



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

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

REMPEC/WG.48/INF.3*
Date: 19 April 2021

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Agenda Item 4

**REVIEW OF EXISTING APPLICABLE SANCTIONS AT NATIONAL LEVEL WITH REGARD TO
ILLCIT SHIP POLLUTION DISCHARGES**

Note by the Secretariat

SUMMARY

Executive Summary: This document provides information on the review of existing applicable sanctions at national level with regard to illicit ship pollution discharges over the periods 2011-2015 and 2016-2019, as prepared by the Secretariat.

Action to be taken: Paragraph 10

Related documents: REMPEC/WG.48/INF.6

Background

1 The Third 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), which was convened in Valletta, Malta, from 15 to 16 October 2019, agreed in principle on the need to harmonise pecuniary sanctions for illicit ship pollution discharges in the Mediterranean.

2 The said meeting also agreed to further examine the harmonisation of pecuniary sanctions for illicit ship pollution discharges in the Mediterranean, and more specifically to include the review of existing applicable sanctions at national level with regard to illicit ship pollution discharges in the MENELAS Programme of Activities for the period 2020-2021, amongst others (REMPEC/WG.48/INF.6).

Review of existing applicable sanctions at national level with regard to illicit ship pollution discharges over the period 2011-2015

3 The First Meeting of MENELAS (Toulon, France, 29 September – 1 October 2015) encouraged participating members to provide the Secretariat with information on the applicable sanctions in their country with regard to illicit ship pollution discharges.

4 Following REMPEC Circular Letter No. 12/2016 dated 5 July 2016, three (3) Contracting Parties to the Barcelona Convention, namely France, Greece, and Turkey, completed the brief questionnaire on the applicable sanctions in their respective country with regard to illicit ship pollution discharges, prepared by the Secretariat.

* Reissued for technical reasons.

5 The information provided in terms of conviction cases and average administrative fines over the period 2011-2015 analysed by the Secretariat may be summarised, as follows:

Type of violation	Minimum average administrative fine (in SDR [†])	Maximum average administrative fine (in SDR)
Illegal discharge of oil (Regulations 15 and 34 of MARPOL Annex I)	4,947 SDR	638,353 SDR
Illegal discharge of residues of noxious liquid substances (Regulation 13 of MARPOL Annex II)	N/A	39,897 SDR
Illegal discharge of sewage (Regulation 11 of MARPOL Annex IV)	239 SDR	1,197 SDR
Illegal discharge of garbage (Regulation 5 of MARPOL Annex V)	1,596 SDR	2,992 SDR

Review of existing applicable sanctions at national level with regard to illicit ship pollution discharges over the period 2016-2019

6 The Third Meeting MENELAS (Valletta, Malta, 15-16 October 2019) encouraged participating members to provide the Secretariat with updated information on the applicable sanctions in their countries with regard to illicit ship pollution discharges.

7 As part of the work of the MENELAS Working Group launched on 4 September 2020, seven (7) Contracting Parties to the Barcelona Convention, namely Albania, Bosnia and Herzegovina, Croatia, Greece, Malta, Spain, and Turkey, completed the brief questionnaire on the applicable sanctions in their respective country with regard to illicit ship pollution discharges, prepared by the Secretariat.

8 The information provided in terms of conviction cases and average administrative fines over the period 2016-2019 analysed by the Secretariat may be summarised, as follows:

Type of violation	Minimum average administrative fine (in SDR)	Maximum average administrative fine (in SDR)
Illegal discharge of oil (Regulations 15 and 34 of MARPOL Annex I)	418 SDR	783,343 SDR
Illegal discharge of residues of noxious liquid substances (Regulation 13 of MARPOL Annex II)	836 SDR	23,074 SDR
Illegal discharge of sewage (Regulation 11 of MARPOL Annex IV)	418 SDR	25,109 SDR
Illegal discharge of garbage (Regulation 5 of MARPOL Annex V)	418 SDR	6,502 SDR
Illegal air emission or shipboard incineration (Regulations 12, 13, 14 and 16 of MARPOL Annex VI)	810 SRD	24,200 SDR
Detection of missing documents or incorrect documentation, during inspection of ships	1,054 SDR	1,554 SDR

9 Some of the Contracting Parties to the Barcelona Convention having provided the information to the Secretariat specifically referred to:

- .1 Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements, as amended; and
- .2 Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels.

[†] 'SDR' (Special Drawing Rights) means the unit of account as defined by the International Monetary Fund (IMF).

Action requested by the Meeting

10 **The Meeting is invited to take note** of the information provided in the present document.