



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

Meeting on the Establishment of a Network of
Law Enforcement Officials relating to MARPOL
in the Mediterranean Sea (MENELAS)

REMPEC/WG.33/INF.3
Date: 10 June 2013

Palma de Mallorca, Spain, 25 – 26 June 2013

Original: French

Agenda Item 6

MODEL FOR THE REPORTING OF OFFENCES

Note by the Secretariat

SUMMARY

Executive Summary: This document presents a model for the reporting of detection of pollution by ships.

Action to be taken: *For information only.*

Related documents: None.

1. The preparatory meetings held under the auspices of the World Bank, in 2009 and 2010, identified that the lack of detailed and well-considered oil pollution detection reports may constitute the weakest link in the prosecution of offenders. It was then suggested that a working group be set up and tasked with the development of a model for the reporting of offences. The working group was to ensure that the model did not leave out any substantive item or element when gathering evidence.

2. Also, it appeared that if all the coastal States were to adopt a single and common reporting model, that would not only strengthen the value of the procedures established at the national level but also facilitate cooperation between States as, such a common model would help all parties involved to easily understand the various items showing the commission of an offence.

3. Some countries argued that the POLREP procedure (pollution reporting) provided under MARPOL Convention was already a “standardised” reporting tool. However, POLREP was not designed to serve as a report to prosecute offenders. It is also to be noted that other regional agreements developed offence detection/investigation models.

4. An informal working group, convened under the aegis of the French Ministry of Justice, drafted the model of offence reporting (see Annex) which was distributed at the meeting held by the World Bank in Marseilles (France) in 2011. However, the model had neither been discussed nor adopted.

ANNEX

MARINE OIL POLLUTION DETECTION / INVESTIGATION REPORT

1. IDENTIFICATION OF THE REPORTING OFFICER

- 1.1.- Name, surname, grade, position
 1.2.- Administration / organisation
 1.3.- Name of ship / Aircraft identification
 1.4.- Port or base of registration

2. DESCRIPTION OF SHIP(S) SUSPECTED OF HAVING CARRIED OUT THE SPILL

- 2.1.- Name of ship:
 2.2.- Reasons for suspecting the ship :
 2.3.- Date : Time UTC : (specify whether the initial finding corresponds to a radar detection or to a visual observation)
 2.4.- Position of ship: latitude - longitude
 2.5.- Flag : Port of registration:
 2.6.- Type of ship: •tanker •cargo •fishing •passenger
 - Estimated tonnage: tons
 - Colour of ship : Hull : superstructure :
 - Marks on ship's funnel(s) :
 2.7.- Draught : (loaded or in ballast condition)
 2.8.- Course : degrees - Approximate speed : knots
 2.9.- Position of spill in relation to the ship (e.g.: rear, starboard; portside) :
 2.10.- Section of ship from where the spill may have leaked :
 2.11.- Did the spill stop when the ship was observed or contacted by radio ?
•YES •NO

3. FEATURES OF THE SLICK

- 3.1.- Observations :
 Date : Time (UTC) :
 3.2.- Location of slick: latitude : longitude :
 Other possible slick: latitude : longitude :
 3.3.- Approximate distance from the nearest land-mark : (in miles / km)
 3.4.- Overall size of oil slick:
 - Length : km Width : km Area : km²
 - Other possible slick:
 - Length : km Width : km Area : km²
 3.5.- Description of oil slick:
 - Shape : •continuous •spots stripes
 - Recovery rate : %

- Estimation of polluted area : (area in km², * % of recovery)

- Direction : Direction of other possible spill :

3.6.- Appearance of oil slick (appearance code, Bonn Agreement) :

- CATEGORY 1 – SHEEN : % - m³ (polluted area * % 0,04)

- CATEGORY 2 – RAINBOW : % - m³ (polluted area * % 0,3)

- CATEGORY 3 – METALIC : % - m³ (polluted area * % 5)

- CATEGORY 4 – DISCONTINUOUS TRUE COLOR :
% - m³ (polluted area * % 50)

- CATEGORY 4 – CONTINUOUS TRUE COLOR :
% - m³ (polluted area * % 200)

4. SITUATION *IN SITU*

4.1.- Sky condition : Brightness : Visibility : (km) at time of observation

Rainfall : Clouds :

4.2.- Sea conditions :

4.3.- Surface wind: direction : velocity : knots :

4.4.- Currents direction and velocity:

5. IDENTIFICATION OF OBSERVER(S)

5.1.- Name and firstname:

5.2.- Organisation (if relevant) :

5.3.- Position within the organisation :

5.4.- Observation from (seacraft, aircraft, shore or other place) :

5.5.- Name of seacraft or aircraft aboard of which observation was made :

5.6.- Exact position of seacraft :

(Indicate under § 8 at what time top position was taken in relation to the ship)

5.7.- Location on shore or any other place from where observation was made:

5.8.- What was the observer doing when s/he spotted the spill [e.g.: patrolling, flight (flight from.... to....)], etc.

6. METHOD OF OBSERVATION AND DOCUMENTATION

6.1.- Visual observation :

6.2.- Photographs : •film •digital

6.3.- Number of photos (attached) : •color •B&W

6.4.- Telephotos : Remote recording :

6.5.- Sample(s) taken : •in the slick •aboard

6.6.- Other forms of observation :

7. OTHER INFORMATION IF A RADIO CONTACT WAS MADE

7.1.- Frequency used :

7.2.- Information on the pollution provided by shipmaster :

7.3.- Explanations provided by shipmaster :

7.4.- Last port of call of ship :

7.5.- Next port of call of ship :

7.6.- Name, firstname and nationality of:

- shipmaster :

- chief engineer :

- watchkeeping officer :

- ship owner :

7.7.- Call sign of ship :

8. ADDITIONAL INFORMATION - SUMMARY

This narrative part of the Report should describe, in a chronological order, all events, manœuvres, operations and observations made (from approach manœuvre until such time when the aircraft has left the slick area).

For good quality reporting, pilot may record his observations then transcribe the substance thereof in a full report.

9. INSTRUMENTS ALLEGEDLY BREACHED

These facts may constitute an infringement of the provisions of:

- international instruments : International Convention for the Prévention of Pollution from Ships, London 2 November 1973, and amended by the 1978 Protocole (MARPOL 73/78)

- national instruments :

Made at : (e.g.: on board...)

Signed