

## **ANNEX IV**

### **CONCLUSIONS AND RECOMMENDATIONS**

The Meeting of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS), which met in Toulon, France, from 29 September 2015 to 1 October 2015:

- 1 appreciated the voluntary contributions from the Government of France, the Government of Malta and the RAMOGE Agreement as well as the support from the International Maritime Organization Integrated Technical Cooperation Programme;
- 2 was grateful for the continuous support that Plan Bleu has provided, as implementing agency of the Regional – Governance and Knowledge generation (ReGoKo) Project;
- 3 encouraged Mediterranean coastal States as well as relevant regional and international organisations to provide voluntary contributions to support future MENELAS activities and meetings;
- 4 welcomed the adoption of its Terms of Reference (ToRs) by the Eighteenth Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols, which was convened in Istanbul, Turkey from 3 to 6 December 2013;
- 5 recalled the importance of the active engagement of the participating Mediterranean coastal States in the Network in accordance with its ToRs;
- 6 urged the Mediterranean coastal States that have not yet nominated their Designated Representatives to the Network to do so at their earliest convenience in consultation with the relevant authorities;
- 7 noted that most countries use the standard pollution accidents reporting format (POLREP) to exchange information when pollution of the sea has occurred and in addition use a specific marine oil pollution detection/investigation report for legal proceedings, which is relatively similar from one country to the other;
- 8 invited participating members to provide the Secretariat with copies of their specific marine oil pollution detection/investigation report with a view to analysing it and reporting similarities and differences to the next MENELAS meeting;
- 9 also welcomed the fact that this meeting was held in parallel with a coordinated aerial surveillance operation, namely OSCAR-MED 2015 (Opération de Surveillance Coordonnée Aérienne des Rejets en Méditerranée), which took place on 29 and 30 September 2015 in the RAMOGE area;
- 10 recommended the future organisation of coordinated aerial surveillance operations for illicit ship pollution discharges in other parts of the Mediterranean Sea, and requested the Secretariat to liaise with Mediterranean coastal States interested in organising such operations, with a view to enhancing operational cooperation in the Mediterranean region to combat illicit ship pollution and facilitating the mobilisation of the necessary resources;
- 11 noted with appreciation the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean and invited participating members to provide the Secretariat with information on surveillance activities prior to the next MENELAS meeting;

- 12 requested the Secretariat to analyse the information provided by Mediterranean coastal States to IMO through the Mandatory Reporting System under MARPOL (MEPC/Circ.318) and report its findings to the next MENELAS meeting;
- 13 acknowledged the progress in developing the MENELAS Information System and recognised the added value of the feature of having a restricted area for participating members only ("Forum/Hotline") for which the Secretariat is requested to provide all MENELAS Designated Representatives with secured access;
- 14 also invited participating members to provide the Secretariat with publicly available information on their respective legal framework, operational structure, annual reports as well as surveillance activities in the Mediterranean Sea Area by mid-October 2015;
- 15 further invited participating members to provide the Secretariat with the names of the 24/7 contact points, other enforcement personnel, investigators, sanctioning officials as well as prosecutors, magistrates or officials from penalising authorities in their respective country, who should also be given access to the restricted area of the MENELAS information system, as soon as practicable;
- 16 agreed to make use of the restricted area of the MENELAS Information System ("Forum/Hotline") to exchange information on past cases and lessons learnt, among others;
- 17 also encouraged participating members to provide the Secretariat with information on the applicable sanctions in their country with regard to illicit ship pollution discharges and requested the Secretariat to analyse this information and report its findings as well as developments on the review of HELCOM Recommendation 19/14 to the next MENELAS Meeting;
- 18 valued INTERPOL's participation to this meeting and requested the Secretariat to liaise with the INTERPOL General Secretariat to provide the participating members with the contact details of their INTERPOL National Central Bureau, to explore the possibility to provide access to relevant INTERPOL documentation related to illicit ship pollution discharges to participating members, and to assist in the current review process of the INTERPOL Investigative Manual on Illegal Oil Discharges from Vessels;
- 19 asked participating members to inform relevant regional and international organisations to which they are Parties about the outcome of this meeting and to report on the outcome of discussions in these organisations at the next MENELAS meeting;
- 20 called on the Secretariat to liaise with relevant regional and international organisations with a view to ensuring the necessary cooperation, which may include regular information exchange and reciprocal representation, amongst others;
- 21 agreed to include the following items in the MENELAS Programme of Activities for the period 2016-2017:
  - .1 marine oil pollution detection/investigation report;
  - .2 establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean;
  - .3 review existing applicable sanctions at national level with regard to illicit ship pollution discharges; and
  - .4 measures to charge reasonable costs for the use of port reception facilities or, when applicable, apply a No-Special-Fee system;
- 22 elected France, represented by Ms Marie-Sophie Dufau-Richet, to chair the Network for the period 2016-2017;

- 23 also recommended that the next MENELAS meeting should preferably be held prior to the Meeting of Focal Points of REMPEC subject to the decision on the Programme of Work and Budget 2016-2017 by the Contracting Parties to the Barcelona Convention and its Protocols and provided that the necessary external financial resources are mobilised in time by the Secretariat; and
- 24 further requested the Secretariat to report to the Meeting of Focal Points of REMPEC on the outcome of this meeting as well as any inter-sessional work that may have been carried out on the MENELAS Programme of Activities, as referred to in Paragraph 21 above.