="mailto:pkelway@sea-alarm.org">pkelway@sea-alarm.org</a></p>
<b>In case of emergency only (24H) - Restricted to official use only :</b>	
<p><b>Emergency email</b> As above</p>	<p><b>Emergency line</b> Priority 1: +32 (0)49 49 000 12 (Hugo Nijkamp mobile) Priority 2: +32 (0)49 96 247 72 (Saskia Sessions mobile) Priority 3: +32 (0)49 74 103 68 (Paul Kelway mobile) Priority 1: +32(0)22788744 (office)</p>

**ANNEX II**  
**EMERGENCY PROCEDURES**



**ANNEX II.1**  
**POLLUTION REPORTING SYSTEM**  
**(POLREP)**

1. The pollution reporting system is for use between Contracting Parties to the Emergency Protocol of the Barcelona Convention themselves and between the Contracting Parties and the Regional Centre, for exchanging information when pollution of the sea has occurred or when a threat of such is present.
2. The POLREP is divided into three parts:

.1	Part I or POLWARN (figures 1-5)	POLlution WARNing	gives first information or warning of the pollution or the threat
.2	Part II or POLINF (figures 40-60)	POLlution INFormation	gives detailed supplementary report as well as situation reports
.3	Part III or POLFAC (figures 80-99)	POLlution FACilities	is used for requesting assistance from other Contracting Parties and for defining operational matters related to the assistance
3. The division into three parts is only for identification purposes. For this reason consecutive figures are not used. This enables the recipient to recognize merely by looking at the figures whether he is dealing with part I (1-5), part II (40-60) or part III (80-99). This method of division shall in no way exclude the use of all figures in a full report or the separate use of single figures from each part or the use of single figures from different parts mixed in one report.
4. Part II is the logical consequence of part I. Having transmitted part I, the Party concerned can inform the other Parties of its assessment of the nature and extent of the incident by using the appropriate figures from part II.
5. Part III is for the request for assistance and related matters exclusively.

6. A summarized list of POLREP is given below.

INTRODUCTORY PART	Address from .... to ....	
	Date Time Group	
	Identification	
	Serial number	
PART I (POLWARN)	1	Date and time
	2	Position
	3	Incident
	4	Outflow
	5	Acknowledge
PART II (POLINF)	40	Date and time
	41	Position
	42	Characteristics of pollution
	43	Source and cause of pollution
	44	Wind direction and speed
	45	Current or tide
	46	Sea state and visibility
	47	Drift of pollution
	48	Forecast
	49	Identity of observer and ships on scene
	50	Action taken
	51	Photographs or samples
	52	Names of other States informed
	53-59	Spare
60	Acknowledge	
PART III (POLFAC)	80	Date and time
	81	Request for assistance
	82	Cost
	83	Pre-arrangements for the delivery
	84	Assistance to where and how
	85	Other States requested
	86	Change of command
	87	Exchange of information
	88-98	Spare
	99	Acknowledge

**EXPLANATION OF A POLREP MESSAGE**

**INTRODUCTORY PART**

Contents	Remarks
ADDRESS	Each report should start with an indication of the country whose competent national authority is sending it and of addressee e.g.:
	FROM :        ITA                   (indicates the country which sends the report) TO:             GRC                   (indicates the country to which it is sent) <u>or</u> REMPEC               (indicates that the message is sent to the Regional Centre).
DTG (Day Time Group)	The day of the month followed by the time (hour and minute) of drafting the message. Always a 6-figure group which may be followed by month indication. Time should be stated either as GMT, e.g. 092015Z June (i.e. the 9th of the relevant month at 20.15 GMT) or as local time e.g. 092115LT June.
IDENTIFICATION	"POL..." indicates that the report might deal with all aspects of pollution (such as oil as well as other harmful substances).
	".....REP" indicates that this is a report on a pollution incident. It can contain up to 3 main parts:
	<ul style="list-style-type: none"> <li>• Part I (POLWARN) - is an <u>initial notice</u> (a first information or a warning) of a casualty or the presence of oil slicks or <i>harmful substances</i>. This part of the report is numbered from 1 to 5.</li> </ul>
	<ul style="list-style-type: none"> <li>• Part II (POLINF) - is a <u>detailed supplementary</u> report to Part I. This part of the report is numbered from 40 to 60.</li> </ul>
	<ul style="list-style-type: none"> <li>• Part III (POLFAC) - is for a <u>requests for assistance</u> from other Contracting Parties, as well as for defining operational matters related to the assistance. This part of the report is numbered from 80 to 99 (see <b>Annex 6</b>).</li> </ul>
	BARCELONA CONVENTION indicates that the message is sent within the framework of the Emergency Protocol of the Barcelona Convention.
	Parts I, II and III can be transmitted all together in one report or separately. Furthermore, single figures from each part can be transmitted separately or combined with figures from the two other parts.
	Figures without additional text shall not appear in the POLREP.
When Part I is used as warning of a serious threat, the telex should be headed with the traffic priority word "URGENT".	
All POLREPs containing ACKNOWLEDGE figures (5, 60 or 99) should be acknowledged as soon as possible by the competent national authority of the country receiving the message.	

	POLREPs should always be terminated by a telex from the reporting State, which indicates that no more operational communication on that particular incident should be expected.																																													
<b>Contents</b>	<b>Remarks</b>																																													
SERIAL NUMBER	It must be possible to identify each POLREP and the person who receives it must be able to check whether all reports of that particular incident have been received. This is done by using nation-identifiers which are as followed for contracting Parties to the Emergency Protocol to the Barcelona Convention:																																													
	<table border="0"> <tr><td>Albania</td><td>ALB</td><td>Lebanon</td><td>LBN</td></tr> <tr><td>Algeria</td><td>DZA</td><td>Libya</td><td>LBY</td></tr> <tr><td>Bosnia &amp;-Herzegovina</td><td>BIH</td><td>Malta</td><td>MLT</td></tr> <tr><td>Croatia</td><td>CRT</td><td>Monaco</td><td>MON</td></tr> <tr><td>Cyprus</td><td>CYP</td><td>Morocco</td><td>MAR</td></tr> <tr><td>Egypt</td><td>EGY</td><td>Slovenia</td><td>SLO</td></tr> <tr><td>EU</td><td>EU</td><td>Spain</td><td>ESP</td></tr> <tr><td>France</td><td>FRA</td><td>Syria</td><td>SYR</td></tr> <tr><td>Greece</td><td>GRC</td><td>Tunisia</td><td>TUN</td></tr> <tr><td>Israel</td><td>ISR</td><td>Turkey</td><td>TUR</td></tr> <tr><td>Italy</td><td>ITA</td><td></td><td></td></tr> </table>	Albania	ALB	Lebanon	LBN	Algeria	DZA	Libya	LBY	Bosnia &-Herzegovina	BIH	Malta	MLT	Croatia	CRT	Monaco	MON	Cyprus	CYP	Morocco	MAR	Egypt	EGY	Slovenia	SLO	EU	EU	Spain	ESP	France	FRA	Syria	SYR	Greece	GRC	Tunisia	TUN	Israel	ISR	Turkey	TUR	Italy	ITA			
	Albania	ALB	Lebanon	LBN																																										
	Algeria	DZA	Libya	LBY																																										
Bosnia &-Herzegovina	BIH	Malta	MLT																																											
Croatia	CRT	Monaco	MON																																											
Cyprus	CYP	Morocco	MAR																																											
Egypt	EGY	Slovenia	SLO																																											
EU	EU	Spain	ESP																																											
France	FRA	Syria	SYR																																											
Greece	GRC	Tunisia	TUN																																											
Israel	ISR	Turkey	TUR																																											
Italy	ITA																																													
Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea	REMPEC																																													
<p>The nation-identifier should be followed by a stroke and the name of the ship or other installation involved in the accident and another stroke followed by the number of the actual report concerning this particular accident.</p> <p>ITA/POLLUX/1 indicates that this is the first report from Israel concerning the accident of MT "POLLUX".</p> <p>ITA/POLLUX/2, in accordance with the described system, indicates the second report on the same incident.</p> <p>The last and final POLREP will show as follows: ISR/POLLUX/5 FINAL, which means that this is the fifth and final report from Israel concerning the incident of MT "POLLUX".</p> <p>When answering a POLREP the serial number used by the transmitting State is to be used as reference in the answer. However, it is not necessary for countries to adhere to the POLREP system in responding to POLREP's.</p>																																														

**Part I (POLWARN)**

Contents	Remarks
1 DATE AND TIME	The day of the month as well as the time of the day when <u>the incident</u> took place or, if the cause of the pollution is not known, the time of the observation should be stated with 6 figures. Time should be stated as GMT for example, 091900z (i.e. the 9th of the relevant month at 1900 GMT) or as local time for example, 091900lt (i.e. 9th of the relevant month at 1900 local time)
2 POSITION	Indicates the main position of the incident in latitude and longitude in degrees and minutes and may, in addition, give the bearing of and the distance from a location known by the receiver.
3 INCIDENT	The nature of the incident should be stated here, such as BLOWOUT, TANKER GROUNDING, TANKER COLLISION, OIL SLICK, etc.
4 OUTFLOW	The nature of the pollution, such as CRUDE OIL, CHLORINE, DINITROL, PHENOL, etc. as well as the total quantity in tonnes of the outflow and/or the flow rate, as well as the risk of the further outflow. If there is no pollution but a pollution threat, the words NOT YET followed by the substance, for example, NOT YET FUEL OIL, should be stated.
5 ACKNOWLEDGE	When this figure is used the telex should be acknowledged as soon as possible by the competent national authority.

**Part II (POLINF)**

Contents	Remarks
40 DATE AND TIME	No. 40 relates to the situation described in figures 41 to 60 if it varies from figure 1.
41 POSITION AND/OR EXTENT OF POLLUTION ON/ABOVE/IN THE SEA	Indicates the main position of the pollution in latitude and longitude in degrees and minutes and may in addition give the distance and bearing of some prominent landmark known to the receiver if other than indicated in figure 2. Estimate amount of pollution (e.g. size of polluted areas, number of tonnes of oil spilled if other than indicated in figure 4, or number of containers, drums etc. lost). Indicates length and width of slick given in nautical miles if not indicated in Fig. 2.
42 CHARACTERISTICS OF POLLUTION	Gives type of pollution, e.g. type of oil with viscosity and pour point. <i>(packaged or bulk chemicals, sewage. For chemicals give proper name or United Nations number if known. For all, give also appearance, e.g. liquid, floating solid, liquid oil, semi-liquid sludge, tarry lumps, weathered oil, discolouration of sea, visible vapour. Any markings on drums, containers, etc. should be given.)</i>
43 SOURCES AND CAUSE OF POLLUTION	For example, from vessel or other undertaking. If from vessel, say whether as a result of a deliberate discharge or casualty. If the latter, give brief description. Where possible, give : Type of ship / vessel, Name, Previous names , Flag, Year built, IMO No, Hull type, GT, DWT, Total cargo capacity, Number of tanks, Owner, Manager, P&I Club, Cargo type, Cargo quantity, Voyage, Cargo Owner, Damage, Other information name, type, size, call sign, nationality and port of registration of polluting vessel. If vessel is proceeding on its way, give course, speed and destination.
44 WIND DIRECTION AND SPEED	Indicates wind direction and speed in degrees and m/s. The direction always indicates from where the wind is blowing.
45 CURRENT DIRECTION AND SPEED AND/OR TIDE	Indicates currents direction and speed in degrees and m/s. The direction always indicates the direction in which the current is flowing.
46 SEA STATE AND VISIBILITY	Sea state indicated as wave height in metres. Visibility in nautical miles.
47 DRIFT OF POLLUTION	Indicates drift course and speed of pollution in degrees and knots and tenths of knots. <i>(In case of air pollution (gas cloud) drift speed is indicated in m/s.)</i>
48 FORECAST OF LIKELY EFFECT OF POLLUTION AND ZONES AFFECTED	For example, arrival on beach with estimated timing. Results of mathematical models.

**Part II (POLINF)**  
(Continued)

<b>Contents</b>	<b>Remarks</b>
49 IDENTITY OF OBSERVER /REPORTER IDENTITY OF SHIPS ON SCENE	Indicates who has reported the incident. If a ship, name, home port, flag and call sign must be given. Ships on scene can also be indicated under this item by name, home port, flag and call sign, especially if the polluter cannot be identified and the spill is considered to be of recent origin.
50 MEASURES TAKEN	Any action taken in response to the pollution.
51 PHOTOGRAPHS OR SAMPLES	Indicates if photographs or samples from the pollution have been taken. Telex number of the sampling authority should be given.
52 NAMES OF OTHER STATES AND ORGANIZATIONS INFORMED	
53 - 59	SPARE FOR ANY OTHER RELEVANT INFORMATION (e.g. results of sample or photographic analysis, results of inspection of surveyors, statements of ship's personnel, etc.)
60 ACCUSÉ DE RÉCEPTION	When this figure is used the telex should be acknowledged as soon as possible by the competent national authority.

**Part III (POLFAC)**

<b>Contents</b>	<b>Remarks</b>
80 DATE AND TIME	No. 80 is related to the situation described below, if it varies from figures 1 and/or 40.
81 REQUEST FOR ASSISTANCE	Type and amount of assistance required in form of: - specified equipment - specified equipment with trained personnel - complete strike teams - personnel with special expertise with indication of country requested.
82 COST	Requirements for cost information to requesting country of delivered assistance.
83 PRE-ARRANGEMENTS FOR DELIVERY OF ASSISTANCE	Information concerning customs clearance, access to territorial waters, etc. in the requesting country.
84 TO WHERE ASSISTANCE SHOULD BE RENDERED AND HOW	Information concerning the delivery of the assistance, e.g. rendezvous at sea with information on frequencies to be used, call sign and name of supreme on-scene commander of the requesting country, or land-based authorities with telephone, telex and fax numbers and contact persons.
85 NAMES OF OTHER STATES AND ORGANIZATIONS	Only to be filled in if not covered by figure 81, e.g. if further assistance is later needed by other States.
86 CHANGE OF COMMAND	When a substantial part of an oil pollution or serious threat of oil pollution moves or has moved into the zone of another Contracting Party, the country which has exercised the supreme command of the operation may request the other country to take over the supreme command.
87 EXCHANGE OF INFORMATION	When a mutual agreement has been reached between two parties on a change of supreme command, the country transferring the supreme command should give a report on all relevant information pertaining to the operation to the country taking over the command.
88 - 98	SPARE FOR ANY OTHER RELEVANT REQUIREMENTS OR INSTRUCTIONS
99 ACKNOWLEDGE	When this figure is used the telex should be acknowledged as soon as possible by the competent national authority.

**POLREP**  
**Example No.1**  
**Full report (Parts I, II & III)**

Address	From: ITA To: FRA et REMPEC
Date Time Group	181100z June
Identification	POLREP BARCELONA CONVENTION
Serial number	ITA/POLLUX/2 (ITA/POLLUX/1 for REMPEC)

1 Date and time	1 181000z
2 Position	2 43°31'N - 09°54'E
3 Incident	3 Tanker collision
4 Outflow	4 Crude oil, estimated 3,000 tonnes
41 Position and/or extent of pollution on/above/in the sea	41 The oil is forming a slick 0.5 nautical miles to the south-east. Width up to 0.3 nautical miles.
42 Characteristics of pollution	42 Venezuela crude. Viscosity 3,780 cSt at 37.8°C. Rather viscous.
43 Source and cause of pollution	43 Italian tanker POLLUX of Genoa, 22,000 GRT, call sign xxx, in collision with French bulk carrier CASTOR of Marseilles, 30,000 GRT, call sign yyy. Two tanks damaged in POLLUX. No damage in CASTOR.
44 Wind direction and speed	44 90 - 10 m/s.
45 Current direction and speed and/or tide	45 180 - 0,3 knots
46 Sea state and visibility	46 Wave height 2m. 10 nautical miles.
47 Drift of pollution	47 135 – 0.5 knots.
48 Forecast of likely effect of pollution and zones affected	48 Could reach Corsica, FRA, on the 21st of this month.
49 Identity of observer/reporter. Identity of ships on scene	49 CASTOR, figure 43 refers.
50 Action taken	50 3 antipollution Italian ships with high mechanical pick-up capacity en route to the area.
51 Photographs or samples	51 Oil samples have been taken. Telex 123456 XYZ ITA.
52 Names of other States and organizations informed	52 REMPEC
53 [Spare]	53 National Contingency Plan is activated.
81 Request for assistance	81 FRA is requested for 1 surveillance aircraft equipped for remote sensing.
82 Cost	82 FRA is requested for an approximate cost rate per day of assistance rendered.
83 Pre-arrangements for the delivery of assistance	83 FRA aircraft will be allowed to enter Italian airspace for surveillance of the spill and to land in Italian airports for logistics, informing the Commander in Chief on scene.
84 To where assistance should be rendered and how	84 Rendezvous 43°15'N - 09°50'E. Report on VHF channels 16 and 67. Commander in Chief on scene, Comm. Rossi in M/V SAN MARCO, call sign xxx.
99 Acknowledge	85 ACKNOWLEDGE

**POLREP**  
**Example No. 2**  
**Abbreviated report (single figures from Part III)**

Address	From: FRA To: ITA
Date Time Group	182230z June
Identification	POLREP BARCELONA CONVENTION
Serial number	Your ITA/POLLUX/2 refers
80 Date and Time	80 182020z
82 Cost	82 Total cost per day will be approximately...
84 To where assistance should be rendered and how	84 POLREP BARCELONA CONVENTION ITA/POLLUX/2 will be 190700z

**POLREP**  
**Example No. 3**  
**Exercise report**

Address	From: ITA To: CRT
Date Time Group	210940z June URGENT
	EXERCISE
Identification	POLREP BARCELONA CONVENTION
Serial number	ITA/xxx/1
1 Date and time	1 210830Z
2 Position	2 44°50'N - 13°02'E
3 Incident	3 Tanker collision
4 Outflow	4 Not yet crude oil
5 Acknowledge	4 Acknowledge

ANNEX II.2

EMPTY STANDARD POLREP FORM

**INTRODUCTORY PART**

ADDRESS	ORIGINE:
	DESTINATION:
DTG (Day Time Group)	
SERIAL NUMBER	

**PART I (POLWARN)**

1	DATE AND TIME	
2	POSITION	
3	INCIDENT	
4	OUTFLOW	
5	ACKNOWLEDGE	

**PART II (POLINF)**

40	DATE AND TIME	
41	POSITION AND/OR EXTENT OF POLLUTION ON/ABOVE/IN THE SEA	
42	CHARACTERISTICS OF POLLUTION	
43	SOURCES AND CAUSE OF POLLUTION	
44	WIND DIRECTION AND SPEED	
45	CURRENT DIRECTION AND SPEED AND/OR TIDE	
46	SEA STATE AND VISIBILITY	
47	DRIFT OF POLLUTION	
48	FORECAST OF LIKELY EFFECT OF POLLUTION AND ZONES AFFECTED	
49	IDENTITY OF OBSERVER/REPORTER IDENTITY OF SHIPS ON SCENE	
50	ACTION TAKEN	
51	PHOTOGRAPHS OR SAMPLES	
52	NAMES OF OTHER STATES AND ORGANIZATIONS INFORMED	
53-59	SPARE FOR ANY OTHER RELEVANT INFORMATION	
60	ACKNOWLEDGE	

**Part III (POLFAC)**

<b>Contents</b>	<b>Remarks</b>
80 DATE AND TIME	
81 REQUEST FOR ASSISTANCE	
82 COST	
83 PRE-ARRANGEMENTS FOR DELIVERY OF ASSISTANCE	
84 TO WHERE ASSISTANCE SHOULD BE RENDERED AND HOW	
85 NAMES OF OTHER STATES AND ORGANIZATIONS	
86 CHANGE OF COMMAND	
87 EXCHANGE OF INFORMATION	
88 - 98	
99 ACKNOWLEDGE	

**ANNEX II.3**

**STANDARD FORM FOR REQUEST OF MAU EXPERTS**

REFERENCE	
INCIDENT NAME	
LOCATION	
DATE/TIME / (UTC)	

To be addressed to the Head of Office of REMPEC

Email: [emergency@rempec.org](mailto:emergency@rempec.org)

Fax number: +356 21 33 99 51

(When sending a fax, a notification should first be sent by email or phone)

Emergency number: +356 79 505 011

**Formed filled in by:**

Name:	
Date:	

**Contacts of the authority requesting the assistance**

Authority name and full address:	
Name of the person in charge:	
Function:	
Office phone:	
Mobile phone available 24h/24:	
Email address:	

**Contacts**

Authority that the experts must contact upon arrival (if different from the authority requesting the assistance) (if different)

Authority name and full address:	
Name of the person in charge:	
Function:	
Office phone:	
Mobile phone available 24h/24:	
Email address:	

Authority/authorities to whom the experts must report during their mission (if different)

Authority name and full address:	
Name of the person in charge:	
Function:	
Office phone:	
Mobile phone available 24h/24:	
Email address:	

Authority responsible for the organization and the management of the response (if different):

Authority name and full address:	
Name of the person in charge:	
Function:	
Office phone:	
Mobile phone available 24h/24:	
Email address:	

**Type of expert assistance required:** (tick the appropriate boxes)

Remote assistance	
On-site assistance	

**Areas of expertise required (advisory role only)** (tick the appropriate boxes)

Response to pollution by oil	<b>Crisis management and organization of intervention:</b>	
	- analysis, assessment and forecasting of oil slick behaviour, fate and movement	
	- response planning and logistics	
	- response strategy/tactical choices and options	
	<b>Combating methods and techniques at sea:</b>	
	- containment/recovery	
	- use of dispersants and other treatment products	
	Shore clean-up techniques and methods	
	Oiled wildlife response	
Response to pollution by harmful substances	Treatment and disposal of wastes	
	Financial documentation and claims for compensation	
	Crisis management and organization of intervention	
	Analysis, assessment and forecasting of fate and behaviour of gas clouds, floaters, dispersants, sinkers	
	Recovery of packages at sea	
	Response to spilled chemicals depending on their behaviour:	
	- personnel protection	
	- aquatic toxicity and rehabilitation	
	- biogeochemical cycling	
	Decontamination	
Oiled wildlife response		
Treatment and disposal of wastes		

**IF ON SITE ASSISTANCE IS REQUIRED:**

**Measures taken by the Requesting State to facilitate the mission of the expert.**

Immigration and arrival procedures as well as customs formalities, in particular for data processing equipment and the associated documentation or computerized material
Accommodation (including location) and food, transport (food should be provided to the response team)
The provision of sufficient work space for the expert(s)
Access to communication means
Location where assistance should be provided
Location of closest airport

**Costs of assistance**

Initial costs covered by REMPEC include: air tickets, daily subsistence allowance and possible fees on a pre-arranged basis (REMPEC shall reserve the right, according to the applicable legal regimes, to seek reimbursement for the expenses thus incurred.)

---

Signature of the authorized requesting authority

Date

Name and function of the authorized requesting authority

**APPENDIX**

**FIELD STANDARD FORM FOR REQUEST OF MAU EXPERTS**  
(to be filled by the technical expert in the field command structure)

**Form filled in by**

Name: *(technical expert)*

Date:

**Type of expert assistance required:** *(tick the appropriate boxes)*

Remote assistance	
On-site assistance	

**Areas of expertise required (advisory role only)** *(tick the appropriate boxes)*

Response to pollution by oil	<b>Crisis management and organization of intervention:</b>	
	- analysis, assessment and forecasting of oil slick behaviour, fate and movement	
	- response planning and logistics	
	- response strategy/tactical choices and options	
	<b>Combating methods and techniques at sea:</b>	
	- containment/recovery	
	- use of dispersants and other treatment products	
	Shore clean-up techniques and methods	
	Oiled wildlife response	
Treatment and disposal of wastes		
Financial documentation and claims for compensation		
Response to pollution by harmful substances	Crisis management and organization of intervention	
	Analysis, assessment and forecasting of fate and behaviour of gas clouds, floaters, dissolvers, sinkers	
	Recovery of packages at sea	
	Response to spilled chemicals depending on their behaviour:	
	- personnel protection	
	- aquatic toxicity and rehabilitation	
	- biogeochemical cycling	
	Decontamination	
	Oiled wildlife response	
Treatment and disposal of wastes		

**Approved by on scene commander**

On scene commander signature

Date

Name of on scene commander

**ANNEX II.4**

**STANDARD FORM FOR REQUEST OF EQUIPMENT AND PRODUCTS**

REFERENCE	
INCIDENT NAME	
LOCATION	
DATE/TIME / (UTC)	

**Address to:**

- a) directly to Contracting Party(ies) to the Prevention and Emergency Protocol; or,
- b) through REMPEC to Contracting Party(ies) or other assistance mechanisms; or,
- c) to other resources providers.

**Copied to:** [emergency@rempec.org](mailto:emergency@rempec.org)

**From authorized requesting authority**

Name and position:	
Date	

**Contacts of the authority requesting the assistance**

Authority name and full address:	
Name of the person in charge:	
Function:	
Office phone:	
Mobile phone available 24h/24:	
Email address:	

**Authority in charge of the reception/return of the equipment/products provided<sup>12</sup>**

Authority name and full address:	
Name of the person in charge:	
Function:	
Office phone:	
Mobile phone available 24h/24:	
Email address:	

**Authority who will have the overall operational control**

Authority name and full address:	
Name of the person in charge:	
Function:	
Office phone:	
Mobile phone available 24h/24:	
Email address:	

**Location where the equipment has to be sent**

(Include the name and location of the closest airport/port, as appropriate)

<sup>12</sup> Responsible for the equipment from the arrival in the country, transfer onsite and return

**Equipment and products required** (*tick the appropriate boxes*)

Type and quantity of equipment and products needed (as precisely as possible).

**Booms**

Type	Specifications (e.g. types <sup>13</sup> )	Connection	Quantity required	Remarks
Inflatable booms				
Water ballast booms				
Offshore booms				
Harbour booms				
Fire Booms				
Other booms				
Blower				

**Sorbent**

Type	Quantity required	Remarks
Sheets or pads		
Rolls		
Pillows		
Booms		
Mops		
Bulk Hydrophobic		
Bulk all liquid		
Other		

**Skimmer**

Type	Quantity required	Remarks
Oleophilic Disc		
Oleophilic rop mop		
Oleophilic Drum		
Oleophilic brush		
Oleophilic belt		
Non-Oleophilic vacuum/suction		
Non-Oleophilic weir		
Non-Oleophilic belt		
Non-Oleophilic drum		
Other		

**Pump**

Type	Quantity required	Remarks
Pump alone		
Pump with water injection		
Underwater pumping system		
Cargo transfer pump		
Other		

**Storage**

Type	Quantity required	Remarks
Floating Storage Units (tanks)		
Floating Storage Units (barge)		
Big Bag on barge		
Open top collapsible containers with supporting frame		
Shoreline recovery pillow tanks		
Other		

<sup>13</sup> ASTM, Universal type 1, Universal type 2, Us Navy, Hinge & Pin or NOFI

**Dispersant / Bioremediation agent**

Type	Specifications	Quantity required	Remarks
Conventional dispersants (2nd generation)			
Concentrate dispersants (3rd generation)			
Bioremediation agent			
Other			

**Dispersant spraying systems**

Type	Quantity required	Remarks
Fixed spraying systems for helicopter		
Independent spraying bucket		
Conventional dispersant spraying system for boat		
Systems for spraying conventional dispersants		
Systems for spraying concentrate pre-diluted into sea water		
Systems for spraying neat dispersants		
Portable units for individual use		
Other		

**Spraying carrier Type**

Type	Specifications	Quantity required	Remarks
Crop spraying aircraft			
Spraying multi-engine aircraft			
POD spraying aircraft			
Large Self Contained spraying system			
Other			

**Vessel**

Type	Quantity required	Remarks
Response vessel		
Rescue vessel		
Tug boat		
Dinghy		
Egmopol		
Multipurpose vessel		
Offshore supply vessel		
Other		

**Aircraft**

Type	Specifications	Quantity required	Remarks

**Personal Protective Equipment**

Type	Specifications	Quantity required	Remarks
Protective clothing			
Respiratory system			
Specialized diving equipment			
Other			

**Other Devices**

Type	Specifications	Quantity required	Remarks
Subsea location devices			
Subsea recovery device			
Subsea dispersant application device			
Well capping			
Other			

**Measures taken by the Requesting State to facilitate the transfer and use of the equipment**

Facilitation of customs formalities (immediate customs clearance of all arriving material and, if needed, authorize their use; equipment should be admitted on a temporary basis and products should be admitted free of excise and duties)
Immigration and arrival procedures as well as customs formalities (immediate clearing) for personnel needed for operating the equipment
Supply of all that is needed for the correct operation and maintenance of equipment
For ships requests: ensure that ships are granted all necessary authorizations (e.g. authorization to navigate)
For aircrafts requests: ensure that aircraft are cleared to fly in the national air space. A flight plan or a flight notification has to be filed and accepted as an authorization for aircraft to take off, land ashore or at sea outside regular customs airfields.

**Note for the return of equipment/products:**

The Requesting State undertakes to return the equipment as soon as the operations are completed, if requested to do so by the supplier.

Return, once response operations are over, all unused products and ensure that returned equipment is in the best possible working order.

Send a report on the effectiveness of equipment, products and personnel provided, to the appropriate Authorities of the Assisting Party. A copy of the report has to be sent to REMPEC.

Signature of the authorized requesting authority

Date

Name and function of the authorized requesting authority

**APPENDIX**

**FIELD STANDARD FORM FOR REQUEST OF EQUIPMENT AND PRODUCTS**

(to be filled by the technical expert in the field command structure)

**Form filled in by**

Name: *(technical expert)*

Date:

**Location where the equipment has to be sent**

(Name and exact localisation)

**Access information**

(Provide information on logistical requirement to carry equipment onsite)

**Equipment and products required (tick the appropriate boxes)**

(Type and quantity of equipment and products needed (as precisely as possible)).

**Booms**

Type	Specifications (e.g. Connection types <sup>14</sup> )	Quantity required	Remarks
Inflatable booms			
Water ballast booms			
Offshore booms			
Harbour booms			
Fire Booms			
Other booms			
Blower			

**Sorbent**

Type	Quantity required	Remarks
Sheets or pads		
Rolls		
Pillows		
Booms		
Mops		
Bulk Hydrophobic		
Bulk all liquid		
Other		

**Skimmer**

Type	Quantity required	Remarks
Oleophilic Disc		
Oleophilic rop mop		
Oleophilic Drum		
Oleophilic brush		
Oleophilic belt		
Non-Oleophilic vacuum/suction		
Non-Oleophilic weir		
Non-Oleophilic belt		
Non-Oleophilic drum		
Other		

<sup>14</sup> ASTM, Universal type 1, Universal type 2, Us Navy, Hinge & Pin or NOFI

**Pump**

Type	Quantity required	Remarks
Pump alone		
Pump with water injection		
Underwater pumping system		
Cargo transfer pump		
Other		

**Storage**

Type	Quantity required	Remarks
Floating Storage Units (tanks)		
Floating Storage Units (barge)		
Big Bag on barge		
Open top collapsible containers with supporting frame		
Shoreline recovery pillow tanks		
Other		

**Dispersant / Bioremediation agent**

Type	Specifications	Quantity required	Remarks
Conventional dispersants (2nd generation)			
Concentrate dispersants (3rd generation)			
Bioremediation agent			
Other			

**Dispersant spraying systems**

Type	Quantity required	Remarks
Fixed spraying systems for helicopter		
Independent spraying bucket		
Conventional dispersant spraying system for boat		
Systems for spraying conventional dispersants		
Systems for spraying concentrate pre-diluted into sea water		
Systems for spraying neat dispersants		
Portable units for individual use		
Other		

**Spraying carrier Type**

Type	Specifications	Quantity required	Remarks
Crop spraying aircraft			
Spraying multi-engine aircraft			
POD spraying aircraft			
Large Self Contained spraying system			
Other			

**Vessel**

Type	Quantity required	Remarks
Response vessel		
Rescue vessel		
Tug boat		
Dinghy		
Egmopol		
Multipurpose vessel		

Offshore supply vessel		
Other		

**Aircraft**

Type	Specifications	Quantity required	Remarks

**Personal Protective Equipment**

Type	Specifications	Quantity required	Remarks
Protective clothing			
Respiratory system			
Specialized diving equipment			
Other			

**Other Devices**

Type	Specifications	Quantity required	Remarks
Subsea location devices			
Subsea recovery device			
Subsea dispersant application device			
Well capping			
Other			

**Approved by on scene commander**

On scene commander signature

Date

Name of on scene commander



**ANNEX II.5**

**STANDARD FORM FOR OFFER OF ASSISTANCE**

(From assisting party to requesting country)

REFERENCE	
INCIDENT NAME	
LOCATION	
DATE/TIME / (UTC)	

**FROM (ASSISTING PARTY)**

Name	
Position	
Name of authority / Company	
Telephone	
Fax	
Email	

**TO (REQUESTING COUNTRY)**

Name	
Position	
Name of authority / Company	
Telephone	
Fax	
Email	

**DESCRIPTION OF ASSISTANCE OFFERED**

<b>Equipment/Product</b>	
Type <sup>15</sup>	
Quantity	
Specifications	
Current location	

**Personnel**

Name	
Area of expertise <sup>16</sup>	
Current location	
CV <sup>17</sup>	

**TRANSPORT**

Provided by assisting country	YES/NO
Required from requesting country or other organisation	YES/NO
Specifications	Indicate any special need related to the transport

**DESCRIPTION OF DELIVERY POINT (if Assisting Country can provide transport)**

Means of transport required	(land, air, maritime)
Transport details	
Final destination	Address, coordinates, landmark
Estimated Time of Arrival	Date and time

<sup>15</sup> Refer to Annex II.4

<sup>16</sup> Refer to Annex II.5

<sup>17</sup> Attach CV of expert/personnel

**LOGISTICAL INFORMATION**

<p>Add any relevant logistical information for instance:</p> <ul style="list-style-type: none"> <li>• Is in-country warehousing required?</li> <li>• Does equipment require trained personnel to accompany/operate it?</li> <li>• Does release of equipment from current location create compliance problem with minimum standards of equipment for response</li> <li>• Any specific power supply, pumps, or other technical needs to operate this equipment/asset?</li> <li>• Who will provide distribution of resource if needed?</li> <li>• Other considerations?</li> </ul>
---

**TERMS AND FINANCIAL CONDITIONS**

Date of commencement of services/mobilization		
Nature of services/ scope of work		
		YES
		NO
<b>The Assisting Party offers its assistance free of charge:</b>		
If the answer to the above question is "YES" specify any particular conditions		
If the answer to the above question is "NO" state in detail below the terms and financial conditions including the cost to be reimbursed:		
Mobilization and demobilization charges		
Equipment rates		
Personnel rates		
Basis of hire (lump sum or daily rate)		
Import/export duties ( exemption or no exemption)		
Immigration requirements		
Cleaning and rehabilitation cost		
Invoicing		
Security for payment		
Liability coverage, warranty and insurance		
Health and safety		
Termination		
Other conditions		
Approximate total cost of this deployment for which reimbursement will be requested:		
_____ (US \$/EURO/Other)		
Total costs from Home Base to Staging Area		
_____ (US \$/EURO/Other)		

Authorized Official's Signature

Date

Authorized Official's Name

Title and organization

**ANNEX II.6**

**SAMPLE OF RECEIPT/ ACKNOWLEDGE FORM**

(From requesting country to party offering assistance)

REFERENCE	
INCIDENT NAME	
LOCATION	
DATE/TIME / (UTC)	

**TO PARTY OFFERING ASSISTANCE**

Name	
Position	
Name of authority / Company	
Telephone	
Fax	
Email	

**FROM REQUESTING COUNTRY**

Name	
Position	
Name of authority / Company	
Telephone	
Fax	
Email	

**OFFER**

<b>OFFER NAME/DESCRIPTOR</b>	
<b>Received on</b>	Date and time
<b>Received by</b>	
Name	
Position	
Name of authority / Company	
Telephone	
Fax	
Email	
<b>Estimated date of confirmation</b>	Date and time

---

Authorized requesting authority's Signature

Date

Authorized requesting authority's Name

Title and function



**ANNEX II.7**

**SAMPLE OF ACCEPTANCE FORM**

(From requesting country to party offering assistance)

REFERENCE	
INCIDENT NAME	
LOCATION	
DATE/TIME / (UTC)	
OFFER NAME/DESCRIPTOR	

**TO OFFERING PARTY (Government/Organization)**

Name	
Position	
Name of authority / Company	
Telephone	
Fax	
Email	

**FROM REQUESTING COUNTRY**

Name	
Position	
Name of authority / Company	
Telephone	
Fax	
Email	

**OFFER STATUS:**

**1) ACCEPTED OFFERS**

Type of offers	Date required	Location	Transportation specifics

**2) DECLINED OFFERS OR ON HOLD**

Type of offers	Rational for decline or on hold

**TERMS AND CONDITIONS**

The terms and conditions as specified in the attached contract are accepted.

---

Authorized requesting authority's Signature

Date

Authorized requesting authority's Name

Title and function

**APPENDIX**

**ITEMS TO CONSIDER BY BOTH PARTIES WHEN NEGOCIATING THE TERMS AND  
CONDITIONS OF INTERNATIONAL ASSISTANCE**

- Date of commencement of services/mobilization;
- Nature of services/ scope of work;
- Mobilization and demobilization charges
- Equipment rates
- Personnel rates;
- Basis of hire (lump sum or daily rate)
- Import/export duties (exemption or no exemption)
- Immigration
- Disbursements made by the assisting party in connection with the assistance provided
- Cleaning and rehabilitation cost
- Invoicing
- Security for payment. The assisting party may require a guaranty of payment from the requesting country which may obtain such guaranty from the P&I club of the ship involved [and or from the IOPCF if applicable] or from the insurer of an offshore unit or a handling facility.
- Liability coverage, warranty and insurance
- Health and safety
- Termination
- Payment detail

**ANNEX II.8**

**SAMPLE OF DECLINE / ON HOLD FORM**

(From requesting country to party offering assistance)

REFERENCE	
INCIDENT NAME	
LOCATION	
DATE/TIME / (UTC)	
OFFER NAME/DESCRIPTOR	

**TO OFFERING PARTY (Government/Organization)**

Name	
Position	
Name of authority / Company	
Telephone	
Fax	
Email	

**FROM REQUESTING COUNTRY**

Name	
Position	
Name of authority / Company	
Telephone	
Fax	
Email	

**OFFER STATUS: DECLINE/ON HOLD**

**ADDITIONAL INFORMATION**

---

Authorized requesting authority's Signature

Date of Signature

Authorized requesting authority's Name

Title and function



**ANNEX II.9**

**SITUATION REPORT (SITREP)**

<b>INCIDENT:</b>	
<b>SITREP No:</b>	
<b>DATE:</b>	<b>TIME* (UTC +1):</b>
<b>FORM filled in by:</b>	
<b><u>Addressed to :</u></b> <ul style="list-style-type: none"><li>• REMPEC</li><li>• Contracting Parties</li><li>• Assisting parties</li><li>• Parties involved</li></ul>	
<b>1) The development of the situation regarding the pollution incident</b>	
<b>2) The actions taken to combat the pollution</b>	
<b>3) The progress of response operations</b>	
<b>4) Actions planned to be taken</b>	
-response action planned; -need for additional assistance or/ and demobilization of assistance already provided	

---

**Approved by on scene commander or/ and supreme on scene commander**

On scene commander/supreme signature

Date

Name of On scene commander/supreme



**ANNEX III**

**CLAIMS**



## **ANNEX III.1**

### **PREPARATION OF CLAIMS**

#### **1. Admissibility of the claim**

For a claimant to be entitled to compensation, the expense or loss caused by an oil spill must be measurable and quantifiable. The onus rests with the claimant to prove the link of causation, and the claimant must be able to provide appropriate evidence supporting the amount claimed for the expenses or loss. The shipowner's insurer, and the IOPC Funds if involved, usually appoints experts, often on a joint basis, to investigate the technical merits of claims and to make independent assessments of the expenditure or losses.

#### **2. Reasonableness**

It is important to note that under the international oil spill compensation regime, the amount claimed should be reasonable. In general, the reasonableness of a claim for preventive measures, including clean-up is assessed in terms of the rates charged, the resources deployed, and the activities claimed. The assessment of claims for pollution damage takes account of the value of the property affected, the economic loss incurred, and costs of reinstatement. These concepts of 'reasonableness' are set out in the IOPC Funds' Claims Manual for the purposes of the 1992 CLC and 1992 Fund Convention.

#### **3. Time bar**

Claimants should submit their claim as soon as possible after the damage has occurred or, if for any reason a formal claim cannot be submitted shortly after the incident, the claimant should notify the liable organization of an intention to submit a claim as soon as possible. Under the international oil spill compensation regime, the claimant may lose the right to compensation unless an action is brought against the liable organization in a court within a specified period after the date of the incident or the date on which the damage occurred.

#### **4. Preparation of Claims for Oil Pollution damage**

- **Prevention and clean-up**

For many oil spills, significant costs will be incurred in the initial emergency phase of a response as a result of deploying resources to prevent further spills, protect sensitive areas and to recover the oil. Consequently, it is important that an orderly system for logging and filing associated records and expenses incurred is established as quickly as possible after the response commences. Accurate records are vital since reliance on memory for subsequent claims compilation is unrealistic, particularly during a lengthy and fast-moving response.

Daily worksheets should be compiled by supervisory personnel, describing the operations in progress describing the equipment in use, where and how it is being used, the number of personnel employed, how and where they are deployed, and the materials consumed. Recording such information is facilitated by the use of standard electronic worksheets.

Costs for many items used in a response will be calculated as the sum of the period worked and the rate for that period; for example, an aircraft used for surveillance for a number of hours or a worker employed on a beach for some days, are best entered and submitted in electronic format, preferably using spreadsheets. In addition to itemizing costs, a claim should include as much information as possible to explain the reason for the work, such as records of decision, meetings, and records of the activity undertaken to recover and clean-up the oil, such as vessel logs, personnel timesheets, and worksite reports. Early participation of the P&I Club or insurer in the management of the incident and their co-approval of expenditure related to the response is recommended.

Waste transport, storage, treatment, and disposal can often be the most expensive component of a response and accurate recording of volumes and weights handled are important.

In summary, below is a non-exhaustive list of supporting information required:

- Summary of events, including a description of the work carried out in different areas and of the working methods chosen in relation to the circumstances prevailing during the incident.

- Delineation of the area affected, describing the extent of pollution, and identifying those areas most heavily contaminated. This should be presented in the form of a map or chart supported by photographs or video.
- Analytical and/or other evidence linking the oil pollution with the ship involved in the incident (e.g. chemical analysis; wind, tide and current data; observation and plotting of movement of floating oil).
- Dates on which work was carried out (with weekly or daily costs).
- Labour and administrative costs (number and categories of response personnel; regular and overtime rates of pay; days/hours worked).
- Equipment and material costs (types of equipment used; rate of hire; consumable material quantity and cost).
- Transport costs (number and types of vessels, aircraft, vehicles used; number of days/hours operated; rate of hire or operating cost).
- Costs of temporary storage (if applicable) and final disposal of recovered oil and oily material.

- **Property damage**

Claims for damage to property may be made by the public as well as the private sector, such as fishermen, pleasure-boat owners, marina operators, and port authorities. In this case, it may be desirable to arrange, through the shipowner's insurer, to appoint insurance adjusters to whom claimants may be referred. In some incidents, a special telephone number and office have been established to process claims, and the public is advised through the media that this service is available.

Items affected commonly include: hulls of fishing vessels and pleasure craft; fishing gear, such as nets and traps; and mariculture structures, such as fish farms, mussel rafts, and oyster trestles. Property damage claims may also arise as a result of clean-up activity; for example, damage to roads or paths used for access by workers and vehicles.

As a minimum, photographs of the property before and after restoration should be provided in support of a claim. However, for many property damage claims, a survey, usually undertaken jointly with representatives of the organization paying compensation, will be necessary prior to the commencement of work to restore the property. Surveys are necessary to confirm the link of causation to the incident, to corroborate the level of contamination or other damage claimed, and to advise on the appropriate work to be undertaken. In any case, the claim should mention the extent of pollution damage to the property, the description of items destroyed, damaged or needing replacement or repairs (e.g. boat, fishing gear and clothing) including their location. In order to facilitate the assessment, the cost of repair work or replacement of item should be mentioned as well as the age of item to be replaced in order to take into consideration the depreciation.

- **Economic losses**

Contamination of fishing vessels, other fishing gear, mariculture facilities, or tourism assets may prevent their subsequent use. Income lost while the polluted or damaged items are cleaned or replaced may form the basis of a claim for consequential economic loss. In addition to the documentation required to support the property damage, evidence of the ensuing loss of income will also be required. Claims may be accepted for the costs of measures taken to prevent or minimize pure economic loss. Economic losses can include but are not limited to: restriction of fishing activity, closure of coastal industrial and processing installations, or marketing campaigns and loss of income by resort operators (hotel owners and restaurateurs). In many cases, the financial records for previous years may be readily available, although difficulties may arise in distinguishing losses caused by the oil spill from those caused by other unrelated factors such as bad weather or overfishing.

Claims for pure economic loss can also arise even though no damage to property has occurred; for example, if a fishing fleet is unable to depart port. Media reports of an oil spill may also result in a loss of market confidence, which might deter tourists from visiting a coastal area or the public from purchasing seafood perceived to be contaminated by oil. Pure economic losses can more easily be seen on a balance sheet only, rather than as a consequence of damage to property. Therefore, for many economic loss claims, the most important supporting documentation will be copies of company

accounts, trading records, invoices, or other financial statements. Although accepted in principle under the international compensation regimes, in some national jurisdictions claims for pure economic loss are inadmissible.

When dealing with artisanal fisheries, formal records may not be available and some other form of assessment may be required. Subsistence or artisanal fishing involves the provision of daily food or seafood for barter that may not include financial transactions. The assessment of claims from such fisheries may be problematic as supporting documentation is often unavailable and only verbal reports of activities can be provided. Experts are available to work with the claimants to determine accurate losses. Also, there could be additional indirect expenditures incurred by the local authorities in providing alternate protein sources for the coastal communities affected by the spillage; this should be documented. Guidelines available from the IOPC Funds may assist in this area.

Supporting information relative to economic claims may include, but are not limited to, the description of the nature of the loss, including demonstration that loss resulted directly from the incident, the comparative figures for profits earned in previous periods, and for the period during which such damage was suffered, and the comparison with similar areas outside the area affected by the spill together with the method of assessment of loss.

More specifically for fisheries, the claims should include the costs of inspecting and monitoring the presence of oil in potentially impacted fisheries areas and the subsistence foods as well as the government costs of monitoring and responding to native food issues.

- **Environmental damage**

Claims for work done to restore damaged resources and encourage natural recovery are acceptable under the International Conventions only if certain criteria are met; for example, the work should significantly accelerate natural recovery. Costs should be itemized to clearly explain the work done.

However, claims based on calculations made according to theoretical models and claims for compensation for loss of function of the environment are inadmissible under the International Conventions, although they are recognized under some national legislation.

- **Other types of claims**

The foregoing are the principal categories of claims which are likely to prove acceptable; however, there may be other categories of claims eligible under national and regional compensation schemes. In all cases, the claim should be presented clearly and in sufficient detail so that it is possible to assess the amount of damage suffered on the basis of the facts and the documentation presented. It should be noted that each item of the claim must be supported by an invoice or by other relevant documentation such as daily worksheets and explanatory notes.

- **Importance of record keeping**

The type of information required to support a claim depends upon the type of loss, in particular, whether the loss is incurred as a result of the cost of responding to the incident or as a result of the effects of the oil on, for example, tourism or fisheries businesses. However, the quality of this documentation and other information required depends to a large extent upon the measures taken to record and preserve this information at the time the loss is incurred. As time passes, and unless records are meticulous, the availability of information to support claims, verify losses, and answer questions is likely to diminish. Settlement of a claim may require time, and if key personnel are no longer available to answer queries during this period, the records may be the sole source of information. Similarly, unless evidence is preserved correctly, substantiation of a subsequent claim may not be possible.

A wide variety of organizations such as salvage companies, government agencies, waste contractors, and wildlife charities may be involved in a response. In addition to utilizing owned resources, each organization may spend large amounts of money to purchase or contract-in goods and services. The resulting trail of expenditure can include hire agreements, contracts, invoices, receipts, and many other individual documents. The reasonable costs of personnel tasked with keeping a record of the measures taken and the costs incurred, may qualify for compensation under the international regime.

## **5. IOPC Funds Publication**

A Claims Information Pack, which includes a Claims Manual, example claim form, and various sector-specific guidelines for presenting claims, has been developed to assist claimants in a Member State following an oil spill incident. A set of publications are available to download from <http://www.iopcfunds.org/publications/>. Hard copies of the information pack are available on request.



## **III.2 - SUBMISSION, ASSESSMENT AND SETTLEMENT OF THE CLAIM**

### **1. Who can claim and to whom?**

Anyone who has been involved in prevention or clean-up operations, or anyone who has suffered measurable damages to a pollution incident, can submit a claim. Claimants may be private individuals, companies, private organizations, or public bodies, including States or local authorities. For convenience, claims can be grouped together in order to facilitate their assessment by the liable party or organization.

The insurer of the vessel owner's third party liabilities is typically a Protection and Indemnity (P&I) Club. As noted above, under some conventions such as CLC and Bunkers claimants have a right of direct action against the insurer if the vessel owner is unable to pay. Pollution damage claims should be submitted to a vessel's P&I Club and/or the IOPC Fund for large incidents likely to exceed ship limitation. In situations where the shipowner is not known, or cannot pay, claims can be submitted to the International Oil Pollution Convention Funds, when relevant, or a national fund, if available.

Government and publically operated vessels, including warships and other vessels on military duty or charter, usually operate outside established P&I and other commercial insurance.

In the case of pollution damage within the meaning of 92 CLC, caused in a State that is Party to both the 1992 CLC and the 1992 Fund Convention, claims can be submitted to the 1992 Fund. However, the 1992 Fund typically begins to distribute compensation once the shipowner or its insurer has paid up to the limit of its liability, and therefore claims should be sent directly to the shipowner or its insurer who will channel the claim to the 1992 Fund when the limit of its liability has been reached.

### **2. Information to be provided**

Regardless of the type of the claim, the documentation in support should contain the basic following information:

- the name and address of the claimant;
- identity of the ship involved in the incident;
- the date, place, and specific details of the incident;
- the type of loss or pollution damage sustained;
- supporting documents for each claimed item; and
- the amount of compensation claimed including taxes, profit, and any other extra costs where applicable.

### **3. Assessment and settlement of the claim**

After receiving a claim, the owner, shipowner's insurer, and/or the IOPC Funds if involved, will assess the claim in order to determine its admissibility as well as the sum that is considered recoverable. To do so, the owner, the shipowner's insurer and/or the Fund may require the services of technical advisors that may have been present at the scene of the incident.

If the information provided by the claimant is not sufficient to verify the admissibility or the reasonableness of the claim, the Fund/responsible parties' insurer may query some of the claimed costs pending the provision of additional information. While a claim may have been considered admissible in principle, the burden of proving the claim rests upon the claimant, and thus, if the claim is not supported by the documentation submitted or is not technically reasonable, some or all of the costs may be rejected after all the queries have been exhausted.

In most incidents under the International Conventions, agreement on the amount of compensation to be paid is reached on an amicable basis, without the need for legal action and associated costs. If, however, such agreement is not possible, the claimant has the right to bring a claim to the court in the State in which the damage occurred but must do so before the applicable time bar date.



**ANNEX IV**  
**GLOSSARY and ACRONYMS**



## ANNEX IV.1

### GLOSSARY

<b>Affected Country</b>	A country that faces a large, complex or significant oil spill that may exceed the response capabilities of existing national, regional, bilateral, multilateral, and other mutual aid agreements.
<b>Assisting Country</b>	A country that accepts a request for international assistance from a requesting State that faces a major pollution emergency by providing external resources to augment the Requesting Country's national capacity for large scale oil spill incidents.
<b>Assisting Party</b>	A party that accepts a request for international assistance from a Requesting Country that faces a major pollution emergency by providing external resources to augment the Requesting Country's national capacity for large scale oil spill incidents.
<b>Command structure</b>	The command structure is responsible for coordinating the actions taken by national means (strike teams, vessels, aircraft) of the Requesting State with those taken by the means of the Assisting Parties (Government, private sector).
<b>Management structure</b>	The management structure is acting as a centralised response point of contact for processing requests, receipt, evaluation and acceptance of international offers of assistance from multiple sources (national governments, REMPEC, the private sector, etc.) and to coordinate deployment logistics of the accepted resources into the affected area.
<b>National Contingency Plan</b>	A country's national blueprint for responding to oil spills and hazardous substance releases. It documents national response capability and is intended to promote overall coordination among the hierarchy of responders and contingency plans.
<b>Offering Party</b>	A party that offers international assistance to an affected or Requesting Country that faces a major pollution emergency.
<b>OPRC Convention (1990)</b>	The International Convention on Oil Pollution Preparedness, Response and Cooperation, adopted in 1990 and entered into force in 1995, whose purpose is to provide a global framework for international cooperation in combating major incidents or threats of marine pollution with the recognition that not one single country can effectively manage a large, complex or significant oil spill response on its own.
<b>Party</b>	A country, nation, state or private entity.
<b>Point of Entry</b>	Entry points such as any type of border crossing (i.e. roads, rivers, ports, railroads, airports) through which incoming resources are admitted into the Requesting Country in response to a large, complex or significant oil spill.

<b>Polluter Pays Principle</b>	National authorities should endeavor to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.
<b>P&amp;I Club</b>	Protection and Indemnity Clubs are non-profit mutual associations insuring commercial vessels' third party liabilities, including oil pollution.
<b>Requesting Country</b>	A country that issues a request for international assistance when facing a major pollution emergency that requires external resources to augment national capacity for large scale oil spill incidents.
<b>Requesting Party</b>	A party that issues a request for international assistance when facing a major pollution emergency that requires external resources to augment their capacity for large scale oil spill incidents.
<b>Response Authority</b>	The agency that is responsible for managing the oil spill response operation.
<b>Responsible Party</b>	An individual or group of people that is legally responsible or liable for the removal costs and damages that result from a discharge or a substantial threat of a discharge of oil from a vessel or facility into navigable waters or adjoining shorelines.
<b>Technical Specialist</b>	An individual who works closely with the response manager and those running the response operations in the field to help identify resource constraints and limited supplies for specifically needed equipment and other.

## ANNEX IV.2

### ACRONYMS

<b>AIS</b>	Automatic Identification System
<b>bbl</b>	barrel
<b>CLC</b>	International Convention on Civil Liability for Oil Pollution Damage
<b>cm.</b>	centimeters
<b>Cedre</b>	Centre of Documentation, Research and Experimentation on Accidental Water Pollution
<b>DG-ECHO</b>	Directorate-General for European Civil Protection and Humanitarian Aid Operations
<b>EC</b>	European Commission
<b>EMSA</b>	European Maritime Safety Agency
<b>ERCC</b>	Emergency Response Coordination Centre
<b>EU</b>	European Union
<b>Federchimica</b>	<i>Federazione Nazionale dell'Industria Chimica</i>
<b>GPS</b>	global positioning system
<b>HNS</b>	Hazardous and Noxious Substances
<b>HQ</b>	Headquarters
<b>IACS</b>	International Association of Classification Societies
<b>ID</b>	identification
<b>ICE</b>	Intervention in Chemical transport Emergencies
<b>IMO</b>	International Maritime Organization
<b>IOA</b>	International Offers of Assistance
<b>IOPC Funds</b>	International Oil Pollution Compensation Funds
<b>IOGP</b>	International Association of Oil and Gas Producers
<b>IPIECA</b>	The Global Oil and Gas Industry Association for Environmental and Social Issues
<b>ISPRA</b>	Italian Institute for Environmental Protection and Research

<b>ISU</b>	International Salvage Union
<b>ITOPF</b>	International Tanker Owners Pollution Federation
<b>m3</b>	cubic meter
<b>MAP</b>	Mediterranean Action Plan
<b>MAU</b>	Mediterranean Assistance Unit
<b>MEPC</b>	Marine Environment Protection Committee
<b>MONGOOS</b>	Mediterranean Oceanography Network for the Global Ocean Observing System
<b>NGO</b>	non-governmental organization
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>OPRC</b>	Oil Pollution Preparedness, Response and Cooperation
<b>OPPR</b>	Oil Pollution Preparedness and Response
<b>OSC</b>	On-Scene Coordinator
<b>POLFAC</b>	POLLution FACilities
<b>POLINF</b>	POLLution INFormation
<b>POLREP</b>	POLLution REPorting system
<b>POLWARN</b>	POLLution WARNing
<b>RAC</b>	Regional Activity Centre
<b>REMPEC</b>	Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea
<b>RP</b>	Responsible Party
<b>SAF</b>	Sea Alarm Foundation
<b>SITREP</b>	SITuation REPort
<b>TG</b>	Technical Group
<b>UCPM</b>	Union Civil Protection Mechanism
<b>UN Environment</b>	United Nations Environment Programme (former UNEP)
<b>UTC</b>	Coordinated Universal Time
<b>VHF</b>	very high frequency