

6<sup>th</sup> Meeting of the Focal Points of the  
Regional Marine Pollution Emergency  
Response Centre for the Mediterranean  
Sea (REMPEC)

REMPEC/WG.21/8  
05 January 2003

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Agenda Item 8.

**LESSONS LEARNT FROM THE “PRESTIGE” ACCIDENT AND INITIATIVES TO BE TAKEN  
IN REGARD TO THE 13<sup>th</sup> MEETING OF THE CONTRACTING PARTIES  
TO THE BARCELONA CONVENTION:  
PROPOSAL OF A MEETING OF NATIONAL EXPERTS**

**Note by the Secretariat of MAP**

1. Like the “Erika” incident (1999), the sinking of the “Prestige” offers an opportunity to reflect upon the risks for the Mediterranean Sea posed by maritime accidents, upon chronic pollution from maritime sources, as well as upon the relevance of the measures already adopted for preventing or responding to accidents and for reducing the so called “operational” pollution.
2. The Protocol adopted in Malta by a Diplomatic Conference in January 2002 took into consideration the progress of international maritime regulations, as well as the maritime safety policy of the European Union developed within Erika I and Erika II packages.
3. It is now a priority to ratify this Protocol (which only the Principality of Monaco did so far); six ratifications are required for the entry into force of this Protocol.
4. It is also befitting to prepare within MAP a strategy for the implementation of this Protocol; the Meeting of REMPEC Focal Points has a relevant item on its agenda. This strategy should set the objectives and precise timetable for the implementation.
5. In this context it is important to examine whether the means within the framework of the regulations in force at the international, European or national levels are appropriate to enhance prevention of and response to accidents, as well as deliberate pollution.
6. For this purpose the Secretariat of MAP proposes that a meeting of national experts be held in June 2003, with the main objective to examine the above-mentioned draft strategy as prepared by the Secretariat; such a meeting was recently suggested by the RAMOGE Secretariat.
7. Moreover, with a view to enhancing the preventive measures, applying them in the spirit of co-operation at the regional or sub-regional levels, and bearing in mind the need to avoid creation of multiple prevention regimes in the Mediterranean Sea, the Meeting should address a set of subjects that could enrich as necessary the strategy, and that could be the following:
  - i) Valorise the use by the coastal States of possibilities offered by the international law with a view to taking actions to prevent or prosecute the deliberate pollution;

- ii) Identify the actual possibilities for reinforcing the control of ships and their compliance with standards; examine in particular the access of substandard ships to the Mediterranean. If necessary, enhance activities in this field in accordance with the applicable legal conditions, and taking into account existing experiences;
- iii) Presenting the French-Spanish initiative aiming at keeping away the potentially dangerous ships; consequences and applicability in the Mediterranean;
- iv) Presenting repression and sanctions regimes actually applicable in case of deliberate pollution and perspectives of a Mediterranean co-operation in this field;
- v) Impact in the Mediterranean of the European measures aiming at restriction of the transportation of heavy fuel in single hull tankers; possible extension to the Mediterranean;
- vi) Presenting the French initiative to establish an "ecological protection zone" beyond the territorial waters with a view to controlling illicit discharges into marine environment; possible extension of such initiative and issues at stake;
- vii) Intensifying Mediterranean co-operation in the operational aspects including the exchange of information on ships and transported cargoes and their follow up;
- viii) Development of specific strategies at the sub-regional level (e.g. Adriatic).

**The Meeting of REMPEC Focal Points is invited to express its opinion concerning:**

- a) The list of additional items mentioned above that might be submitted to the meeting of experts;
- b) Any other question they might wish to include on the agenda of the meeting.

The Meeting of the Bureau of the Contracting Parties will have to express its opinion on the final agenda of the proposed meeting, the results of which will be submitted to the 13<sup>th</sup> Ordinary Meeting of the Contracting Parties (Catania, November 2003) with a view to adopting the strategy and, as necessary, a set of complementary recommendations for the prevention of pollution from maritime sources and response to it.