



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

Second Meeting of the Mediterranean Network of
Law Enforcement Officials relating to MARPOL
within the framework of the Barcelona Convention (MENELAS)

REMPEC/WG.42/1/1/Rev.1
Date: 27 November 2017

Valletta, Malta, 28-29 November 2017

Original: English

Agenda Item 1

ANNOTATED PROVISIONAL AGENDA AND DRAFT TIMETABLE

Note by the Secretariat

SUMMARY

Executive Summary: This document provides brief information on the action to be taken by the Meeting as well as a draft timetable for the Meeting. This timetable prepared by the Secretariat is of a tentative nature and may be modified by the Meeting, as appropriate.

Actions to be taken: As indicated under each agenda item.

Related documents: UNEP/IG.43/6, UNEP(DEPI)/MED IG.22/28, REMPEC/WG.42/1/Rev.1, REMPEC/WG.42/4, REMPEC/WG.42/5, REMPEC/WG.42/INF.3, REMPEC/WG.42/INF.4, REMPEC/WG.42/INF.5, REMPEC/WG.42/INF.6, REMPEC/WG.42/INF.7

Introduction

1 The Second Meeting of the Mediterranean Network of Law Enforcement Officials relating to the International Convention for the Prevention of Pollution from Ships (MARPOL) within the framework of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean ("the Barcelona Convention") (MENELAS) is being convened in Valletta, Malta from 28 to 29 November 2017, pursuant to the Programme of Work and Budget for 2016-2017 of the Mediterranean Action Plan (MAP) of the United Nations Environment Programme (UN Environment), also referred to as UN Environment/MAP, adopted by the Nineteenth Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 19), which was held in Athens, Greece from 9 to 12 February 2016 (UNEP(DEPI)/MED IG.22/28).

2 The principal objectives of the Meeting are:

- .1 to examine the implementation of the MENELAS Programme of Activities for the period 2016-2017 as well as to discuss and agree on the items to be included in the MENELAS Programme of Activities for the period 2018-2019 and elect the chair of the Network for the said period; and
- .2 to discuss the French proposal for the creation of two new judicial cooperation tools within the framework of the Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2016-2021). hereinafter referred to as the Regional Strategy (2016-2021), and MENELAS, as requested by the Twelfth Meeting of the Focal Points of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), which was convened in St. Julian's, Malta from 23 to 25 May 2017.

3 All MENELAS Designated Representatives were invited to nominate jointly and, in consultation with the REMPEC Prevention Focal Points, their representatives in the Meeting. The invitation to participate in the Meeting was also extended to observers from other regional and international organisations and associations, the activities of which are relevant to the work of MENELAS.

4 In order to assist the Meeting in its work, the Secretariat prepared the following annotations to the proposed provisional agenda of the Meeting.

Opening of the Meeting

5 The Meeting will open on Tuesday, 28 November 2017 at 0900 hours and is expected to close on Wednesday, 29 November 2017 at 1730 hours.

Organisation of the Meeting

2.1 Rules of Procedure

6 The Rules of procedure for Meetings and Conferences of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related Protocols (UNEP/IG.43/6, Annex XI) shall apply *mutatis mutandis* to the deliberations of this Meeting.

2.2 Election of Officers

The Meeting will be invited to elect a Chairperson, a Vice-Chairperson and a Rapporteur.

2.3 Working Languages

7 The working languages of the Meeting will be English and French. Simultaneous English/French/English interpretation will be provided during the Meeting. All working documents will be available in both official languages of the Centre, i.e. in English and in French. Information documents will be available in their original language unless a translation is provided in the second working language.

Agenda Item 1 Adoption of the Agenda

8 The agenda, as proposed in document REMPEC/WG.42/1/Rev.1 and annotated in the present document, will be proposed for adoption by the Meeting. The Meeting will also be invited to agree on a timetable to carry out its work. A draft timetable is proposed in the **Annex** to the present document.

Agenda Item 2 Regional and international developments relevant to MENELAS

9 Under this agenda item, the Secretariat will provide information on regional and international developments relevant to MENELAS.

10 In particular, the Secretariat will refer to relevant Specific Objectives of the Regional Strategy (2016-2021), which was adopted by COP 19, as detailed in the Annex to document REMPEC/WG.42/INF.3.

11 The Secretariat will also refer to the Report on the Activities of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS), as requested by Decision IG.21/9, which covers the period December 2013 – June 2017 and was submitted to the Twentieth Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 20) to be held in Tirana, Albania from 17 to 20 December 2017, for its consideration, as presented in the Annex to document REMPEC/WG.42/INF.5.

12 Participants will be encouraged to briefly present recent developments in relevant regional and international organisations to which they are Parties.

The Meeting will be invited to take note of the information provided as well as to comment, as appropriate.

Agenda Item 3 **Establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean**

13 The Secretariat will provide information on the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean, taking into account the Report of the Meeting of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS) (Toulon, France, 29 September – 1 October 2015), as presented in the Appendix to document REMPEC/WG.42/INF.4.

14 In particular, the Secretariat will make some observations from the preliminary analysis it carried out of the information provided by Mediterranean coastal States to the International Maritime Organization (IMO) through the mandatory reporting system under MARPOL (MEPC/Circ.318).

15 The Secretariat will also introduce the Draft Decision IG.23/1: Revised Reporting Format for the Implementation of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols, which will be considered for possible adoption by COP 20, as presented in the Appendix to document REMPEC/WG.42/INF.6.

The Meeting will be invited to take note of the information provided as well as to comment as deemed appropriate.

Agenda Item 4 **French proposal for the creation of two new judicial cooperation tools within the framework of the Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2016-2021) and MENELAS**

16 Under this agenda item, the representative of France will present document REMPEC/WG.42/4 laying down the French proposal for the creation of two new judicial cooperation tools within the framework of the Regional Strategy (2016-2021) and MENELAS.

17 In particular, the representative of France will explain that, in order to strengthen cooperation between the Contracting Parties to the Barcelona Convention in the area of repression of acts of pollution, France proposes the development of regional jurisdictional and judicial cooperation in the Mediterranean, along with a common report that would enable the courts of the Contracting Parties to the Barcelona Convention to prosecute all individuals, irrespective of the place of pollution. In this respect, he will introduce document REMPEC/WG.42/INF.7, which sets out a specific example of marine pollution detection report.

18 The representative of France will also give details on the suggestion from France to accompany this judicial cooperation with the downstream establishment of a regional "Blue Fund", to which a part of the pecuniary sanctions would be transferred.

The Meeting will be invited to take note of the information provided and to consider the proposals put forward by France in the above-mentioned documents.

Agenda Item 5 **Marine oil pollution detection/investigation report**

19 The Secretariat will introduce document REMPEC/WG.42/5, which provides information on marine oil pollution detection/investigation report, taking into account the Report of the Meeting of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS) (Toulon, France, 29 September – 1 October 2015), as presented in the Appendix to document REMPEC/WG.42/INF.4.

20 In particular, the Secretariat will present a review of standard forms adopted by other regional and international organisations to report detected pollution as well as report its findings from the analysis it carried out of the similarities and differences presented by various marine oil pollution detection/investigation reports.

The Meeting will be invited to take note of the information provided as well as to comment as deemed appropriate.

Agenda Item 6 **Review existing applicable sanctions at national level with regard to illicit ship pollution discharges**

21 Under this agenda item, the Secretariat will provide information on the review of existing applicable sanctions at national level with regard to illicit ship pollution discharges, taking into account the Report of the Meeting of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS) (Toulon, France, 29 September – 1 October 2015), as presented in the Appendix to document REMPEC/WG.42/INF.4.

22 In particular, the Secretariat will report its findings from the analysis it carried out of the information provided by participating members on the applicable sanctions in their country with regard to illicit ship pollution discharges as well as of the developments on the review of HELCOM Recommendation 19/14 on a harmonized system of fines in case a ship violates anti-pollution regulations.

The Meeting will be invited to take note of the information provided as well as to comment as deemed appropriate.

Agenda Item 7 **Measures to charge reasonable costs for the use of port reception facilities or, when applicable, apply a No-Special-Fee system**

23 The Secretariat will provide information on measures to charge reasonable costs for the use of port reception facilities or, when applicable, apply a No-Special-Fee system, taking into account the Report of the Meeting of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS) (Toulon, France, 29 September – 1 October 2015), as presented in the Appendix to document REMPEC/WG.42/INF.4.

24 In particular, the Secretariat will refer to a number of relevant regional initiatives or legal instruments, namely:

- .1 the Global Public Goods and Challenges (GPGC) / Environment and Sustainable Management of Natural Resources including Energy Thematic Programme (ENRTP) “Marine Litter-MED” Project;
- .2 the project “Action Plans for Integrated Regional Monitoring Programmes, Coordinated Programmes of Measures and Addressing Data and Knowledge Gaps in Mediterranean Sea (ActionMed)”; and
- .3 Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues.

The Meeting will be invited to take note of the information provided as well as to comment as deemed appropriate.

Agenda Item 8 **Coordinated aerial surveillance operations for illicit ship pollution discharges in the Mediterranean**

25 The Secretariat will provide brief information on coordinated aerial surveillance operations for illicit ship pollution discharges in the Mediterranean.

26 Participants will be encouraged to provide information on their national activities with regard to aerial surveillance operations for illicit ship pollution discharges and share their views on how a coordinated aerial surveillance operation for illicit ship pollution discharges could be organised in the Mediterranean in the future.

The Meeting will be invited to take note of the information provided as well as to comment, as appropriate.

Agenda Item 9 **Election of Chair for the period 2018-2019**

27 **The Meeting will be invited** to elect a Chairperson for the period 2018-2019.

Agenda Item 10 **Future work and meetings**

28 Under this agenda item, the Secretariat will provide information on the next MENELAS meeting and related meetings.

29 Participants will be encouraged to share their views on future work with a view to deciding on a proposed programme of activities for the period 2018-2019, taking into account possible national initiatives or proposals, and on the establishment of any working groups and their terms of reference, as appropriate.

The Meeting will be invited to take note of the information provided as well as to comment as deemed appropriate.

Agenda Item 11 **Other business**

30 **The Meeting will be invited** to consider any other matters that may be raised under this agenda item.

Agenda Item 12 **Conclusions and recommendations**

31 Under this agenda item, the Meeting will review, amend, as appropriate, and adopt draft conclusions and recommendations that will result from the meeting discussions, as prepared by the Rapporteur.

32 The report of the Meeting will be prepared and circulated after the meeting.

Closure of the Meeting

33 The Meeting is expected to be closed by the Chairperson on Wednesday, 29 November 2017 at 1730 hours.

Annex – Draft timetable

Day 1 – Tuesday, 28 November 2017		
08:30 – 09:00	<i>Registration of the participants</i>	
09:00 – 09:15	Opening of the Meeting	
09:15 – 09:30	Agenda Item 1	Adoption of the Agenda
09:30 – 10:30	Agenda Item 2	Regional and international developments relevant to MENELAS
10:30 – 11:00	<i>Coffee break</i>	
11:00 – 12:30	Agenda Item 3	Establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean
12:30 – 14:00	<i>Lunch break</i>	
14:00 – 15:30	Agenda Item 4	French proposal for the creation of two new judicial cooperation tools within the framework of the Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2016-2021) and MENELAS
15:30 – 16:00	<i>Coffee break</i>	
16:00 – 16:30	Agenda Item 4 (cont.)	French proposal for the creation of two new judicial cooperation tools within the framework of the Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2016-2021) and MENELAS
16:30 – 17:30	Agenda Item 5	Marine oil pollution detection/investigation report

Day 2 – Wednesday, 29 November 2017		
09:00 – 10:00	Agenda Item 6	Review existing applicable sanctions at national level with regard to illicit ship pollution discharges
10:00 – 11:00	Agenda Item 7	Measures to charge reasonable costs for the use of port reception facilities or, when applicable, apply a No-Special-Fee system
11:00 – 11:30	Coffee break	
11:30 – 12:30	Agenda Item 8	Coordinated aerial surveillance operations for illicit ship pollution discharges in the Mediterranean
12:30 – 14:00	Lunch break	
14:00 – 14:15	Agenda Item 9	Election of Chair for the period 2018-2019
14:15 – 15:00	Agenda Item 10	Future work and meetings
15:00 – 15:30	Agenda Item 11	Other business
15:30 – 16:00	Coffee break	
16:00 – 17:00	Agenda Item 12	Conclusions and recommendations
17:00 – 17:30		Closure of the Meeting