



IMO-OMI

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



**CENTRE REGIONAL MEDITERRANEEN POUR L'INTERVENTION  
D'URGENCE CONTRE LA POLLUTION MARINE ACCIDENTELLE (REMPEC)**



UNEP-PNUE

**MEDITERRANEAN ACTION PLAN  
PLAN D'ACTION POUR LA MEDITERRANEE**



First Meeting of National Experts on the  
Regional Strategy for Prevention of  
and Response to Marine  
Pollution from Ships

REMPEC/WG.23/7  
10 July 2004

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Castelgandolfo (Rome), Italy, 8-10 July 2004

**REPORT**

**OF THE FIRST MEETING OF NATIONAL EXPERTS ON THE REGIONAL STRATEGY  
FOR PREVENTION OF AND RESPONSE TO MARINE POLLUTION FROM SHIPS**

**Castelgandolfo (Rome), Italy, 8 - 10 July 2004**

## **INTRODUCTION**

1. The First Meeting of National Experts on the Regional Strategy for Prevention of and Response to Marine Pollution from Ships was convened in Castelgandolfo (Rome), Italy, between 8 and 10 July 2004, pursuant to the decision of the Thirteenth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, held in Catania, Italy, 11-14 November 2003 (UNEP (DEC)/MED IG.15/11). The Meeting was organized by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), at the premises of and with the logistic support of ENI Corporate University.

2. At their Thirteenth Ordinary Meeting the Contracting Parties to the Barcelona Convention decided to support the preparation of the strategy for the prevention of and response to marine pollution from ships with a view to its adoption by the Fourteenth Meeting of the Contracting Parties in 2005, and requested REMPEC to continue the process of preparation of the Strategy. Moreover, the Catania Declaration, adopted by the same Meeting, identified fifteen priority issues that the Regional Strategy should address.

3. The main objective of the Meeting was to discuss and amend as necessary the Revised Second Draft Regional Strategy, which REMPEC prepared and circulated prior to the Meeting to the Contracting Parties, UNEP/MAP and IMO.

4. The Revised Second Draft Regional Strategy was prepared bearing in mind the decision of the Contracting Parties and their political will expressed in the Catania Declaration, and observing the priorities it identified. It was developed on the basis of the First Draft presented to the 6<sup>th</sup> Meeting of REMPEC Focal Points (Malta, 12–15 February 2003; document REMPEC/WG.21/9) and of the comments subsequently submitted to the Centre by the Contracting Parties.

5. REMPEC official Prevention Focal Points and OPRC Focal Points respectively were invited to participate in the Meeting. The invitation to attend the Meeting was also extended to the Co-ordinating Unit of the Mediterranean Action Plan (UNEP/MEDU) and to the International Maritime Organization (IMO).

6. The following Contracting Parties to the Barcelona Convention attended the Meeting:

ALBANIA	ITALY
ALGERIA	LEBANON
BOSNIA & HERZEGOVINA	MALTA
CROATIA	MONACO
CYPRUS	MOROCCO
EGYPT	SLOVENIA
THE EUROPEAN COMMUNITY	SPAIN
FRANCE	SYRIAN ARAB REPUBLIC
GREECE	TUNISIA
ISRAEL	TURKEY.

The representatives of the United Nations Environment Programme/Co-ordinating Unit for the Mediterranean Action Plan (UNEP/MEDU) and of the International Maritime Organizations (IMO) were also present.

7. A complete list of participants is attached in **Annex I** to the present report.

### **AGENDA ITEM 1:        OPENING OF THE MEETING**

8. The Director of REMPEC Rear Admiral Roberto Patruno addressed the Meeting and welcomed the participants on behalf of the Centre. In his opening address R. Adm. Patruno recalled the rationale leading to the introduction, among the priorities of the Mediterranean Action Plan (MAP Phase II), of prevention of pollution from ships, and to the subsequent adoption in 2002 of the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the

Mediterranean Sea (Prevention and Emergency Protocol). He emphasized the importance for the Mediterranean countries of maritime transport, and the need to adequately respond to the increased risk of pollution which the expected growth of maritime traffic and its changing patterns would pose for the Mediterranean region. R. Adm. Patrino pointed out that in order to reduce such risk it was necessary to effectively implement the provisions of the new Prevention and Emergency Protocol, and that the adoption of the "Catania Declaration" confirmed the strong political will of the Contracting Parties to do so. Finally, the Director of REMPEC expressed his hope that the present Meeting would agree on an effective and realistic Regional Strategy that could be proposed for adoption to the Contracting Parties, with a view to facilitating the implementation of the Prevention and Emergency Protocol.

9. Mr. Paul Mifsud, MAP Co-ordinator, addressed the participants on behalf of UNEP/MEDU. In his address, which is reproduced in **Annex II**, Mr. Mifsud announced the recent entry into force of the new Prevention and Emergency Protocol, only two years after its adoption, and emphasized the importance of involvement of all Contracting Parties in the development of the Regional Strategy for the implementation of the new Protocol.

10. Mr. Miguel Palomares, Senior Deputy Director, Marine Environment Division, IMO, welcomed the participants on behalf of his organization and reiterated the commitment of IMO to continue supporting REMPEC and its activities within the framework of the Mediterranean Action Plan. The text of the address of Mr. Palomares is given in **Annex III**.

## **AGENDA ITEM 2: RULES OF PROCEDURE**

11. The Meeting decided to apply, *mutatis mutandis*, 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).

12. Following the suggestion of the Director of REMPEC, aimed at facilitating the work, the Meeting decided to create two Working Groups, the first of which would discuss issues related to prevention of pollution from ships, and the second one issues related to preparedness for and response to accidental marine pollution.

## **AGENDA ITEM 3 ELECTION OF OFFICERS**

13. Participants unanimously elected the following officers of the Meeting and of the two Working Groups:

Meeting:	Dr. Abdelhafid Laouira (Algeria)	Chairperson
	Mr. Shqelqim Xhaxhiu (Albania)	Vice-chairman
	Mr. Pierre Bouchet (Monaco)	Rapporteur
Working Group - Prevention:	Mr. Daniel Silvestre (France)	Chairperson
	Ms Saniye Onur (Turkey)	Rapporteur
Working Group - Preparedness and Response:	Ms. Margita Mastrovic	Chairperson
	Mr. Loizos Loizides	Rapporteur

## **AGENDA ITEM 4: ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK**

### **4.1 Working Languages**

14. The working languages of the Meeting were English and French. Simultaneous English/French interpretation was provided for the plenary sessions and for the sessions of both Working Groups. The working documents prepared by REMPEC prior to the Meeting were also available in both official languages of the Centre, i.e. English and French.

### **4.2 Adoption of the Agenda**

15. The Meeting adopted the Agenda reproduced in **Annex IV** of the present report. The list of documents is presented in **Annex V**.

#### **4.3 Organization of Work**

16. The Meeting unanimously decided that following the presentations of the Revised Second Draft Regional Strategy prepared by REMPEC and of the comments received by the Contracting Parties prior to the Meeting, as well as of comments the delegations might wish to make at the Meeting, it would discuss in the plenary only the general objectives of the Regional Strategy. The work would thereafter continue in Working Groups that would discuss, amend as necessary and consolidate the part of the Regional Strategy addressing Specific Objectives. The task of the first Working Group was to address Specific Objectives related to prevention of pollution from ships, while the second Working Group was to focus on the Specific Objectives addressing co-operation in preparedness for and response to accidental marine pollution.

17. The Meeting requested the two Working Groups to subsequently present their Reports to the plenary, which would then discuss and approve the text of Third Draft Regional Strategy.

#### **AGENDA ITEM 5:        **REVISED SECOND DRAFT OF THE STRATEGY: INTRODUCTION AND GENERAL COMMENTS****

18. The Director of REMPEC introduced document REMPEC/WG.23/5/1 which contained the Revised Second Draft of the Regional Strategy for prevention of and response to marine pollution from ships. The Director recalled that the original first draft of the Strategy was presented to the 6<sup>th</sup> Meeting of REMPEC Focal Points (Malta, 12-15 February 2003; Document REMPEC/WG.21/9), and subsequently circulated by REMPEC to the Contracting Parties for their comments in March 2003 (REMPEC Circular Letter No. 07/2003 dated 7 March 2003). The Centre prepared the present document on the basis of the original Strategy and of the comments received from the Contracting Parties.

19. He emphasized that when preparing the Revised Second Draft Strategy the Centre took note of the relevant decisions of the Thirteenth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, held in Catania, Italy, 11-14 November 2003, and in particular their guidance regarding both the contents of the future Regional Strategy and the process of its preparation, that were included in the "Catania Declaration" adopted by the same Meeting.

20. The Director of REMPEC also outlined new developments at the global and regional levels, as well as within the European Union, which the Centre took into consideration when redrafting and consolidating the present document. These included *inter alia* the adoption by IMO of certain new legal instruments, the recent expansion of the European Union which now included seven Mediterranean coastal States that need to comply with relevant EU Directives, the recent establishment of the European Maritime Safety Agency (EMSA), and the expected changes in the volume, nature and patterns of maritime transport in the Mediterranean region. He underlined that REMPEC also took into consideration the ongoing process of the preparation by the Mediterranean Action Plan of the Mediterranean Strategy for Sustainable Development (MSSD) which among other issues specifically addressed maritime transport.

21. Finally, the Director of REMPEC invited the Meeting to pay due attention, when considering the present document, to human, material and financial resources necessary for the implementation of the Regional Strategy. He emphasized that the successful implementation of the Strategy would to a large extent depend on the availability of such resources at both national and regional levels, in addition to those that REMPEC would require in order to adequately assist the Contracting Parties to achieve the intended goals.

22. The Programme Officer (Prevention) introduced Specific Objectives of the draft Strategy addressing issues related to prevention of pollution from ships. He outlined the rationale for including each of these objectives into the draft Strategy and provided necessary explanations that could facilitate deliberations of the Meeting.

23. The Senior Programme Officer (OPRC) introduced in the same way Specific Objectives related to preparedness for and response to marine pollution emergencies.

24. The representative of IMO introduced comments prepared by his Organization that were contained in document REMPEC/WG.23/5/3. He stated that in the opinion of IMO the proposed draft Strategy adequately addressed the protection of the marine environment from ship generated pollution, and that its implementation would confirm the leading role that REMPEC should play in promoting regional co-operation aimed at facilitating the implementation and enforcement of relevant IMO Conventions. IMO also considered that the implementation of the Strategy could pose difficulties for some countries, considering the level of effort and financial resources required.

25. The Meeting took note of comments made by IMO on specific topics included in the draft Strategy and instructed the Chairpersons of the two Working Groups to take these into consideration when discussing the relevant issues.

26. The representative of Algeria presented document REMPEC/WG.23/5/2 and informed the Meeting of the process that led to the preparation of the comments which his country submitted. He reiterated the importance of financial and other resources needed for the effective implementation of the Strategy and emphasized the need to strengthen the human and financial means of REMPEC on one hand, and to ensure that sufficient funds were available to carry out all envisaged actions. In this regard, Algeria suggested to start seeking financial contributions from UN and EU institutions, but also indicated that putting the Strategy into practice would require an increase in the level of contributions by the Contracting Parties themselves to the Mediterranean Trust Fund.

27. The Meeting also took note of comments on specific issues that Algeria submitted and referred these to the relevant Working Groups.

28. The Secretariat informed the Meeting that France submitted its comments to REMPEC immediately prior to the Meeting and that the time left was not sufficient to translate these into English. However, a copy of the original French text was distributed to the participants at the Meeting (REMPEC/WG.23/5/4).

29. The representative of France introduced comments prepared by his country, emphasizing in particular the importance of prioritizing the proposed actions and of ensuring that adequate resources for the implementation of the Strategy were made available.

30. Following these presentations numerous delegations expressed their satisfaction with the document prepared by REMPEC and thanked the Director and his staff for their efforts. Specific comments made by individual delegations are summarized below.

31. The delegation of Malta made several comments and suggestions and asked the Meeting to take these into consideration when amending the text of the Strategy. It asked the Secretariat to consider specifying international Conventions referred to in the present text as "relevant". Regarding the proposed mechanism for collecting funds for financing the purchase of State-owned pollution response equipment, the Maltese delegation emphasized that, should the proposal be retained, it would be necessary to ensure that the funds collected through taxation of exported or imported oil were really utilized for the intended purpose. As regards development of regional guidelines and recommendations aimed at facilitating mutual assistance in case of emergency, the Maltese delegation asked the Meeting to specifically address the need to develop clear recommendations that would facilitate entry of necessary spill response equipment into a country requesting assistance in case of a major marine pollution incident. Finally, it suggested that in order to help various stakeholders, and in particular the shipping industry, to better understand the goals of the Strategy, there was a need to prepare an information paper explaining the inputs into the sea of pollutants from various sources.

32. The delegation of Egypt highlighted the financial implications of the implementation of the future Regional Strategy and in this regard requested REMPEC to investigate the possibilities for funding in particular the setting up of port reception facilities.

33. As regards the funding mechanism for the implementation of the proposed Regional Strategy, the delegation of Egypt requested REMPEC to explore the possibility of involving other regional organizations such as the Arab League, United Nations Economic and Social Commission for Western Asia (ESCWA), The Islamic Bank etc, in activities aiming at raising the capability and the capacity of

countries needing assistance in upgrading their facilities and/or implementing international and regional treaties aimed at prevention of pollution arising from shipping activities.

34. The delegation of the EC welcomed the suggestion of Egypt and pointed out that the EC has its policy on prevention of pollution from ships and that now that REMPEC had a clear mandate to work in the same field, it intended to closely co-operate with the Centre in implementing this policy. It suggested that the Euro-Mediterranean Forum was an appropriate place to discuss all pertinent issues.

35. The Director, REMPEC, noted that the policy of both MAP and REMPEC was to bridge the gap between various Mediterranean coastal States in the field of prevention of ship generated pollution, and that all initiatives aiming at the same goal were most welcome.

36. The delegation of Croatia supported the strengthening of REMPEC capacities and suggested that other Regional Activity Centres of MAP should also be involved in the implementation of the Strategy once it were adopted.

37. The delegation of Tunisia emphasized the importance of ensuring that sufficient funds were available for the implementation of the Strategy and noted that, if donor agencies were to be considered as potential source of such funds, it might take up to two years for obtaining the necessary funding. It suggested that the Meeting should consider the possibility of inserting into the Strategy certain "performance indicators". The Tunisian delegation also supported the involvement of other MAP components in the implementation of the Strategy.

38. The delegation of Turkey recommended that all proposals made should be practicable and that all aspects of future implementation of the Strategy be taken into consideration during its preparation. It emphasized that when setting target years for achieving various specific objectives, it was necessary to consider different socio-economic standards of Mediterranean coastal States. It also suggested that economic loss associated with pollution from ships be taken into consideration when preparing the Strategy. Finally, the Turkish delegation invited the Meeting to take into account, when discussing the Strategy, the capacity of REMPEC to fulfil the tasks that would be assigned to it.

39. The delegation of Cyprus expressed its concern regarding the increase of countries' contributions to the Mediterranean Trust Fund, which the implementation of the Strategy might entail, and suggested REMPEC to prepare an estimate of the expected increase. It considered the setting up of necessary port reception facilities as possibly the most important issue and suggested that regarding their financing a mixed system could be preferred. The delegation of Cyprus supported the proposal of France to include into the Strategy the objective of declaring the Mediterranean a "SOx emission control area" in terms of MARPOL 73/78 Annex VI, as a joint initiative of the Mediterranean coastal States, and encouraged the Meeting to consider the inclusion into the revised Regional Strategy of a new Specific Objective.

40. The delegation of Greece stated that in its opinion the draft document prepared by the Secretariat was a good one. It informed the Meeting that a fund for financing spill response equipment, to which various stakeholders were participating, already existed in Greece. As regards the identification and designation of Particularly Sensitive Sea Areas (PSSAs) the Greek delegation emphasized that when identifying such areas it was indispensable to take into consideration the need to preserve the right of innocent transit passage.

41. The delegation of the EC indicated that it had no specific comments on the proposed document and that it considered that it was well prepared. It invited the Meeting to take a proactive and inventive approach when amending the document. In particular it emphasized that the policy of the European Commission was to reduce the gap between the EU member States and other Mediterranean coastal States in matters covered by the Prevention and Emergency Protocol and that it considered REMPEC as an appropriate vehicle for promoting this approach. The EC delegation recalled that several important EU and IMO regulations were soon expected to enter into force and that these should also be taken into consideration by the Working Groups when redrafting the Regional Strategy. Finally, with a view to giving additional credibility to the future strategy, it invited the Meeting to pay particular attention to the issue of places of refuge for ships in distress.

42. The delegation of Israel informed the Meeting of the positive experience of their country in financing pollution prevention, preparedness and response activities through specific funds collected from a levy paid by ships calling at Israeli ports.

43. The delegation of Spain presented recent initiatives and activities aimed at increasing the levels of safety of navigation and of preparedness to respond to major accidents, which included investment in pollution response equipment, changes in Spanish administration, bilateral co-operation with France, and making possible direct communication between response vessels and experts on land.

44. The delegation of Syria noted that the Regional Strategy should also be related to national strategies for prevention of, preparedness for and response to pollution from ships and suggested that the existing national strategies should be examined prior to the adoption of the Regional Strategy. As regards improving port State control of ship generated wastes, the Syrian delegation was of the opinion that it would be desirable to create an information network for exchange of information on quantities and fates of such wastes.

45. The Maltese delegation welcomed the proposal of the Syrian delegation concerning the need to ensure compatibility of national and regional strategies.

46. The MAP Co-ordinator noted that the high level of interventions of national delegations clearly reflected the quality of work carried out by REMPEC in the preparation of the present Meeting and emphasized that finalizing the Regional Strategy, prior to its presentation to the Contracting Parties, would require a lot of work. Taking into consideration that the Mediterranean Strategy on Sustainable Development (MSSD) would be discussed at the same time, it was necessary to ensure the coherence between both documents. While recommending that other stakeholders, including in particular non-governmental organizations (NGOs), should be consulted in the preparation of the Regional Strategy, the Co-ordinator pointed out that its implementation should be co-ordinated with other MAP Regional Activity Centres. In particular, he invited the Meeting to take into consideration the needs of the Contracting Parties and to adjust the targets of the Strategy accordingly. Finally, regarding financing of the implementation of the future Strategy, the Co-ordinator invited the Meeting to seek alternative sources of financing bearing also in mind the consequences of certain fiscal measures that might be proposed and considered.

47. The Director of REMPEC thanked all delegations that offered their comments and participated in the discussion and reassured the Meeting that the Secretariat would take all these comments into consideration when finalizing the document. This referred in particular to the coherence between the Regional Strategy and the MSSD; to setting clear objectives for the Regional Strategy and to costing the achievement of the set targets; to taking into consideration the latest developments at the global and the EU levels; and to seeking alternative sources of financing and approaching potential donors.

48. Prior to separating into Working Groups the Meeting decided that the Working Group on Prevention of Pollution from Ships (WG 1) would discuss Specific Objectives 1-8 and 10-13 as presented in document REMPEC/WG.23/5/1, and the Working Group on Preparedness and Response to Accidental Marine Pollution (WG 2) would focus on Specific Objectives 9 and 14-21.

49. Taking into consideration the limited time available and the load of work to be carried out, the Meeting agreed that in order to facilitate the job of the Working Groups and to ensure that the goal of amending all Specific Objectives was accomplished in time, the Working Groups would not prepare written Reports of their deliberations, but would directly amend the Specific Objectives assigned to them, which their respective Chairpersons would then present orally to the plenary.

#### **AGENDA ITEM 6:        REPORTS OF THE WORKING GROUPS**

50. The Chairperson of the first Working Group, Mr. Daniel Silvestre (France), introduced document REMPEC/WG.23/6/1 and presented amendments made by WG 1 to the Specific Objectives 1-8 and 10-13, explaining the rationale for each modification and amendment made.

51. The Chairman of WG 1 outlined the proposed changes in each Specific Objective discussed by WG 1 and encouraged the Meeting to consider and approve the suggested amendments. He pointed out that WG 1 *inter alia* examined the proposal of the French delegation to include into the Regional

Strategy a new Specific Objective concerning the possibility to declare the Mediterranean Sea as a "SOx emission control area" under Annex VI to MARPOL 73/78. The Working Group agreed with the proposal and consequently a new Specific Objective "to examine possibility of establishing the Mediterranean Sea as a SOx emission control area under MARPOL Annex VI" was included into the revised draft Strategy.

52. The Chairperson of the second Working Group, Ms. Margita Mastrovic (Croatia) informed the Meeting of the deliberations of WG 2, outlined the changes and amendments made by the Group, and presented document REMPEC/WG.23/6/2. She invited the Meeting to consider and approve in the plenary the proposed amendments.

53. Ms. Mastrovic informed the Meeting that WG 2, after considering the Specific Objective referring to ratification of international Conventions related to preparedness and response to accidental marine pollution, was of the opinion that Specific Objectives addressing ratification of international Conventions should be merged into a single Specific Objective regardless of the subject matter of each specific Convention. The proposal of the WG 2 was therefore to merge present Specific Objectives 4.1 and 4.9 into a new Specific Objective 4.1, amending the text of its preambular part as necessary.

54. The Chairman of the Meeting thanked the Chairpersons of the two Working Groups for their exhaustive presentations and invited the Meeting to discuss the proposed amendments. The Chairman specifically encouraged participants to comment on amendments suggested by the Working Group in which they did not participate.

#### **AGENDA ITEM 7:      DISCUSSION OF THE REPORTS OF THE WORKING GROUPS**

55. After several delegations expressed their agreement with the proposed merging of Specific Objectives 4.1 and 4.9, the Meeting decided to join the two previous Specific Objectives in a single Specific Objective 4.1 that would address the ratification of both, international Conventions related to prevention of pollution from ships and those related to preparedness for and response to accidental marine pollution.

56. Following the suggestion of the WG 1, the Meeting decided to introduced into the Regional Strategy a new Specific Objective addressing the examination of the possibility to establish the Mediterranean Sea as a "SOx emission control area" under MARPOL Annex VI.

57. With regard to the Specific Objective 4.4, concerning provision of port reception facilities, the delegation of Turkey suggested that the next Meeting of National Experts should also consider including into the Regional Strategy a reference to the requirements for port reception facilities for substances covered by MARPOL Annex VI.

58. The Meeting noted the proposal of the Turkish delegation and agreed to discuss it at the next Meeting of National Experts.

59. The delegation of Greece reiterated its position concerning the importance of preserving the right of innocent passage when establishing PSSAs in the Mediterranean (Specific Objective 4.12).

60. The Meeting took note of the statement of the Greek delegation and requested the Secretariat to reflect it in the Report of the Meeting.

61. The delegation of Malta requested the Secretariat to pay particular attention when finalizing Specific Objective 4.21 to revising, and as necessary developing clear guidelines for facilitating to a maximum possible extent the free movement of personnel and equipment between the Contracting Parties in case of mutual assistance and joint spill response operations.

62. The Meeting acknowledged the importance of the issue raised by the Maltese delegation and requested the Secretariat to amend as necessary, in consultation with the Maltese delegation, the text of the relevant Specific Objective.

63. The head of the French delegation stressed the importance of reflecting in the Report of the Meeting all relevant comments made in the plenary under Agenda Item 5. He underlined that this

referred in particular to comments related to the cost and financing of the implementation of the Regional Strategy.

64. The Director, REMPEC, thanked the speakers for their constructive comments and reassured the delegates that these would be reflected in the Report. He also indicated that the new, consolidated version of the Regional Strategy, as revised by the Working Groups and including additional amendments made under the present Agenda Item, will be attached as an annex to the Report of the Meeting.

65. As regards the continuation and completion of the process of preparation of the Regional Strategy, the Director of REMPEC proposed the following course of action:

- The Secretariat, i.e. REMPEC, will in due course review the consolidated document and complete it with the necessary Appendices, so that it reflects the outcome of the Meeting;
- Once finalized, the document will be disseminated to the Contracting Parties for their comments;
- The document will also be disseminated to NGOs and other stakeholders;
- On the basis of the received comments, the final revision will be made at the time of the 7<sup>th</sup> Meeting of REMPEC Focal Points, tentatively scheduled for the first half of 2005;

66. Noting that from the discussion it clearly appeared that the Contracting Parties would like to know the cost of the implementation of the Regional Strategy, the Director of REMPEC confirmed that the Secretariat would endeavour to cost its implementation. He recalled that the funds for such activity were not envisaged in the budget of REMPEC, and that the Centre would therefore seek to find, if possible, an external source of funds to cover this exercise.

67. The Meeting took note of the final remarks of the Director of REMPEC and agreed with the suggested procedure for continuation and completion of the preparation of the Regional Strategy.

#### **AGENDA ITEM 8:        ADOPTION OF THE REPORTS OF THE WORKING GROUPS**

68. The Meeting adopted the texts prepared by the Working Groups, as amended under Agenda Item 7, and requested the Secretariat to make the necessary editorial corrections.

69. The consolidated text of the Third Draft Regional Strategy, as adopted by the Meeting, is reproduced in **Annex VI** to the present Report.

#### **AGENDA ITEM 9:        OTHER BUSINESS**

70. The delegation of Cyprus commended the new web site of REMPEC and urged the Contracting Parties to fill in as soon as possible their respective "country pages".

71. The delegation of Algeria informed the Meeting of the forthcoming audit of its national system for preparedness for and response to accidental marine pollution and of the assistance offered by REMPEC in this regard.

72. The delegation of the EC informed the Meeting of the recent establishment of the European Maritime Safety Agency (EMSA) which was a technical agency whose goal was to assist the European Commission and the EU member States in promoting the safety of navigation and the protection of the marine environment. It indicated that in addition to the EU member States, EMSA membership was also extended to Norway and Iceland.

73. The EC delegation also informed the Meeting that the Committee of the Euro-Mediterranean Partnership (MEDA) recently approved a major project, named SAFEMED, aimed at improving the levels of safety of navigation and protection of the marine environment in the Mediterranean. It indicated that by the end of July the EC services were expected to take the final decision regarding the project, and that REMPEC was expected to play a major role in its implementation.

74. The Meeting welcomed the information provided by the EC and expressed its satisfaction with the intention to entrust REMPEC with the implementation of such an important project.

75. The delegation of Malta noted that the information provided by the EC further confirmed the instrumental role that REMPEC was playing in facilitating the dialogue and co-operation in the Mediterranean between the EU member States and other Mediterranean coastal States and suggested that a relevant statement could also be included into the preamble of the Regional Strategy.

**AGENDA ITEM 10: CLOSURE OF THE MEETING**

76. The representative of IMO welcomed the positive approach of all present delegations and expressed the confidence of his organization that the Contracting Parties would adopt a sound Regional Strategy.

77. The MAP Co-ordinator thanked all participants for the work carried out and emphasized that the adoption of the Regional Strategy would further increase the responsibility of REMPEC vis-à-vis the Contracting Parties. He reiterated the importance of costing the Regional Strategy and underlined the need for close co-operation in its finalization between MAP, REMPEC, IMO and the EC, as well as other partners, including the World Bank, through programmes such as, for example METAP. The Co-ordinator recalled that elements of the Regional Strategy would be included in the MSSD, which was also under preparation, and invited the national delegations to present to the Contracting Parties a concise, simple and realistic document.

78. The Director, REMPEC, thanked the participants for their constructive work that would help the Centre in preparing a high-quality final document.

79. The Chairman closed the Meeting at 12.45 on Saturday, 10 July 2004

**ANNEX(E) I**

**LIST OF PARTICIPANTS**

**LISTE DES PARTICIPANTS**

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## ANNEX II

### **OPENING STATEMENT BY MR. PAUL MIFSUD, CO-ORDINATOR OF THE MEDITERRANEAN ACTION PLAN**

Mr. Chairman  
Dear colleagues and delegates  
Ladies and Gentlemen

It is a great pleasure to welcome you all to this first Meeting of National Experts on the Regional Strategy for the Prevention of and Response to Marine Pollution from Ships.

First, I would like to extend my thanks to our hosts, ENI Corporate University for making available this beautiful complex in a serene environment which I am sure will contribute to the effectiveness of your work during these three days.

I would also like to welcome Mr. Miguel Palomares, the newly appointed Senior Deputy Director of Marine Environment Division of IMO, who will from now on be directly responsible for liaison between IMO and REMPEC and MAP.

By adopting the new Prevention and Emergency Protocol in January 2002, the Mediterranean coastal States demonstrated their willingness to address the protection of the marine environment through three inter-related phases namely prevention, preparedness and response. While the original Emergency Protocol focused only on cooperative action for preparedness and response to marine pollution emergencies, the new one addresses the prevention of pollution from shipping related activities as a primary objective. It is always better to take preventive measures rather than remedial action. Indeed, sustainable growth of the maritime transport sector could only be achieved through integration of prevention, preparedness and response to ship generated pollution in development plans at all levels, ranging from local to regional.

The concern of the Mediterranean coastal States with regard to marine pollution was further demonstrated through the process of ratification of the new Protocol. As I am sure you are aware that the new Protocol has entered into force only two years after its adoption, and I would like to take the opportunity to congratulate the countries who made it possible, France, Monaco, Malta, Turkey, Croatia, Slovenia and the European Union. This no doubt constitutes an additional significant contribution to the Barcelona Convention and to the Mediterranean Action Plan as a whole. I also wish to express my sincere satisfaction with the efforts made so far by the coastal States in acting jointly towards the protection of our common sea from ship generated pollution. The success of these efforts depended to a large extent on the strengthening of co-operation and the reinforcement of a regional effort.

It is now expected, that the provisions of the new Prevention and Emergency Protocol will be translated into practical actions in order to significantly reduce pollution from ships in the coming years. This goal will be achieved through the preparation of a regional E.C. strategy for the implementation of the provisions of the new Protocol, which is led by and involves the countries themselves and the EC, with the assistance of REMPEC.

In this regard, the political will of the Contracting Parties to the Barcelona Convention to decisively address threats posed to the environment in the region by maritime traffic through the preparation of a strategy was clearly expressed in the Catania Declaration adopted in November 2003 during their last Meeting. The Catania Declaration listed the actions that should be addressed when preparing the strategy with a view to its adoption by the Fourteenth Meeting of the Contracting Parties in 2005 in Slovenia.

Consequently, REMPEC recently consolidated and disseminated to the Contracting Parties a draft Regional Strategy, with a view to discussing it at the present meeting of national experts. While preparing the draft document, REMPEC took into consideration the need to ensure the sustainable development of maritime traffic in the Mediterranean and paid particular attention to present and expected future scenarios for the development of the maritime industry in the region. Last but not least, the document that you will discuss also reflects the results of constant efforts made by the International Maritime Organization in the fields of safety of navigation and protection of the marine environment.

Contributions from all Contracting Parties and their full involvement in the preparation of the Regional Strategy are indispensable to give a concrete form to their already demonstrated, important efforts aimed at rendering shipping activities as harmless as possible to the ecological balance of our common sea and at ensuring at the same time the contribution of shipping to the sustainable development of the region.

I have no doubt that you will be doing your utmost, drawing on your background and experience, to meet this objective, and therefore I wish you the most fruitful work.

Thank you.

**ANNEX III****OPENING STATEMENT BY MR. MIGUEL PALOMARES,  
SENIOR DEPUTY DIRECTOR, MARINE ENVIRONMENT DIVISION,  
INTERNATIONAL MARITIME ORGANIZATION**

Distinguished delegates,

It is a pleasure for me to be taking part in this the First Meeting of National Experts on the Regional Strategy for Prevention of, and Response to Marine Pollution from Ships, as representative of the International Maritime Organization. And it is particularly gratifying since this is the first time I have had the opportunity of representing the Organization in my new capacity as Senior Deputy Director of the Marine Environment Division, a position that was held previously by Mr. Jean-Claude Sainlos, now Director of the Division and well known to most of you. I look forward to the opportunity of meeting and talking with you during our time in this splendid city.

Naturally, I intend to follow the established IMO policy, whereby the Organization will continue its managerial role and full collaboration with and support to REMPEC and, through the Centre, to the Parties to the Barcelona Convention and associated Protocols, within the legal and administrative framework established for the purpose and in co-operation with UNEP. REMPEC constitutes an important part of IMO policy and it represents a means for developing regional co-operation to achieve full implementation of the IMO instruments dealing with marine pollution prevention, preparedness and response. In this respect, REMPEC can be considered as a blueprint for other regional agreements elsewhere in the world.

As it is mentioned in the introductory paragraphs of the IMO document submitted under agenda item 5, we believe that the revised draft Strategy before this Meeting today is a well-prepared and comprehensive document which, once finalized, will substantially contribute to the further development of a co-ordinated regional policy for the protection of the marine environment in the Mediterranean. We also feel that, in some aspects, the draft Strategy seems ambitious. However, counting on the solid guidance and dependable assistance of REMPEC and the political will of the Parties, we are confident that the targets expected to be approved by the Meeting on Saturday will be achieved by the agreed completion date.

In this respect, I must emphasize that the successful implementation of the Strategy and the attainment of its goals will depend principally on the willingness and capacity of the individual national Authorities to dedicate the necessary resources, both human and material, to carry out the activities and accomplish the related undertakings laid down in the Strategy. REMPEC will of course be expected to assist in the process, but the main commitment, we believe, must come from the individual States. Although IMO may be able to provide some limited financial support through its Integrated Technical Co-operation Programme and notwithstanding any funding that may become available from donor sources, such as the European Union and the industry, the national commitment, in some of the earmarked activities, may imply the provision of resources of considerable magnitude.

Turning now to the text of the revised draft Strategy submitted by REMPEC under the symbol WG.23/5/1, the IMO Secretariat has studied the proposal in depth and relevant comments and suggested changes were submitted to REMPEC. These you will find in document WG.23/5/3. The intent of the IMO observations is to make constructive remarks on specific issues that might benefit from some clarification or additional information, and I will present them in some detail in due course, for your consideration.

Mr. Chairman, I won't take more of your valuable time, as you have in front of you a considerable task and not much time to carry it out. I just wish to reiterate my personal commitment to the work of this most important Meeting.

Thank you

**ANNEX IV**

**AGENDA**

1. Opening of the Meeting.
2. Rules of procedure.
3. Election of officers.
4. Adoption of the agenda and organization of work.
5. Revised Second Draft of the Strategy: Introduction and general comments.
6. Reports of the Working Groups.
7. Discussion on the reports of the Working Groups.
8. Adoption of the reports of the Working Groups.
9. Other business.
10. Closure of the Meeting.

## ANNEX V

### LIST OF DOCUMENTS

#### Working Documents

REMPEC/WG.23/4/1	Provisional agenda.
REMPEC/WG.23/4/2	Annotated provisional agenda.
REMPEC/WG.23/4/3	Draft timetable.
REMPEC/WG.23/5/1	Regional Strategy for prevention of and response to marine pollution from ships. Revised Second Draft. (Submitted by REMPEC)
REMPEC/WG.23/5/2	Proposal of Algeria on the Regional Strategy for the prevention of marine pollution by ships - for the implementation of the Prevention and Emergency Protocol of the Barcelona Convention. (Submitted by Algeria)
REMPEC/WG.23/5/3	Comments on the Revised Second Draft of the Regional Strategy for prevention of and response to marine pollution from ships. (Submitted by IMO)
REMPEC/WG.23/5/4	Stratégie a long terme du REMPEC - Observations de la France sur le document transmis par lettre circulaire 08/2004. (Submitted by France – French only)
REMPEC/WG.23/6/1	Draft Report of the Working Group 1 - Prevention of pollution from ships (English only)
REMPEC/WG.23/6/2	Draft Report of the Working Group 2 - Preparedness and response to accidental marine pollution (English only)

#### Information Documents

REMPEC/WG.23/INF.1	Provisional list of documents.
REMPEC/WG.23/INF.2	Provisional list of participants.
REMPEC/WG.23/INF.3	List of participants.

## ANNEX VI

### RESOLUTION

#### REGIONAL STRATEGY FOR THE PREVENTION OF AND RESPONSE TO MARINE POLLUTION FROM SHIPS

*[Adopted by the Fourteenth Ordinary Meeting of the Contracting Parties to the Barcelona Convention]*

#### **The Contracting Parties to the Barcelona Convention:**

*Convinced* of the importance of protecting the Mediterranean Sea from the risk of marine pollution,

*Considering* the importance attached to the enhancement of maritime safety and the protection of the marine environment from pollution in the Plan of Implementation adopted by the 2002 World Summit on Sustainable Development – WSSD (Johannesburg Summit),

*Reaffirming* their commitment to achieving sustainable development at regional, national and local levels, as well as to the issues agreed upon and the decisions taken in the Mediterranean Declaration for the 2002 Johannesburg Summit and its Plan of Implementation,

*Taking into account* the relevant parts of the 'Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean' (MAP Phase II) and the revised Barcelona Convention adopted by the Conference of Plenipotentiaries held in Barcelona on 10 June 1995,

*Recalling* the adoption in 2002 of the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol) which replaced the 1976 Protocol Concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency and extended its remit to also include the prevention of pollution from ships,

*Recalling also* the new objectives and functions of REMPEC as the Regional Centre for the implementation of the Protocol, adopted by their Twelfth Ordinary Meeting,

*Noting* that the Prevention and Emergency Protocol entered into force on the 17 March 2004,

*Bearing in mind* the relevant provisions of the Catania Declaration adopted by their Thirteenth Ordinary Meeting and, in particular, their agreement to prepare a Regional Strategy for the Prevention of and Response to Marine Pollution from Ships, including precise commitments and deadlines, with a view to its adoption at their Fourteenth Ordinary Meeting,

*Bearing also in mind* the recommendations of their Thirteenth Ordinary Meeting regarding the preparation and the adoption of the Regional Strategy:

**Adopt** the Regional Strategy for the Prevention of and Response to Marine Pollution from Ships, as set out in the attached Annex, for the ten-year period 2005 to 2015, comprised of:

- the Mission Statement of REMPEC;
- the present and future scenarios of the maritime industry and the Mediterranean region;
- general objectives;
- specific objectives; and
- tentative timetable of activities and goals to be achieved;

**Request** REMPEC to review and report to the Contracting Parties on the progress of the implementation of the Regional Strategy and to propose its updating as necessary.

## Annex

### REGIONAL STRATEGY FOR THE PREVENTION OF AND RESPONSE TO MARINE POLLUTION FROM SHIPS

#### 1. MISSION STATEMENT OF REMPEC

The mission of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) is to assist Mediterranean coastal States in the implementation of the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol) by:

- **Strengthening the capacities of the coastal States in the Mediterranean region** with a view to preventing pollution of the marine environment, ensuring the effective implementation of the recognized international rules, and combating / eliminating pollution of the marine environment;
- **Developing regional co-operation** in the field of prevention **and facilitating co-operation** among the coastal States of the Mediterranean in responding to marine pollution incidents;
- **Assisting coastal States of the Mediterranean, which so request**, in the development of their national capacities for response to marine pollution incidents **and facilitating information exchange, technological co-operation and training**; and
- **Providing a framework for exchange of information** on operational, technical, scientific, legal and financial matters, **and promoting dialogue** aimed at conducting co-ordinated actions at national, regional and global levels for the implementation of the Protocol.

#### 2. PRESENT AND FUTURE SCENARIOS OF THE MARITIME INDUSTRY AND THE MEDITERRANEAN REGION

The Strategy and its General and Specific Objectives have been developed bearing in mind the legal, financial and institutional framework of the Barcelona system, including in particular the provisions of the Prevention and Emergency Protocol, and the objectives and functions of REMPEC as the regional center charged with the implementation of the said Protocol. Moreover, the Strategy has been developed in the context of the present and expected future scenarios characterizing the maritime industry and the Mediterranean region, in particular:

- the increased role of shipping services in a more interconnected globalized world and the consequent need to better ensure the observance of the highest shipping standards also by increased interaction at the global, regional, sub-regional and national levels;
- the expected developments related to maritime traffic in the Mediterranean, in particular the proposed Euro – Mediterranean Transport Network;
- the heightened concern of the general public at the impact of global shipping activities both on human life at sea and on the marine environment;
- recent political developments in the Mediterranean region, including in particular the southward enlargement of the European Union; and
- recent and expected developments at the global and regional levels related to the regulation of shipping that necessitate new approaches to the protection of the Mediterranean marine environment and require a common approach to the issue of the protection of the marine environment in the region, spearheaded by REMPEC.

### 3. GENERAL OBJECTIVES

Taking into consideration the mission statement of REMPEC, the legal, financial and institutional framework of the Barcelona system, including in particular the provisions of the Prevention and Emergency Protocol, and the present and expected future scenarios characterizing the maritime industry and the Mediterranean region, the general objectives of the Strategy are threefold, namely:

- prevention of illegal discharges from ships;
- prevention of accidents; and
- preparation for response to major pollution incidents.

Section 4 describes the specific objectives which, if achieved, will meet the general objectives as set out above. For each specific objective certain goals are proposed which will also serve as criteria for indicating the success (or otherwise) of Contracting Parties in meeting the objectives. The role of REMPEC will, as over the past 27 years, be primarily one of assistance to the Contracting Parties in enhancing their national capacities and in facilitating the means for regional or sub-regional co-operation.

The implementation goals are set out in tabular form in Appendix 1. It is obvious that not all goals can be achieved immediately and a tentative timetable for implementation of the Strategy is set out in Appendix 2.

It is envisaged that there may be several areas of activity within the specific objectives which will create a synergy with other components of the Mediterranean Action Plan (MAP) as well as with other related regional organizations such as the recently established European Maritime Safety Agency (EMSA). Where necessary, the work of REMPEC should create linkages with the work of such other entities.

Full and effective implementation of the strategy will depend on three factors:

- the political will of Contracting Parties;
- the capacity of REMPEC to respond to the demands of Contracting Parties in the co-ordination and organization of activities; and
- adequate financial resources.

The political willingness of Contracting Parties to take action in the field of prevention of and response to marine pollution from ships has already been demonstrated by the adoption of the Prevention and Emergency Protocol in January 2002. However, it is evident that further concrete action is necessary in order to give meaningful effect to the political and legal commitments which signature of the Protocol implies. In many cases lack of implementation and enforcement is a result of inadequate human and financial resources being allocated to carry out the tasks required. In order to achieve the goals and objectives of the Strategy, it will be essential for all Contracting Parties to ensure that governments are aware of the importance of the issues addressed by the Protocol and allocate sufficient resources to fulfill the tasks. Recent pollution events will surely help to focus government minds on the importance of addressing these issues.

Secondly, it will be important to ensure that REMPEC is given adequate human resources and facilities in order to fulfill its tasks in assisting Contracting Parties to enhance their national capabilities and in facilitating regional co-operation. Additional staff will be required during the next ten years in order to enable REMPEC to fulfill its new mandate, as given to it at the Twelfth Ordinary Meeting of the Contracting Parties (Monaco, 2001). One solution may be to facilitate the secondment of officials from Contracting Parties to work at REMPEC for limited periods of time (e.g. two years). Such secondments would also have the additional benefit of enabling the seconded officers to deepen their understanding and knowledge of REMPEC's activities.

Thirdly, the implementation of the activities described below requires additional financial resources. It can be envisaged that some funds will become available from the specialized agencies of the UN system, e.g. IMO, to carry out tasks which also help to fulfill the mandates of these organizations and agencies. It might also be expected that through the various funding mechanisms of the European

Union (EU), financial support for clearly defined projects which also meet the EU's objectives, could be obtained.

In particular, within the framework of the Euro-Mediterranean partnership there might be room for REMPEC's involvement in the implementation of projects aimed at further reducing the gap between the international regulatory maritime safety framework and the EU legislative framework in order to ensure a coherent, effective and uniform implementation of the international rules for maritime safety and the prevention of the pollution from ships in the Mediterranean.

The implementation of the Strategy also inevitably implies an increase of the contributions of the Contracting Parties to the Mediterranean Trust Fund. The specific objectives of the Strategy have not been costed but Contracting Parties must be aware that they will not be achieved without adequate financial resources being made available.

#### **4. SPECIFIC OBJECTIVES**

##### **4.1 Ratification of relevant international maritime conventions related to the protection of the marine environment**

In addition to the Barcelona Convention itself, there are a number of international conventions which are relevant for the prevention of pollution from ships. The most important of these is the International Convention on the Prevention of Pollution from Ships, 1973/78 commonly known as MARPOL 73/78, and its six annexes. Other relevant conventions, mainly those adopted under the auspices of IMO, are listed in Appendix 3. There remain a number of gaps in Mediterranean States' ratification of the relevant international conventions. It is therefore proposed that, in order to fill these gaps, all Mediterranean States take action, where necessary, to ratify and simultaneously ensure the effective implementation and enforcement of these conventions according to the timetable appearing hereunder. REMPEC shall also provide Mediterranean coastal States, which so request, with advice and assistance in this respect.

Similarly, it is also evident that not all Mediterranean States have yet ratified the international maritime conventions which are relevant to the prevention of marine pollution accidents and the response thereto, such as the OPRC 1990, OPRC-HNS Protocol of 2000 and the Intervention Convention of 1969 and its Protocol of 1973. A complete list of the conventions concerned is shown in Appendix 3. In order that there is a comprehensive legal basis for the prevention of such accidents in the Mediterranean Sea and the measures for responding to those accidents, it is important that Mediterranean States take the necessary action to ensure that the relevant conventions are ratified and implemented nationally. As part of its existing mandate, REMPEC will continue to assist any State which requests advice in this respect.

*The Contracting Parties agree:*

- a) that all Mediterranean States ratify MARPOL 73/78 and its annexes by [2007] and to co-operate through REMPEC to ensure full compliance with its provisions;
- b) that all Mediterranean States ratify other IMO relevant international conventions as soon as possible but preferably by [2008], to ensure their transposition into national law by the same time, and full compliance with their provisions;

*To request the Secretariat:*

- c) to provide Mediterranean coastal States, which so request, with advice and assistance in order to meet the deadlines set forth in sub-paragraphs (a) and (b) above.

#### 4.2 Ensuring effective maritime administrations<sup>1</sup>

The successful implementation of relevant international instruments is very much dependant on ensuring that ships comply with the required standards at all times. This of course requires States to ensure that they have in place effective maritime administrations capable of discharging effectively their flag State, port State and coastal State obligations in line with the relative IMO recommendations and guidelines.

One of the important obligations of MARPOL 73/78 is the requirement that officers from the maritime administrations carry out regular inspections on ships flying their own flag and on foreign flag vessels visiting their ports to ensure that they comply with the relevant provisions of the Convention. The problem is that although checks may be carried out, the quality of the inspection can vary from port to port and from officer to officer. Although there is a need to increase the number of inspections in order to identify substandard ships, it is essential first to improve the quality of those inspections. It is suggested that this can be achieved by focusing more attention on the training of inspection officers from the Mediterranean coastal States. In this regard, REMPEC could play a crucial role in training ship inspectors to carry out ship inspections related to international marine environment protection conventions, in particular, the MARPOL 73/78 convention.

*The Contracting Parties agree:*

- a) that all Mediterranean States (which have not already done so) endeavour to enhance, on the basis of a national plan, the performance of their maritime administrations in accordance with the relative IMO recommendations and guidelines<sup>2</sup> by [2010];
- b) that all Mediterranean States, in their efforts to protect the marine environment, should carry out, as far as possible, at regular intervals, a self-assessment of their capabilities and performance in giving full and complete effect to MARPOL 73/78, by using the guidance set out in the relevant IMO Resolution dealing with the self-assessment of flag State performance<sup>3</sup> [and in the IMO Code of Implementation];

*To request the Secretariat:*

- c) to improve the knowledge and expertise of inspection officers by establishing through REMPEC, a programme of training activities related to relevant international instruments, in particular MARPOL 73/78, ensuring appropriate training for ship inspectors, commencing in [2005];
- d) to assist through REMPEC the Mediterranean coastal States which so request in the development of national plans designed to enhance the performance of their maritime administrations.

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<sup>1</sup> Please note that certain issues mentioned in this section of the present document are currently subject of activities carried out by IMO, including those carried out within the framework of IMO/MEDA Projects and IMO Integrated Technical Co-operation Programme (ITCP). In order to avoid any duplication of work between IMO and REMPEC, prior to finalising the strategy, the Centre shall consult IMO with a view to identifying those issues that are already dealt with by the Organisation.

<sup>2</sup> The IMO publication entitled "MARPOL-How to do it" contains useful information on this issue.

<sup>3</sup> IMO Assembly Resolution A.912 (22) .

#### **4.3 To strengthen the Memorandum of Understanding (MoU) on port State control (PSC) in the Mediterranean region (Mediterranean MoU)**

In order to enhance the effectiveness of individual States in carrying out port State control inspections of ships under international maritime conventions including the MARPOL Convention, various regional Memoranda of Understanding have been agreed by the States concerned to enhance their regional co-operation on this issue. The Paris MoU was adopted in 1982 to strengthen co-operation on port State control primarily between European States and, in the mid-1990s, a MoU for the Mediterranean region was adopted with its headquarters in Alexandria and a decision that a ship inspection database should be established in Morocco.

[The EU Directive 95/21/EC<sup>1</sup>, which makes the Paris MoU mandatory for the EU States, sets out an inspection level of 25% of ships calling at European ports. It also foresees a specific targeting system, including the possibility to ban some ships from the EU ports. The Mediterranean MoU sets out an inspection level of 15% inspections, but this target is not yet achieved and, moreover, a different detention policy is followed.

The enlargement of the EU, whereby two members of the Mediterranean MoU are now following the rules of the EU Directive deserve full attention. REMPEC could play a role in improving the effectiveness of the Mediterranean MoU and to enhance the co-operation between the Mediterranean MoU and the Paris MoU.]<sup>2</sup>

In order to achieve the specific objective of strengthening the Memorandum of Understanding on port State control in the Mediterranean region,

*The Contracting Parties agree:*

- a) to mandate REMPEC to play a role in improving the effectiveness of the Mediterranean MoU on port State control and to facilitate co-operation between the Paris MoU and the Mediterranean MoU;
- b) to make available the necessary resources and means to enable the Mediterranean MoU to function efficiently;

*To request the Secretariat:*

- c) to attend, and where possible host, the Mediterranean MoU Committee meetings;
- d) to associate itself with port State control training activities addressing environmental matters, including those related to the Anti Fouling Systems and Ballast Water Management conventions where appropriate, in collaboration with recognized training institutions within the region; and
- e) to work in association with the MoUs on port State control on the organization and follow up analysis of concentrated inspections campaigns on MARPOL 73/78 related deficiencies.

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<sup>1</sup> Council Directive 95/21/EC, of 19 June 1995, concerning the enforcement, in respect of shipping using Community Ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control), as amended.

<sup>2</sup> These paragraphs are within square brackets in view of the revision of the EU policy on port State control.

#### 4.4 Provision of reception facilities in ports<sup>1</sup>

[An important provision of the MARPOL 73/78 Convention reflected also in the Prevention and Emergency Protocol is that all States Parties to the Convention provide adequate facilities in their ports for the type of vessels visiting those ports and the different types of waste and cargo residues generated. The lack of adequate reception facilities in Mediterranean ports has long been a matter of concern for the international community as well as the States themselves. The topic has been the subject of a number of studies and was addressed by a MEDA project<sup>2</sup> implemented by REMPEC (2002 – 2004).

There are a number of problems associated with the lack of adequate port reception facilities in the Mediterranean region. The first is the lack of sufficient guidance on the technical requirements for providing adequate reception facilities for the different types of ship-generated waste and cargo residues; this issue was addressed in particular by the MEDA project. Secondly, there is the problem of ultimate disposal of the wastes in environmentally satisfactory conditions. This is essentially a waste management problem and requires the establishment of appropriate procedures between the port authority (which generally is not a waste disposal authority) and the local waste management authorities for the different types of waste (e.g. garbage comparable to municipal waste; oily wastes and sludges which may be suitable for delivery to refineries for reprocessing or to appropriate users as fuel oils). Thirdly, there is the question of cost for the provision of reception facilities and the need to observe, *inter alia*, the polluter pays principle which implies that the ships using the facilities should pay for their services. The EU Directive 2000/59/EC<sup>3</sup> regulates this and other related issues as far as the EU Member States are concerned.

The question of payment for port reception facilities is an important issue in order to ensure that charges are not prohibitively high so as to encourage ships' masters to contravene the Convention by discharging wastes at sea. On the other hand, differences in practice between one port and the next, including whether or not waste management fees are charged as an additional cost to users of the reception facilities or are incorporated within the port due, can lead to distortions in the use of reception facilities and could lead to significant waste management burdens on those providing such facilities at cheaper cost. In order to ensure that waste management fees are not a disincentive to the use of reception facilities in Mediterranean ports, Mediterranean coastal States should address this issue.

In order to meet the specific objective of providing adequate reception facilities in ports,

*The Contracting Parties agree:*

- a) to consider by [2005] the establishment of procedures related to the cost of the use of reception facilities, which should be reasonable and should not serve as a disincentive for their use;
- b) For garbage:
  - i) all major ports to install facilities for the collection of garbage and procedures for its disposal by [2007];
  - ii) collection and disposal procedures for garbage to be in place for all major ports by [2010];

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<sup>1</sup> This Specific Objective is within square brackets in view of the finalisation by REMPEC of the MEDA Project on Port Reception Facilities and its expected outputs; the working group proposed that the issue related to the cost of the use of port reception facilities be discussed in the forthcoming Seminar concluding the said MEDA Project.

<sup>2</sup> MEDA Project on port reception facilities for collecting ship-generated garbage, bilge waters and oily wastes (MED.B7.4100.97.0415.8)

<sup>3</sup> 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.

- c) For oily wastes:
  - i) all major ports to establish collection, treatment and disposal procedures for bilge waters, oily wastes and dirty ballast waters by [2007];
  - ii) collection, treatment and disposal procedures for bilge waters, oily wastes and dirty ballast waters to be in place for all major ports by [2010]
- d) For Noxious Liquid Substances (NLS)
  - i) all major ports handling NLS to establish collection, treatment and disposal procedures for NLS by [2007];
  - ii) collection, treatment and disposal procedures for NLS to be in place for all major ports by [2010 ?]
- e) For sewage:
  - i) all major ports to establish collection and treatment procedures for sewage by [2007];
  - ii) collection and treatment procedures for sewage to be in place for all major ports by [2010 ?]
- f) For ballast water and sediments:
  - i) all major oil and chemical terminals to establish collection, treatment and disposal procedures for ballast waters by [ ];
  - ii) all major ports and terminals where cleaning or repair of ballast tanks occurs to endeavour to take action to be in a position to comply with the provisions of the 2004 Ballast Water Convention by [2012], and, if possible, by its entry into force.]

#### 4.5 Improved Port State control of ship-generated wastes<sup>1</sup>

[The provision of port reception facilities is not an end in itself but the means to achieve an end, namely the prevention of marine pollution by illegal discharges. However, some vessels may have sufficient dedicated storage capacity on board to deliver their wastes at another port of call without risking illegal discharge at sea. In such cases it is important to establish a system whereby a port notifies the authorities in the vessel's next port of call about the status of the ship's waste storage conditions in order that the authorities in the next port of call can inspect the vessel to ensure that there has been no illegal discharge in transit.

In some cases the port authorities may deem it essential that the ships concerned deliver their waste to port reception facilities before leaving the port. It is important, therefore, that the appropriate port authorities have adequate national powers to enforce such a decision.

In order to meet the specific objective of improved control of ship-generated wastes,

*The Contracting Parties agree:*

- a) to establish, [by 2015], a system of notification to a vessel's next port of call of the status of its onboard retention of bilge waters and oily wastes and garbage;
- b) that all Mediterranean States implement [by 2010] national regulations empowering maritime authorities to require, if they deem it necessary, the Masters of vessels to discharge wastes into designated port reception facilities before sailing.]

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<sup>1</sup> This Specific Objective is within square brackets in view of the finalisation by REMPEC of the MEDA Project on Port Reception Facilities and its expected outputs; the working group proposed that the issue related to the cost of the use of port reception facilities be discussed in the forthcoming Seminar concluding the said MEDA Project.

#### 4.6 Improved monitoring and surveillance of illicit discharges

With the exception of a few Mediterranean coastal States, that have already set up aerial surveillance of the waters under their jurisdiction, there is a general lack of monitoring and surveillance of Mediterranean waters, necessary for effective implementation of the MARPOL 73/78 Convention. This lack of surveillance allows, even encourages, discharge of dirty ballast waters or oily sludges, or even garbage, without fear of detection. This situation is compounded by the fact that a limited number of States have established beyond their territorial waters, an area under their jurisdiction allowing them to enforce the provisions of the MARPOL 73/78 Convention.

If the Prevention and Emergency Protocol is to have any meaning, it will be essential for Contracting Parties to embark on a regular system of national aerial surveillance. The burden of surveillance may be shared by allowing the aircraft of a neighbouring State to over fly the waters under the jurisdiction of another State for the purposes of monitoring the Convention. There are various regions of the Mediterranean, which could apparently lend themselves to such sub-regional co-operation. Nevertheless, the aerial surveillance should always be complemented by maritime patrols by vessels.

In addition to surveillance by aircraft and patrol boats, surveillance of the Mediterranean by satellite is also a promising option for improving the detection of illicit discharges. In the longer term it could be envisaged that REMPEC would receive and assess such satellite data and pass on information about possible marine pollution occurrences to the nearest coastal State. In order to reduce the costs on the REMPEC budget, the staff for this activity should be provided by the Contracting Parties on secondment to REMPEC on a rotation basis. This would also have the added advantage of improving the capacities of the seconded staff, increasing their knowledge and expertise, and enhancing regional cooperation in this field.

In order to meet the specific objective of improved monitoring and surveillance of illegal discharges,

*The Contracting Parties agree:*

- a) to establish, by [2006], systems and procedures for national monitoring and surveillance including, where practicable, aerial surveillance in the waters under the jurisdiction of Contracting Parties and to report the results to the regular meetings of REMPEC Focal Points;
- b) to endeavour to establish, by [2007], sub-regional systems, including procedures to over-fly the waters under the jurisdiction of a neighbouring State if the Parties so agree, for surveillance of environmentally sensitive and/or high risk zones of the Mediterranean Sea;

*To request the Secretariat:*

- c) to carry out pilot projects in the field of monitoring and surveillance of illicit discharges from ships;
- d) to establish Memoranda of Understanding with agencies or competent bodies whereby [from 2006] REMPEC will act as the focal point between these agencies and bodies and coastal States on possible occurrences of marine pollution identified by satellite.

#### **4.7 To improve the level of enforcement and the prosecution of discharge offenders<sup>1</sup>**

Even though many Mediterranean States have ratified the MARPOL 73/78 Convention, not all countries have yet established a national legal framework to effectively implement the convention and, in particular, a comprehensive framework to enforce the provisions and prosecute offenders. In some countries there may even be the need to raise the level of awareness among government officials as to the importance of this issue if illegal discharges from ships are to be tackled seriously. Although the subject is complex, much progress has been made within the framework of the Bonn Agreement and HELCOM for dealing with such issues in the North and Baltic Seas and there is considerable scope for Mediterranean States to benefit from this experience.

In order to achieve the specific objective of improving the level of enforcement and the prosecution of discharge offenders within the Mediterranean region:

*The Contracting Parties agree:*

- a) that all Mediterranean States ensure the existence of a national legal framework (regulations) as a basis for prosecuting discharge offenders by [2010 at the latest];
- b) to endeavour to harmonize sanctions by [2010] with a view to ensuring even-handed treatment of discharge offenders throughout the Mediterranean region;
- c) with due regard to their national legal provisions, [by 2007] to share collected data, and facilitate acceptance of the evidence gathered by other States , to ensure the successful prosecution of discharge offenders.

*To request the Secretariat:*

- d) to carry out pilot projects in this field, including a compilation of national legal and institutional arrangements as well as to disseminate information to enforcement personnel and legal personnel/prosecutors/magistrates on the relevant issues required to secure successful prosecutions in court, e.g. procedures for the collection of data, submission of evidence to courts, etc., with the aim of achieving the necessary expertise in all Mediterranean States by [2010].

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<sup>1</sup> Reference is made to IMO Assembly Resolution A.787 (19), as amended by Resolution A.882 (21). The IMO publication entitled "MARPOL-How to do it" contains useful information in relation to the issues of "Prosecuting offences" and "Pollution detection and response".

#### **4.8 To reduce the pollution generated by pleasure craft**

In the last few years, the Government of Monaco and INDEMER carried out initial preparatory work in connection with the development of a draft Convention on pleasure craft navigation in the Mediterranean Sea. Moreover, in 2001 REMPEC conducted a survey on national and port regulations applicable to pollution prevention and adverse environmental effects from pleasure craft in the Mediterranean Sea<sup>1</sup>. On the basis of this survey, REMPEC prepared a set of draft Recommendations, which were published in 2001. REMPEC has requested that, when elaborating national counter measures regarding pollution from pleasure craft, the Contracting Parties take the 15 Recommendations into account.

Taking into consideration the ongoing work of REMPEC aimed at preparing and developing within the framework of the Barcelona system, a draft regional legal instrument on prevention of pollution from pleasure craft activities in the Mediterranean Sea, in order to meet the specific objective of reducing pollution problems generated by pleasure craft,

*The Contracting Parties agree:*

- a) that the regional legal instrument on prevention of pollution from pleasure craft activities in the Mediterranean Sea, being developed within the framework of the Barcelona System, should comply with the MARPOL 73/78 Convention and should be prepared in close cooperation with IMO;
- b) that all Mediterranean States shall endeavour to implement the relevant existing provisions of the MARPOL 73/78 Convention and, as far as possible, once adopted, the provisions of the regional legal instrument referred to in sub-paragraph a) above and to report on the measures they undertook to implement the said provisions;

*To request the Secretariat:*

- c) to assist Mediterranean States in the implementation of the existing relevant provisions of the MARPOL 73/78 Convention and, once adopted, of the regional legal instrument referred to in sub-paragraph a) above.

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<sup>1</sup> Recommendations for the prevention of pollution and adverse environment effects from pleasure craft in the Mediterranean Sea, REMPEC, 2000 – 2001.

#### **4.9 Reduced risk of collisions by establishing Ship's Routeing Systems<sup>1</sup>**

Some Ship's Routeing Systems have already been established in the Mediterranean. However, it is evident from preliminary discussions with some Contracting Parties to the Barcelona Convention that there is scope for creating additional systems, at least in narrow passages and in the region of the most sensitive coastal areas.

In order to meet the specific objective of reducing the risk of collisions by establishing additional systems,

*The Contracting Parties agree:*

- a) to propose to IMO by [2008], where necessary, additional appropriate Routing Systems in the Mediterranean for possible adoption not later than [2010];

*To request the Secretariat:*

- b) to ensure the identification of the main shipping lanes for vessels carrying oil and other hazardous and noxious substances (HNS) by [2006].

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<sup>1</sup> Please note that certain issues mentioned in this section of the present document are currently subject of activities carried out by IMO, including those carried out within the framework of IMO/MEDA Projects and IMO Integrated Technical Co-operation Programme (ITCP). In order to avoid any duplication of work between IMO and REMPEC, prior to finalising the strategy, the Centre shall consult IMO with a view to identifying those issues that are already dealt with by the Organisation.

#### 4.10 Improved control of maritime traffic<sup>1</sup>

Maritime Traffic Control Systems are already established in some areas of the Mediterranean. There have already been incidents where coastal States have lost track of vessels which may pose a threat of pollution and there is a case for establishing additional Maritime Traffic Control Systems in the Mediterranean region in order to effectively implement the Prevention and Emergency Protocol.

At the European level, the need for permanent monitoring of ship movements led the European Union to adopt EU Directive 2002/59/EC<sup>2</sup> which provides for a comprehensive vessel traffic monitoring and information system based on IMO requirements. In view of the need to improve the monitoring of ships in the Mediterranean, particularly those posing a risk to the marine environment, the potential of the EU System, which also includes the on-going Safe Sea Net project, should be fully exploited by the Mediterranean coastal States. In this regard, every effort should be made to identify the possibilities that might exist under the Euro-Med Partnership mechanism for the development and establishment of an ad hoc infrastructure.

In addition to improved monitoring of vessel traffic, there is also a case for considering the circumstances in which oil and other hazardous and noxious substances are transported by bulk in single hull tankers prior to their phasing out according to the timetable established under MARPOL 73/78, such as, for example, the use of single hull tankers to carry certain types of oil.

In order to implement the specific objective of improving the control of maritime traffic in the Mediterranean,

*The Contracting Parties agree:*

- a) to review the conditions for the transport of oil and other HNS in particular in single hull tankers with a view to consider the possibility of establishing [by 2007] a Mediterranean regime in conformity with the international regulations;
- b) to identify by [2006] those areas of the Mediterranean where control of maritime traffic could be improved by the establishment of a regime based on the use of Automatic Identification System (AIS) in conjunction with Vessel Traffic Systems (VTS) and mandatory ship reporting systems, and to complete approval procedures by [2010];

*To request the Secretariat:*

- c) to negotiate with appropriate organizations and agencies on behalf of Contracting Parties, which so request, the international financial assistance required to establish the regime referred to in sub-paragraph b) above by [2010];
- d) to develop a training programme for personnel involved in the transport and handling of HNS in conformity with the relevant IMO codes, in particular the IMDG Code.

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<sup>1</sup> Please note that certain issues mentioned in this section of the present document are currently subject of activities carried out by IMO, including those carried out within the framework of IMO/MEDA Projects and IMO Integrated Technical Co-operation Programme (ITCP). In order to avoid any duplication of work between IMO and REMPEC, prior to finalising the strategy, the Centre shall consult IMO with a view to identifying those issues that are already dealt with by the Organisation.

<sup>2</sup> Directive 2002/59/EC of the European Parliament and the Council 27 June 2002 establishing a community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC.

#### 4.11 Identification of Particularly Sensitive Sea Areas (PSSAs)

As is well known, the Mediterranean Sea has been designated as a Special Area under the Annexes I and V of the MARPOL 73/78 Convention. It is also possible for Contracting Parties to identify Particularly Sensitive Sea Areas as zones requiring special protection. In November 2001, the IMO adopted Resolution A 927(22)<sup>1</sup> containing Guidelines for the Identification and Designation of Particularly Sensitive Sea Areas.

A PSSA is an area that needs special protection through IMO because of its significance for recognized ecological, socio-economic, or scientific reasons and because it may be vulnerable to damage by international shipping activities. In order for an area to be identified as a PSSA, it must meet certain criteria, which are specified in the IMO Guidelines. If a PSSA is accepted by IMO, the designated area will be eligible for associated protective measures, e.g. as an area to be avoided, and will be identified as such on charts.

In order to meet the specific objective of identifying Particularly Sensitive Sea Areas, the Contracting Parties agree:

*To request the Secretariat:*

- a) to initiate, by [2008], the process of identification in conjunction with the appropriate MAP/RACs, of those areas which, on proposal by the Contracting Parties and after examination by the REMPEC Focal Points, could be designated as PSSAs;
- b) to assist, in co-operation with IMO, the Mediterranean coastal States which so request, to conduct the necessary relevant studies and to prepare the relative submissions to IMO for the designation of PSSAs, if any, in strict compliance with the relevant IMO Guidelines<sup>2</sup>.

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<sup>1</sup> IMO Resolution A.927 (22) adopted on 29 November 2001 on Guidelines for the designation of special areas under MARPOL 73/78 and guidelines for the identification and designation of particularly sensitive sea areas.

<sup>2</sup> Idem

#### 4.12 To establish places of refuge in order to minimize the risks of widespread pollution<sup>1</sup>

In response to an urgent international operational need, IMO has been considering at the global level the problem of places of refuge for disabled vessels. In December 2003, IMO adopted Resolution A.949(23)<sup>2</sup> on guidelines on places of refuge for ships in need of assistance, but where safety of life is not involved. (Where safety of life is involved, the provisions of the SAR Convention should be followed.)

The purpose of the IMO guidelines is to provide ships' Masters, ship owners, salvors and Member Governments with a framework enabling them to respond effectively and in such a way that, in any given situation, the efforts of the Master and owner of the ship and the efforts of the government authorities are complementary. A second Assembly resolution, on the establishment of Maritime Assistance Services to be a focal point for the receipt of various reports and notifications required by various IMO instruments, was also adopted by the IMO Assembly in December 2003 (Resolution A.950 (23)<sup>3</sup>. Consequently, at the European level, in terms of EU Directive 2002/59/EC<sup>4</sup>, EU Member States have drawn up plans to accommodate, in the waters under their jurisdiction, ships in distress.

Taking into account this scenario, it could be worthwhile for Mediterranean States to consider in greater depth the modalities for establishing places of refuge within the Mediterranean region. These could also consider, for example, guidelines on additional equipment, which would be required in places of refuge to facilitate cargo transfers in environmentally safe conditions.

In order to meet the specific objective of establishing places of refuge to minimize the risks of widespread pollution,

*The Contracting Parties agree:*

- a) to identify, as a matter of urgency, appropriate procedures as outlined in the relevant IMO Guidelines, in order to facilitate the decision making when designating a place of refuge for a ship in distress;
- b) that all Mediterranean States draw up plans to deal with ships in distress, including appropriate equipment and means.

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<sup>1</sup> Please note that certain issues mentioned in this section of the present document are currently subject of activities carried out by IMO, including those carried out within the framework of IMO/MEDA Projects and IMO Integrated Technical Co-operation Programme (ITCP). In order to avoid any duplication of work between IMO and REMPEC, prior to finalising the strategy, the Centre shall consult IMO with a view to identifying those issues that are already dealt with by the Organisation.

<sup>2</sup> IMO Resolution A. 949 (23) on guidelines on places of refuge for ships in need of assistance.

<sup>3</sup> IMO Resolution A.950 (23) on maritime assistance services (MAS).

<sup>4</sup> Directive 2002/59/EC of the European Parliament and the Council 27 June 2002 establishing a community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC.

**4.13 To examine the possibility of establishing the Mediterranean Sea as a SO<sub>x</sub> emission control area under MARPOL 73/78 Annex VI**

Annex VI of the MARPOL 73/78 Convention, adopted by the Protocol of 1997, regulates the prevention of air pollution from ships. With respect to sulphur oxides (SO<sub>x</sub>), Regulation 14 provides that the sulphur content of fuel oil shall not exceed 4.5% m/m. However, the same regulation provides that in certain areas, designated as "SO<sub>x</sub> emission control areas", the sulphur content shall not exceed 1.5% m/m. To date, only the Baltic Sea and the English Channel/North Sea have been designated as "SO<sub>x</sub> emission control areas".

It might thus be appropriate to propose to IMO to also designate the Mediterranean Sea as "SO<sub>x</sub> emission control area". The criteria and procedures for the submission to IMO of a proposal for the designation of such an area include, in particular, an environmental impact study as well as an assessment of the economic impact on shipping activities.

In order to meet the specific objective of considering the designation by IMO of the Mediterranean Sea as "SO<sub>x</sub> emission control area" under MARPOL 73/78 Annex VI,

*The Contracting Parties agree:*

- a) to examine whether it is appropriate, to submit to IMO, by [2008], a proposal to establish the Mediterranean Sea as a SO<sub>x</sub> emission control area;

*To request the Secretariat:*

- b) to ensure the preparation of a study based on the input of Contracting Parties, aimed at assessing the feasibility of the measure referred to in sub-paragraph a) above;
- c) to assist the Mediterranean coastal States which so request to prepare the relative submission to IMO related to the measure referred to in sub-paragraph a) above.

**4.14 To ensure that adequate emergency towing capacity is available throughout the Mediterranean to assist vessels, including tankers, in distress**

Once a vessel gets into difficulties, or threatens to become a hazard to other vessels, it is vitally important to take all necessary action as quickly as possible to save life, to prevent her going or creating a hazard, and to prevent her cargo or bunkers from spilling. In this connection, emergency towing may be used to remove the ship and cargo from a place of danger to one of safety, such as a sheltered anchorage or place of refuge. If a vessel breaks down completely, or is too far from a safe anchorage to be able to reach it under her own steam, one sure way to prevent a grounding or becoming a hazard to other vessels is for a tug to provide appropriate assistance.

The Intervention Convention 1969, and its Protocol of 1973, provide powers to States Parties to "intervene" to prevent a pollution incident, including imposing towing requirements if necessary. Emergency towing is also addressed by SOLAS Regulation II-1 / 3-4 and the associated resolution MSC.35 (63).

Tugs vary enormously in their purposes and capacity. Most harbours have tugs to escort and manoeuvre vessels into their berths, but their capacity for emergency use is limited. Berthing tugs generally operate in sheltered waters and are not designed for sea-keeping.

In order to meet the specific objective of ensuring adequate emergency towing capacity throughout the Mediterranean, the Contracting Parties agree:

*The Contracting Parties agree:*

- a) to adopt, by [2008], Mediterranean guidelines on emergency towing including, if appropriate, agreements on sharing towing capacity between neighbouring States.

*To request the Secretariat:*

- b) to evaluate, by [2006], the capacity, number and location of tugs throughout Mediterranean ports;

#### **4.15 Prevention of accidents in commercial ports and oil terminals**

According to spill statistics (ITOPF Statistics; www.itopf.com), the majority of pollution incidents occur in port areas and oil terminals and, even though they may be of relatively small size, they nevertheless constitute a threat to the marine environment that should be addressed.

There are already safety management systems adopted for use on ships and it is suggested that the Mediterranean region could take the lead in adopting a similar system for marine pollution safety management in commercial ports and oil terminals. This would be a long-term project covering issues such as operating procedures, personnel safety and training, recommended equipment, etc with the overall objective of improving port safety and reducing pollution incidents.

In order to meet the specific objective of the prevention of accidents in ports,

*The Contracting Parties agree:*

- a) to prepare and adopt, by [2010], a comprehensive Marine Pollution Safety Management System for use in commercial ports and oil terminals comprising procedures, personnel training and equipment requirements;
- b) that all Mediterranean States report as from [2010] on the measures taken to implement the Marine Pollution Safety Management System;

*To request the Secretariat:*

- c) to evaluate, by [2007], the capacities in terms of safety of the Mediterranean commercial ports and oil terminals.

#### **4.16 To enhance the levels of pre-positioned equipment under the direct control of Mediterranean States**

A problem which faces many countries that are parties to the Barcelona Convention is where to find the financial resources to provide the State component of an overall minimum level of combating equipment. Obligations can be placed upon port authorities and oil handling facilities to provide sufficient equipment to meet the estimated spill risks associated with their activities. However, accidents in open waters are outside the jurisdiction of port authorities and oil handling facilities. Furthermore, accidents in open waters involving laden oil tankers are most likely to cause serious pollution incidents, even if they occur at a lower frequency than the smaller spills which arise in ports and terminals.

There are various possibilities for financing the acquisition by the State of the required pre-positioned oil spill response equipment and vessels. These include *inter alia*:

- State budget;
- partnerships with international institutions;
- partnerships with other States;
- partnerships with private sector, including in particular the oil industry;
- partnerships with specialized spill response companies; and
- specific national funds financed through targeted taxation of certain commercial activities, and/or through accumulation of fines imposed on offenders of applicable rules and regulations.

It is important that each Contracting Party individually decides upon the most appropriate way of financing the acquisition of required State controlled spill response equipment and vessels.

*The Contracting Parties agree:*

- a) to provide REMPEC by [2006] with detailed information concerning their respective national practices for financing the acquisition of spill response equipment, including in particular information concerning functioning of any existing funds specifically dedicated *inter alia* to marine pollution preparedness and response activities;
- b) to establish by [2010] national stockpiles of State controlled pre-positioned spill response equipment;

*To request the Secretariat*

- c) to provide assistance to the States which so request in identifying the minimum required level of pre-positioned State controlled spill response equipment;
- d) to disseminate to the Contracting Parties the information concerning the applicable ways of financing the acquisition of such equipment.

#### **4.17 To encourage the participation of the regional scientific and technical institutions in research and development activities and to facilitate transfer of technology**

Prevention and Emergency Protocol to the Barcelona Convention emphasizes the need for exchange of information concerning research and development of new technologies. OPRC 90 Convention and its 2000 OPRC-HNS Protocol explicitly call upon Parties to these international legal instruments to actively participate in research and development efforts.

It has been noted that in general Mediterranean coastal States, with a very few exceptions, rarely present the results of their R&D activities related to response to marine pollution incidents, or even participate, in relevant international fora, such as e.g. IMO R&D Forum, Interspill, International Oil Spill Conference, etc.

On the other hand, from direct contacts with the persons attending meetings and training courses organized by REMPEC it appears that scientific, technical and educational institutions as well as the industry from the Mediterranean region are involved in R&D activities in various subjects related to prevention of, preparedness for and response to accidental marine pollution.

In order to make the results of R&D activities undertaken in the Mediterranean region better known REMPEC shall endeavour to encourage the participation of regional research institutions and industry in relevant events. REMPEC shall also facilitate, through the network of its Focal Points, the exchange of these results among the Contracting Parties. In addition REMPEC might indicate to its Focal Points the potential fields that call for further R&D in order to encourage more active participation and contribution of the relevant Mediterranean institutions in global efforts in this field.

With a view to meeting the specific objective of promoting the participation of the relevant Mediterranean institutions in R&D activities and to facilitate transfer of technology within the region

*The Contracting Parties agree:*

- a) to encourage their respective scientific and technical institutions, as well as the industry, to actively participate in R&D activities and programmes related to accidental marine pollution prevention, preparedness and response;
- b) to encourage their respective national institutions and industry to present the results of their R&D activities and programmes in international fora;

*To request the Secretariat:*

- c) to assist regional institutions and industry in identifying fields of research in which there is a need for enhancement of the state-of-the-art of spill preparedness and response technologies and techniques;
- d) to facilitate dissemination and exchange of results of national R&D activities and programmes within and outside the Mediterranean region;
- e) to facilitate the participation of national and regional research institutions and industry in the relevant international fora with a view to making better known the results of R&D activities undertaken in the Mediterranean region.

**4.18 To improve the quality, speed and effectiveness of decision-making process in case of marine pollution incidents through development and introduction of technical and decision support tools.**

The successful outcome or otherwise of measures taken in order to respond to oil spills and to spills or releases of other hazardous and noxious substances depends to a great extent on the quality of and the promptness with which decisions concerning the response are taken.

Although such decisions should be taken by the competent authorities and their responsible officers taking into consideration specific circumstances of each particular marine pollution emergency and a number of technical, socio-economic and political factors, the process of taking decisions can be significantly accelerated, made more correct and simplified using certain decision support tools such as e.g. sensitivity maps, spill forecasting models and databases.

There is a wide variety of such tools developed by either commercial organizations or scientific institutions however these are only rarely developed for a specific geographical area.

With a view to ensuring the availability of consistent and non-conflicting data to all Contracting Parties and in order to provide them with decision support tools developed taking into consideration specific characteristics of the Mediterranean region, REMPEC will endeavour to co-operate with scientific institutions in the region and with specific programmes and projects dedicated to relevant activities.

In order to meet the specific objective of improving the quality, speed and effectiveness of decision making process in case of emergency

*The Contracting Parties agree:*

- a) to facilitate the development of specific regional decision support tools through active participation of their national scientific institution and programmes, and through providing by [2007] relevant data-sets and other information that might be available in their respective countries;
- b) to cooperate with a view to selecting the most appropriate oil spill forecasting model that could be used by all Mediterranean coastal States, and to adapt such model for use in the waters under their respective jurisdictions;

*To request the Secretariat:*

- c) to regularly revise and upgrade the existing and to develop and make available to the competent national authorities of the Contracting Parties new IT based decision support tools, including in particular sensitivity maps, spill forecasting models and databases.

**4.19 To increase as much as practical, the level of knowledge in the field of preparedness and response to accidental marine pollution by oil and other harmful substances**

The existence in each country of a core group of experts specialized in oil and HNS spill preparedness and response is recognized to be, together with the existence of national organization, contingency plans, response strategy and response equipment, one of the key prerequisites for properly initiating, conducting and successfully completing response operations in case of marine pollution emergency.

Since the inception in the early 1980s of REMPEC training programme, more than 2300 persons were trained through training activities at different levels which were included in the programme. Despite this noteworthy achievement a significant number of persons that had been trained is not any more at disposal of their respective national administrations due to job changes, retirement or other reasons, and the need for further training has been emphasized by REMPEC Focal Points on numerous occasions.

It is considered that the necessary sustainability in the field of training at national level can be achieved through the creation of a small number of qualified trainers in each country who could in turn continue to provide the required training to their co-nationals. It refers in particular to training national spill response personnel at the level of operators and direct responders (Level 1) and at the level of supervisors and on-scene commanders (Level 2). On the other hand it is understood that Level 3 training (senior government administrators and managers) will have to remain at the regional level and should continue to be provided and co-ordinated by the Centre. Finally, highly specialized training in specific fields of marine pollution preparedness and response will also have to remain the responsibility of REMPEC.

The Centre will therefore focus its training efforts on (a) training of trainers and on (b) providing highly specialized training on specific issues, at the regional level.

In order to achieve a self-sufficiency in spill response training at the general level and to ensure continuous education of national spill responders

*The Contracting Parties agree:*

- a) to establish by [2008], national training programmes for response to incidents involving oil and other HNS, based in particular on IMO OPRC Model training courses Levels 1 and 2, for training national operating level and supervisory personnel respectively, with a view to ensuring a continuous education of oil spill responders;

*To request the Secretariat:*

- b) to prepare and insert into the regional training programme the "Training of Trainers" courses, based in particular on the work carried by IMO OPRC / OPRC-HNS Technical Group;
- c) to focus regional training courses on specific, highly specialized issues, to be identified at regular basis by the Meetings of REMPEC Focal Points;
- d) to take into consideration, when preparing training programmes for the Mediterranean region, the relevant model training courses that might be developed in the future by IMO OPRC / OPRC-HNS Technical Group.

**4.20 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 Prevention and Emergency Protocol.**

Since 1987 various Ordinary Meetings of the Contracting Parties to the Barcelona Convention adopted a series of recommendations, principles and guidelines concerning accidental marine pollution preparedness, response and mutual assistance, as well as prevention of pollution from ships. All these documents aimed at facilitating the implementation of Emergency Protocol.

There have been numerous developments at both regional and global levels that necessitate revision, updating or amending, as appropriate of the recommendations, principles and guidelines adopted in the past by the Contracting Parties. These developments include the introduction of new regional and global legal instruments, the development of technology, better understanding of issues related to accidental pollution by oil and other hazardous and noxious substances, and last but not least the experience gained through and initiatives resulting from recent major pollution accidents [in particular Erika, Ievoli Sun and Prestige].

With a view to meeting the specific objective of revising the existing and developing new regional recommendations, principles and guidelines aimed at facilitating international co-operation and mutual assistance in the framework of the Prevention and Emergency Protocol

*The Contracting Parties agree:*

- a) to review by [2007] the existing recommendations, principles and guidelines concerning accidental marine pollution preparedness, response and mutual assistance, as well as prevention of pollution from ships, that were adopted since 1987, paying particular attention to those that aim at removing possible obstacles which might hinder mutual assistance;
- b) to identify by [2007] all such recommendations, principles and guidelines that need to be revised, updated and/or amended;
- c) to indicate by [2007] which additional recommendations, principles and guidelines should be adopted at the regional level with a view to facilitating the implementation of the Prevention and Emergency Protocol in the field of international co-operation and mutual assistance;
- d) to further facilitate mutual assistance by streamlining by [2007] their respective national procedures for entry into, movement within and exit from their territory of specialized personnel and equipment that might be required in case of emergency;

*To request the Secretariat:*

- e) to compile by [2008] an inventory of their applicable national procedures governing the entry into, movement within and exit from their territory of specialized personnel and equipment that might be provided as mutual assistance in case of emergency, and to prepare recommendations for improving those national procedures that could seriously hamper providing such assistance;
- f) to prepare by [2010], in co-operation with REMPEC national Focal Points, and to propose for adoption to the Meetings of the Contracting Parties revised, updated and/or amended texts of the existing regional recommendations, principles and guidelines;
- g) to develop by [2010], in co-operation with REMPEC national Focal Points, and to propose for adoption to the Meetings of the Contracting Parties, new recommendations, principles and guidelines, as necessary.

**4.21 To strengthen the capacity of individual coastal States to respond efficiently to marine pollution incidents through development of sub-regional operational agreements and contingency plans.**

Prevention and Emergency Protocol to the Barcelona Convention, as well as OPRC 90 Convention and its 2000 OPRC-HNS Protocol, recognize the importance of sub-regional, bilateral and multilateral, agreements for co-operation in accidental marine pollution preparedness and response, as important tools for enhancing national capacities of States participating in such agreements.

In the Mediterranean region sub-regional contingency plans and agreements on their implementation constitute mechanisms for mutual assistance, based on the framework provided by the Prevention and Emergency Protocol. These mechanisms, which facilitate the implementation of the Protocol, enable competent national authorities of the Contracting Parties to closely co-operate by co-ordinating and integrating their respective national capacities, with a view to effectively responding to incidents surpassing their individual capacities.

Since early 1990s REMPEC has actively assisted the Contracting Parties in preparing sub-regional contingency plans and agreements for their implementation. At present sub-regional contingency plans and agreements such as RAMOGEPOL (France, Monaco and Italy), South-Eastern Mediterranean (Cyprus, Egypt and Israel), Lyon plan (France and Spain) have been adopted and are in force, and the adoption of another two is imminent (South-Western Mediterranean – Algeria, Morocco and Tunisia, Adriatic – Croatia, Italy and Slovenia). The Plan for the Adriatic Sea also contains provisions for co-operation in prevention of maritime incidents, which is expected to further reduce the risk of accidental marine pollution, and which may be also included in future sub-regional agreements.

Once all the remaining Mediterranean coastal States have set-up their national systems for preparedness and response, including adoption of national contingency plans, the way will be paved for concluding sub-regional arrangements among all countries in the region. Active participation of each country in one or more of such bilateral or multilateral agreements is expected to significantly increase the level of preparedness for responding to major marine pollution incidents in the region.

With a view to meeting the specific objective of further strengthening response capacities of individual coastal States through development of sub-regional operational agreements and contingency plans,

*The Contracting Parties agree:*

- a) to prepare and adopt, if that has not yet been done, national contingency plans and to establish national systems for preparedness and response, at latest by [2008], with a view to creating necessary conditions for development of sub-regional agreements;
- b) to negotiate and endeavour to conclude by [2015] sub-regional agreements covering the entire Mediterranean region;

*To request the Secretariat:*

- c) to continue assisting the Contracting Parties, which did not yet adopt their national contingency plans, in the development and implementation of their national preparedness and response systems;
- d) to assist Contracting Parties, which so request, in preparing sub-regional contingency plans and in drafting agreements on their implementation.

## STRATEGY FOR THE PREVENTION OF AND RESPONSE TO MARINE POLLUTION FROM SHIPS

### Appendix 1: IMPLEMENTATION GOALS

#### A) Commitments of the Contracting Parties

Specific Objective	Goal (Success Criteria)
1. Ratification of relevant international maritime conventions (see Appendix 3).	a) All Mediterranean States to have ratified MARPOL 73/78 and all its Annexes by [2007]; b) All Mediterranean States to have ratified other relevant IMO international conventions as soon as possible, and preferably by [2008], to have ensured their transposition into national law by the same time and compliance with their provisions.
2. Ensuring effective maritime administrations.	a) All Mediterranean States to have enhanced, on the basis of a national plan, the performance of their maritime administration in accordance with the relative IMO recommendations and guidelines, by [2010]; b) All Mediterranean States to have carried out, at regular intervals, a self assessment of their capabilities and performance in giving full and complete effect to MARPOL 73/78, by using guidance set out in the relevant IMO Resolution dealing with self-assessment of flag State performance [and in the IMO Code of implementation].
3. Strengthening Mediterranean MoU on Port State Control.	a) Contracting Parties to have mandated REMPEC to play a role in improving the effectiveness of the Mediterranean MoU on port State control and to facilitate co-operation between the Paris MoU and the Mediterranean MoU; b) All Contracting Parties to have made available necessary resources and means for efficient functioning of the Mediterranean MoU.
4. Provision of reception facilities in ports.  <b>cont./...</b>	a) All Contracting Parties to have considered by [2005] the establishment of procedures related to costing the use of reception facilities; b) Garbage: i) all major ports* to have installed by [2007] facilities for the collection of garbage and procedures for its disposal; ii) collection and disposal procedures for garbage to be in place for all major ports, by [2010]. c) Oily wastes: i) all major ports* to have established by [2007] collection, treatment and disposal procedures for bilge waters, oily wastes and dirty ballast waters; ii) collection, treatment and disposal procedures for bilge waters, oily wastes and dirt ballast waters to be in place for all major ports, by [2010].

\* For the purpose of this document, "major" ports will be those identified as such by the Contracting Parties.

Specific Objective	Goal (Success Criteria)
4. Provision of reception facilities in ports <b>(cont.)</b> .	d) Noxious Liquid Substances (NLS): i) all major ports* to have established by [2007] collection, treatment and disposal procedures for NLS; ii) collection, treatment and disposal procedures for NLS to be in place for all major ports, by [2010 ?] e) Sewage: i) all major ports* to have established by [2007] collection and treatment procedure for sewage; ii) collection and treatment procedures for sewage to be in place for all major ports by [2010 ?]. f) Ballast water: i) All major ports* and chemical terminals to have established by [ ] collection, treatment and disposal procedures for ballast waters; ii) All major ports* and terminals where cleaning and repair of ballast tanks occurs, to have taken action to be in position to comply with the provisions of BWC by [2012], and if possible, by its entry into force.
5. Improved Port State control of ship generated wastes.	a) All Contracting Parties to have established, by [2015], a system of notification to a vessel's next port of call of the status of its onboard retention of bilge waters and oily wastes and garbage; b) All Contracting Parties to have implemented by [2010], national regulations empowering maritime authorities to require, if they deem it necessary, Masters of vessels to discharge wastes into designated port reception facilities before sailing.
6. Improved monitoring and surveillance of illegal discharges.	a) All Contracting Parties to have established, by [2006], systems and procedures for national monitoring and surveillance including where practicable, aerial surveillance in the waters under their jurisdiction and to report the results to the regular meetings of REMPEC Focal Points; b) To have established, by [2008], sub-regional systems, including procedures to over-fly the waters under the jurisdiction of a neighbouring State if the Parties so agree, for surveillance of environmentally sensitive and/or high risk zones.
7. To improve the level of enforcement and of the prosecution of discharge offenders.	a) All Mediterranean States to have ensured the existence of a national legal framework (regulations) as a basis for prosecuting discharge offenders by [2010 at the latest]; b) All Contracting Parties to have harmonized sanctions by [2010] with a view to ensuring even-handed treatment of discharge offenders throughout the Mediterranean region; c) All Contracting Parties to have started, by [2007] sharing of collected data, and to have facilitated acceptance of evidence gathered by other States, to ensure the successful prosecution of discharge offenders.

\* For the purpose of this document, "major" ports will be those identified as such by the Contracting Parties.

Specific Objective	Goal (Success Criteria)
8. To reduce the pollution problems generated by pleasure craft.	a) Development, within the framework of the Barcelona System, of the regional legal instrument on prevention of pollution from pleasure craft activities in the Mediterranean Sea, that complies with the MARPOL 73/78 Convention and was prepared in close co-operation with IMO; b) Implementation by all Mediterranean States of relevant existing provisions of the MARPOL 73/78 Convention and, as far as possible, once adopted, of the provisions of the regional legal instrument referred to in sub-paragraph a) above, and to reporting on the measures they undertook to implement the said provisions.
9. Reduced risk of collisions by establishment of Ship's Routing Systems	a) All Contracting Parties to have proposed to IMO by [2008], where necessary, additional appropriate Routing Systems in the Mediterranean for possible adoption not later than [2010].
10. Improved control of maritime traffic	a) All Contracting Parties to have reviewed the conditions for the transport of oil and other HNS in particular in single hull tankers, with a view to considering the possibility of establishing, by [2007] a Mediterranean regime in conformity with the international regulations; b) All Contracting Parties to have identified, by [2006], those areas of the Mediterranean where control of maritime traffic could be improved by the establishment of a regime based on the use of Automatic Identification System (AIS) in conjunction with Vessel Traffic Systems (VTS) and mandatory ship reporting systems, and to have completed approval procedures by [2010].
11. Identification of Particularly Sensitive Sea Areas (PSSAs)	a) All Contracting Parties to have initiated, by [2008] the process of identification, in conjunction with the appropriate MAP/RACs, of those areas which could be designated as PSSAs.
12. Establishment of places of refuge in order to minimize the risk of widespread pollution	a) All Contracting Parties to have identified, as a matter of urgency, appropriate procedures as outlined in the relevant IMO Guidelines, in order to facilitate the decision making when designating a place of refuge for a ship in distress; b) All Mediterranean States to have drawn up plans for dealing with ships in distress, including appropriate equipment and means.
13. Designating Mediterranean Sea as a SOx emission control area, under MARPOL Annex VI	a) All Contracting Parties to have examined whether it was appropriate to submit to IMO, by [2008], a proposal to establish the Mediterranean Sea as a SOx emission control area.
14. To ensure that adequate emergency towing capacity is available throughout the Mediterranean	a) All Contracting Parties to have adopted, by [2008] Mediterranean guidelines on emergency towing including, if appropriate, agreements on sharing towing capacity between neighbouring States.
15. Prevention of accidents in ports.	a) All Contracting Parties to have prepared and adopted, by [2010], a comprehensive Marine Pollution Safety Management System for use in commercial ports and oil terminals comprising procedures, personnel training and equipment requirements; b) All Mediterranean States to have started reporting as from [2010] on the measures taken to implement the Marine Pollution Safety Management System.

Specific Objective	Goal (Success Criteria)
16. To enhance the levels of pre-positioned equipment under the direct control of Mediterranean States.	<ul style="list-style-type: none"> <li>a) All Contracting Parties to have provided REMPEC, by [2006], with detailed information concerning their respective national practices for financing the acquisition of spill response equipment, including in particular information concerning functioning of funds specifically dedicated <i>inter alia</i> to marine pollution preparedness and response activities;</li> <li>b) All Contracting Parties to have established, by [2010] national stockpiles of State controlled pre-positioned spill response equipment.</li> </ul>
17. Participation of the regional scientific and technical institutions in R&D activities and facilitation of transfer of technology	<ul style="list-style-type: none"> <li>a) All Contracting Parties to have encouraged their respective scientific and technical institutions, as well as the industry, to actively participate in R&amp;D activities and programmes related to accidental marine pollution prevention, preparedness and response;</li> <li>b) All Contracting Parties to have encouraged their respective national institutions and industry to present the results of their R&amp;D activities and programmes in international fora.</li> </ul>
18. To improve decision-making process through development and introduction of technical and decision support tools.	<ul style="list-style-type: none"> <li>a) All Contracting Parties to have facilitated the development of specific regional decision support tools through active participation of their national scientific institution and programmes, and through providing by [2007] relevant data-sets and other information that might be available in their respective countries;</li> <li>b) All Contracting Parties to have cooperated in selecting the most appropriate oil spill forecasting model that could be used by all Mediterranean coastal States, and to have adapted such model for use in the waters under their respective jurisdictions.</li> </ul>
19. To increase the level of knowledge in the field of preparedness and response.	<ul style="list-style-type: none"> <li>a) All Contracting Parties to have established by [2008], national training programmes for response to incidents involving oil and other HNS, based in particular on IMO OPRC Model training courses Levels 1 and 2., for training national operating level and supervisory personnel respectively, with a view to ensuring a continuous education of oil spill responders.</li> </ul>
20. To revise existing and develop new recommendations, principles and guidelines.	<ul style="list-style-type: none"> <li>a) All Contracting Parties to have reviewed by [2007] the existing recommendations, principles and guidelines concerning accidental marine pollution preparedness, response and mutual assistance, as well as prevention of pollution from ships, that were adopted since 1987, paying particular attention to those that aim at removing possible obstacles which might hinder mutual assistance;</li> <li>b) All Contracting Parties to have identified by [2007] all such recommendations, principles and guidelines that need to be revised, updated and/or amended;</li> <li>c) All Contracting Parties to have indicated by [2007] which additional recommendations, principles and guidelines should be adopted at the regional level with a view to facilitating the implementation of the Prevention and Emergency Protocol in the field of international co-operation and mutual assistance;</li> <li>d) All Contracting Parties to have streamlined by [2007] their respective national procedures for entry into, movement within and exit from their territory of specialized personnel and equipment that might be required in case of emergency.</li> </ul>
21. Development of sub-regional operational agreements and contingency plans.	<ul style="list-style-type: none"> <li>a) All Contracting Parties to have prepared and adopted, if that has not yet been done, national contingency plans and to have established national systems for preparedness and response, at latest by [2008], with a view to creating necessary conditions for development of sub-regional agreements;</li> <li>b) Contracting Parties to have negotiated and endeavoured to conclude by [2015] sub-regional agreements covering the entire Mediterranean region.</li> </ul>

**Appendix 1: IMPLEMENTATION GOALS**

**B) Requests addressed to the Secretariat (REMPEC)**

<b>Specific Objective</b>	<b>Goal (Success Criteria)</b>
1. Ratification of relevant international maritime conventions (see Appendix 3).	c) REMPEC to provide Mediterranean coastal States, which so request, with advice and assistance in order to meet deadlines set forth in subparagraphs a) and b) <i>[see under. Contracting Parties]</i> .
2. Ensuring effective maritime administrations.	c) REMPEC to have established a programme of training activities, commencing in [2005], related to relevant international instruments, in particular MARPOL 73/78, with a view to ensuring appropriate training for ship inspectors and to improving the knowledge and expertise of inspection officers; d) REMPEC to assist the Mediterranean coastal States which so request in the development of national plans designed to enhance the performance of their maritime administrations.
3. Strengthening Mediterranean MoU on Port State Control.	c) REMPEC to attend and where possible to host, the meetings of the Mediterranean MoU Committee; d) REMPEC to have associated itself with port State control training activities addressing environmental matters, including those related to the Anti Fouling Systems and Ballast Water Management conventions, where appropriate, in collaboration with recognized training institutions within the region; e) REMPEC to work in association with the MoUs on port State control on the organization and follow up analysis of concentrated inspection campaigns on MARPOL 73/78 related deficiencies.
4. Provision of reception facilities in ports.	-
5. Improved Port State control of ship generated wastes.	-
6. Improved monitoring and surveillance of illegal discharges.	c) REMPEC to carry out pilot projects in the field of monitoring and surveillance of illicit discharges from ships; d) REMPEC to have established Memoranda of Understanding with agencies and competent bodies, whereby from [2006], REMPEC will act as the focal point between these agencies and bodies and coastal States on possible occurrences of marine pollution identified by satellite.
7. To improve the level of enforcement and of the prosecution of discharge offenders.	d) REMPEC carry out pilot projects in this field, including a compilation of national legal and institutional arrangements as well as to disseminate information to enforcement personnel and legal personnel/prosecutors/magistrates on the relevant issues required to secure successful prosecutions in court, e.g. procedures for the collection of data, submission of evidence to courts, etc., with the aim of achieving the necessary expertise in all Mediterranean States by [2010].

Specific Objective	Goal (Success Criteria)
8. To reduce the pollution problems generated by pleasure craft.	c) REMPEC to assist Mediterranean States in the implementation of the existing provisions of MARPOL 73/78 Convention and, once adopted, of the regional legal instrument referred to in sub-paragraph a) <i>[see under Contracting Parties]</i> .
9. Reduced risk of collisions by establishment of Ship's Routeing Systems	b) REMPEC to have ensured, by [2006], the identification of the main shipping lanes for vessels carrying oil and other hazardous and noxious substances (HNS).
10. Improved control of maritime traffic	c) REMPEC to negotiate with appropriate organizations and agencies, on behalf of the Contracting Parties which so request, the international financial assistance required to establish the regime referred to in sub-paragraph b) <i>[see under Contracting Parties]</i> by [2010]; d) REMPEC to develop a training programme for personnel involved in the transport and handling of HNS in conformity with the relevant IMO codes, in particular the IMDG Code.
11. Identification of Particularly Sensitive Sea Areas (PSSAs)	a) REMPEC to have initiated, by [2008], the process of identification in conjunction with the appropriate MAP/RACs, of those areas which, on proposal by the Contracting Parties and after examination by the REMPEC Focal Points, could be designated as PSSAs; b) REMPEC to assist, in co-operation with IMO, the Mediterranean coastal States which so request, to conduct the necessary relevant studies and to prepare the relative submissions to IMO for the designation of PSSAs, if any, in strict compliance with the relevant IMO Guidelines.
12. Establishment of places of refuge in order to minimize the risk of widespread pollution	-
13. Designating Mediterranean Sea as a SOx emission control area, under MARPOL Annex VI	b) REMPEC to ensure the preparation of a study based on the input of Contracting Parties, aimed at assessing the feasibility of the measure referred to in sub-paragraph a) <i>[see under Contracting Parties]</i> ; c) REMPEC to assist the Mediterranean coastal States which so request to prepare the relative submission to IMO related to the measure referred to in sub-paragraph a) <i>[see under Contracting Parties]</i> .
14. To ensure that adequate emergency towing capacity is available throughout the Mediterranean	b) REMPEC to have evaluated, by [2006], the capacity, number and location of tugs throughout Mediterranean ports.
15. Prevention of accidents in ports.	c) REMPEC to have evaluated, by [2007], the capacities in terms of safety of the Mediterranean ports and oil terminals.
16. To enhance the levels of pre-positioned equipment under the direct control of Mediterranean States.	c) REMPEC to provide assistance to the States which so request in identifying the minimum required level of pre-positioned State controlled spill response equipment; d) REMPEC to disseminate to the Contracting Parties the information concerning the applicable ways of financing the acquisition of such equipment.

Specific Objective	Goal (Success Criteria)
17. Participation of the regional scientific and technical institutions in R&D activities and facilitation of transfer of technology	<ul style="list-style-type: none"> <li>c) REMPEC to assist regional institutions and industry in identifying fields of research in which there is a need for enhancement of the state-of-the-art of spill preparedness and response technologies and techniques;</li> <li>d) REMPEC to facilitate dissemination and exchange of results of national R&amp;D activities and programmes within and outside the Mediterranean region;</li> <li>e) REMPEC to facilitate the participation of national and regional research institutions and industry in the relevant international fora with a view to making better known the results of R&amp;D activities undertaken in the Mediterranean region.</li> </ul>
18. To improve decision-making process through development and introduction of technical and decision support tools.	<ul style="list-style-type: none"> <li>c) REMPEC to regularly revise and upgrade the existing and to develop and make available to the competent national authorities of the Contracting Parties new IT based decision support tools, including in particular sensitivity maps, spill forecasting models and databases.</li> </ul>
19. To increase the level of knowledge in the field of preparedness and response.	<ul style="list-style-type: none"> <li>b) REMPEC to prepare and insert into the regional training programme the "Training of Trainers" courses, based in particular on the work carried by IMO OPRC / OPRC-HNS Technical Group;</li> <li>c) REMPEC to focus regional training courses on specific, highly specialized issues, to be identified at regular basis by the Meetings of REMPEC Focal Points;</li> <li>d) REMPEC to take into consideration, when preparing training programmes for the Mediterranean region, the relevant model training courses that might be developed in the future by IMO OPRC / OPRC-HNS Technical Group.</li> </ul>
20. To revise existing and develop new recommendations, principles and guidelines.	<ul style="list-style-type: none"> <li>e) REMPEC to have compiled by [2008] an inventory of applicable national procedures governing the entry into, movement within and exit from their territory of specialized personnel and equipment that might be provided as mutual assistance in case of emergency, and to prepare recommendations for improving those national procedures that could seriously hamper providing such assistance;</li> <li>f) REMPEC to have prepared, by [2010], in co-operation with its national Focal Points, and to have proposed for adoption to the Meetings of the Contracting Parties revised, updated and/or amended texts of the existing regional recommendations, principles and guidelines;</li> <li>g) REMPEC to have develop, by [2010], in co-operation with its national Focal Points, and to have proposed for adoption to the Meetings of the Contracting Parties, new recommendations, principles and guidelines, as necessary.</li> </ul>
21. Development of sub-regional operational agreements and contingency plans.	<ul style="list-style-type: none"> <li>c) REMPEC to continue assisting the Contracting Parties, which did not yet adopt their national contingency plans, in the development and implementation of their national preparedness and response systems;</li> <li>d) REMPEC to assist Contracting Parties, which so request, in preparing sub-regional contingency plans and in drafting agreements on their implementation.</li> </ul>











Specific Objective	Activities	06	07	08	09	10	11	12	13	14	15
20. To revise existing and develop new recommendations, principles and guidelines.	a) Review of existing recommendations, principles and guidelines										
	b) Identification of the recommendations, principles and guidelines that need to be revised, updated and/or amended										
	c) Identification of additional recommendations, principles and guidelines that need to be adopted at the regional level										
	d) Streamlining national procedures for entry into, movement within and exit from the country of assisting personnel and equipment										
	e) REMPEC to compile an inventory of applicable national procedures for entry into, movement within and exit from the country of assisting personnel and equipment, and to recommend improvements										
	f) REMPEC to prepare, in co-operation with national Focal Points, and to propose for adoption revised, updated and amended texts of existing regional recommendations, principles and guidelines										
	g) REMPEC to develop, in co-operation with national Focal Points, and to propose for adoption new recommendations, principles and guidelines										
21. Development of sub-regional operational agreements and contingency plans.	a) Preparation and adoption of remaining national contingency plans and systems for preparedness and response										
	b) Negotiation and conclusion of sub-regional agreements covering the entire Mediterranean region										
	c) REMPEC to continue assisting national authorities in development of national preparedness and response systems										
	d) REMPEC to assist in preparing sub-regional contingency plans and agreements										

## **LIST OF RELEVANT INTERNATIONAL CONVENTIONS**

### **1. International Conventions dealing with maritime safety and prevention of pollution from ships:**

- the International Convention on Load Lines, 1966 (LL 1966);
- the International Convention for the Safety of Life at Sea, 1974 (SOLAS 1974);
- the International Convention for the Prevention of Pollution from Ships, 1973, as amended by the 1978 Protocol relating thereto (MARPOL 73/78);
- the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended in 1995 (STCW 1995);
- the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREG 1972);
- the International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE 1969);
- the ILO Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), and the Protocol of 1996 thereto;
- the International Convention on the Control of Harmful Antifouling Systems on Ships, 2001;
- The International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004.

### **2. International Conventions dealing with combating pollution:**

- the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC); and the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances 2000 (OPRC-HNS Protocol);
- the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 (INTERVENTION 1969) and its Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil, 1973 (INTERVENTION PROTOCOL 1973);
- the International Convention on Salvage, 1989 (SALVAGE 1989).

### **3. International Conventions dealing with liability and compensation for pollution damage:**

- the International Convention on Civil Liability for Oil Pollution Damage, 1992 (CLC 1992);
- the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (FUND 1992);
- the International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (1996 HNS Convention);
- the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001;
- Protocol on the Establishment of a Supplementary Fund for Oil Pollution Damage, 2003.