

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

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Agenda Item 9

**THE NEW STRATEGY FOR THE PREVENTION OF AND RESPONSE TO  
THE POLLUTION OF MARINE ENVIRONMENT FROM SEA-BASED ACTIVITIES**

**Note by REMPEC**

1. Anticipating the adoption in January 2002 of the new Protocol concerning Co-operation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea, the representatives of the Contracting Parties to the Barcelona Convention recommended and their Ministers subsequently endorsed, during the 12<sup>th</sup> Ordinary Meeting of the Contracting Parties (Monaco, 14-17 November 2001, UNEP(DEC)/MED IG.13/8, Annex IV, Appendix I) the new Objectives and Functions of REMPEC.
2. The Meeting also recommended and the Ministers subsequently endorsed the recommendation "to propose and discuss, taking into account the competence of IMO, an agreed common regional policy for the prevention of pollution from ships, based on the adopted 1997 regional strategy and taking into consideration the provisions of the new Emergency Protocol".
3. Following the adoption of the new Prevention and Emergency Protocol in January 2002, the revision of the entire MAP strategy on prevention and control of maritime sources related pollution became indispensable. REMPEC presented the possible elements of such strategy to the Extraordinary Meeting of RAC Directors (Delphi, Greece, 1–2 July 2002) which the Meeting discussed and proposed a number of suggestions.
4. In agreement with the MAP Co-ordinator the preparation of a draft Strategy for the implementation of the new Prevention and Emergency Protocol was included *inter alia* in the "Terms of Reference" for the evaluation of REMPEC which had been scheduled for the end 2002/beginning of 2003.
5. With a view to achieving the new objectives of REMPEC, as agreed by the 12<sup>th</sup> Ordinary Meeting of the Contracting Parties, and to ensuring the efficient implementation of the new Prevention and Emergency Protocol, the Consultant engaged for the REMPEC evaluation prepared a first draft Strategy, which is attached in **Annex I** to the present document.
6. The years printed in square brackets and included in various chapters and sections of Annex I as target dates for suggested actions and activities forming part of the proposed Strategy are only indicative. These are subject to modifications and adjustments depending primarily on the availability of human and financial resources which the Contracting Parties decide to allocate to the REMPEC's budget from the Mediterranean Trust Fund or other sources.

7. In order to submit the final Strategy for approval to the 13<sup>th</sup> Meeting of the Contracting Parties, scheduled for December 2003, the first draft presented in Annex I should be consolidated on the basis of the discussions at the present Meeting of REMPEC Focal Points. It is suggested that a drafting group created within the framework of the Mediterranean Technical Working Group be tasked with amending the proposed draft strategy, in close collaboration with REMPEC, MAP Co-ordinating Unit and IMO.

8. The Meeting of RAC Directors (Sophia Antipolis, 21 January 2003) *inter alia* agreed that the finalization of the strategic documents was very important and should be participatory as much as possible and, making reference to the REMPEC strategy, suggested that a working group meeting should be held in June 2003. It also requested REMPEC to endeavour to find a host country for such meeting. Therefore, should the necessary financial resources be available, an *ad hoc* Meeting of a Working Group of National Experts could be convened in order to finalize the strategy.

9. The agreed strategy should be subsequently submitted for final consideration to the MAP Focal Points Meeting tentatively scheduled for September 2003.

10. It is emphasized that the adoption of the new strategy by the next Meeting of the Contracting Parties will however strictly depend on the entry into force of the new Prevention and Emergency Protocol prior to that Meeting. It is therefore essential for the Contracting Parties to complete the procedures needed for the ratification, acceptance, approval of or accession to the new Protocol required under their national statutory or legislative provisions.

11. Moreover, it is recalled that the 12<sup>th</sup> Meeting of the Contracting Parties adopted the recommendation "to ratify a new Emergency Protocol to the Barcelona Convention as soon as possible, once approved, so as to enable its implementation". The Conference of Plenipotentiaries held in Malta, 24-25 January 2002, which adopted the new Protocol, also adopted a resolution which *inter alia* urges the Contracting Parties to ratify, accept, approve or accede to the new Prevention and Emergency Protocol as soon as possible.

**The Meeting of Focal Points is invited to:**

- a) urge the Contracting Parties to complete as soon as possible, and prior to the 13<sup>th</sup> Ordinary Meeting of the Contracting Parties, the procedures needed for the ratification, acceptance, approval of or accession to the new Protocol, as well as to the 1995 amendments to the Barcelona Convention, as required under their national statutory or legislative provisions;
- b) examine, discuss and amend as necessary the first draft strategy contained in the Annex I to the present document, bearing also in mind the human and financial resources required for the implementation of this Strategy;
- c) identify countries which will form a drafting group within the framework of the Mediterranean Technical Working Group and to give clear guidance to this drafting group and REMPEC regarding the procedure to be followed in order to consolidate the strategy document prior to its submission to the MAP Focal Points.

## STRATEGY FOR THE IMPLEMENTATION OF THE PROTOCOL CONCERNING CO-OPERATION IN PREVENTING POLLUTION FROM SHIPS AND, IN CASES OF EMERGENCY, COMBATING POLLUTION OF THE MEDITERRANEAN SEA

### 1. INTRODUCTION

On 25 January 2002 the Contracting Parties to the Barcelona Convention agreed upon, and opened for signature, a new Protocol to the Barcelona Convention extending the remit of the original Emergency Protocol to include the prevention of pollution from ships, as well as continuing to deal with combating pollution in cases of emergency. The text of the new Protocol had been prepared following three Meetings of National Legal and Technical Experts (Malta, November 1998; Monaco, April 2001; and Malta, January 2002).

The decision of the Contracting Parties to adopt the new Protocol was anticipated at the Twelfth Ordinary Meeting of the Contracting Parties to the Barcelona Convention, held in Monaco, 17 November 2001, when the objectives and functions of the Regional Centre, i.e. REMPEC, were amended to specifically include prevention aspects within REMPEC's mandate.

However, the work on "prevention" did not start only with the adoption of the new Protocol. In June 1995 the Conference of Plenipotentiaries to the Barcelona Convention adopted in Barcelona the Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean (MAP Phase II), which included *inter alia*, a component on prevention of pollution of the marine environment from ships. It identified a number of activities to be carried out with the assistance of REMPEC and with the co-operation of the International Maritime Organization (IMO). At the regional level this included:

- implementation of the Action Plan concerning the provision of adequate port reception facilities within the Mediterranean region (adopted in Cairo in December 1991);
- the promotion of regional co-operation in the field of Port State Control;
- the promotion of regional co-operation in monitoring marine pollution from ships, especially that from illegal discharges, by enforcing the provisions of MARPOL 73/78 more rigorously; and
- the development of technical guidelines for the establishment and operation of shore reception facilities for wastes generated by maritime transport related activities.

At the national level, MAP Phase II adopted in 1995 mandated REMPEC:

- to assist in the design and implementation of projects related to the establishment and operation of port reception facilities;
- to assist Contracting Parties which face difficulties in ratifying, implementing and enforcing the relevant international conventions.

The 1995 Action Plan was followed up by the adoption in November 1997, at the Tenth Ordinary Meeting of the Contracting Parties, held in Tunis, of a Regional Strategy on Prevention of Pollution of the Marine Environment by Ships. The strategy aims at strengthening national capacity and developing regional co-operation. It was agreed that the strategy would concentrate mainly on the following priority activities:

- a) monitoring the effective implementation of the relevant IMO Conventions by the Flag State, Port State and Coastal State;
- b) developing port reception facilities;

- c) safety of navigation;
- d) surveillance of discharges and prosecution of offenders;
- e) emergency towing.

These political decisions, adopted in advance of the Protocol, have also been accompanied by financial commitments for activities in the 2002/2003 biennium:

- US\$20,000 for an assessment of the maritime traffic in the Mediterranean and related risks (in collaboration with the Blue Plan and the oil/chemical industries);
- US\$60,000 for a workshop on the implementation of MARPOL 73/78 and the regional strategy on the new protocol.

In addition, work has started on a two-year MEDA project on port reception facilities for the collection of ship-generated garbage, bilge waters and oily wastes.

REMPEC has also commenced work on two new project proposals. Based on a French proposal, the first project will focus on three components:

- the improvement of the legal framework for prosecution and enforcement of illegal discharges, based on an assessment of existing national legislation in this field;
- capacity building of the human resources by training courses;
- aerial surveillance and remote sensing in the Mediterranean Sea.

The second project, named "Mare Nostrum", aims mainly at identifying maritime traffic patterns of oil and other hazardous and noxious substances in the Mediterranean region and risks associated with shipping of these products.

REMPEC expects to submit these projects for funding at the first available opportunity.

Taking into consideration new initiatives at the level of the EU that might lead to developing different approaches to the protection of the Mediterranean marine environment by the EU and non-EU coastal States, it is expected that the Contracting Parties will entrust MAP with playing a more representative role in promoting a common policy for the new Prevention and Emergency Protocol.

## **2. THE STRATEGY ON PREVENTION**

The introduction to this document shows that much groundwork has already been done by both the Contracting Parties and by REMPEC to provide the foundations for a future strategy to implement the new Prevention and Emergency Protocol. The purpose of this document is to propose a detailed strategy for implementation of the Protocol which will form the basis of REMPEC's activities, and those of the Contracting Parties, for the next 12 years, i.e. until the end of 2015. It is proposed that the strategy should be based on two pillars:

- the prevention of illegal discharges from ships;
- the prevention of accidents.

The following chapters describe the specific objectives which, if achieved, will meet the general objectives set out in the two pillars 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 meeting of REMPEC Focal Points on 12<sup>th</sup> -15<sup>th</sup> February 2003 will be the first opportunity for representatives of the Contracting Parties to discuss the proposed future strategy for implementation of the new Protocol. REMPEC proposes that the outcome of the discussion at the Focal Points' meeting will be a refined document to be submitted to the meeting of MAP Focal Points later in the year with the objective of seeking the approval of the Contracting Parties at their Thirteenth Ordinary Meeting in the autumn of 2003.

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

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 organisation of activities;
- adequate financial resources.

The political willingness of Contracting Parties to take action on the prevention of pollution from ships has already been demonstrated by the series of decisions taken during the 1990s, culminating in the adoption of the new Protocol in January 2002. However, as is evident from the readiness of States (not only Mediterranean States) to sign international conventions without the means for implementation and enforcement, 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. If the goals and objectives of the strategy for implementation of the Prevention and Emergency Protocol are to be achieved, it will be essential for all Contracting Parties to ensure that governments are aware of the importance of the issues covered and allocate sufficient resources to fulfil 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 resources in order to fulfil its tasks in assisting Contracting Parties to enhance their national capabilities and in facilitating regional co-operation. REMPEC's resources are already stretched to the limit and, although one additional professional post has been added to the REMPEC staff to deal specifically with the Prevention and Emergency Protocol, it can be envisaged that additional staff will be required during the next 12 years in order to enable REMPEC to fulfil 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.

Third, there will undoubtedly be a need for additional financial resources if the activities described below are to be carried out. On the one part, it can be envisaged that some funds will become available from the specialised agencies of the UN system, e.g. IMO, to carry out tasks which also help to fulfil the mandates of these organisations and agencies. It can also be expected that the various funding mechanisms of the European Union will provide financial support for clearly defined projects which also meet their objectives. But inevitably there will also be a requirement for higher contributions from Contracting Parties into the Mediterranean Trust Fund if the strategy is to be implemented. The proposals for inclusion in 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.

### **3. GENERAL OBJECTIVE: (A) THE PREVENTION OF ILLEGAL DISCHARGES FROM SHIPS**

#### **3.1 Ratification of relevant international conventions**

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, commonly known as MARPOL 73/78, and its six annexes. Other relevant conventions, mainly organised under the sponsorship 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 and omissions, all Mediterranean States take action, where necessary, to ratify the conventions and implement them in national regulations according to the following timetable:

*The Contracting Parties agree on the following:*

- a) All Mediterranean States to ratify MARPOL 73/78 and its remaining four annexes by [2007].
- b) All Mediterranean States (which have not already done so) to establish effective marine administrations in accordance with IMO guidelines by [2010].
- c) All Mediterranean States to ratify relevant international conventions other than MARPOL by [2012].
- d) All Mediterranean States to establish national regulations to implement MARPOL 73/78 by [2010] and other conventions by [2015].

#### **3.2 Raising the standard of flag State and port State vessel inspections\***

Like any other international convention, the successful implementation of MARPOL 73/78 is very much dependent on ensuring that ships comply with the required standards of the convention at all times. This of course requires States to ensure that they have in place adequate flag State implementation and port State control procedures.

One of the important obligations of MARPOL 73/78 is the requirement that officers from the maritime administrations of coastal States carry out regular inspections of 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 "rogue" ships, it is essential first to improve the quality of those inspections. It is suggested that this can be achieved by developing a standard procedure for carrying out vessel inspections which will be applied throughout the Mediterranean on a consistent basis and also by focussing more attention on the training of inspection officers.

The following goals are proposed to meet the specific objective of raising the standard of vessel inspections:

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\* 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.

*The Contracting Parties agree:*

- a) To develop [by 2006] a uniform "Mediterranean" standard for vessel inspection procedures.

*To request the Secretariat:*

- b) To improve knowledge and expertise of inspection officers by establishing, through REMPEC, a programme to train [30] officers per year at an annual regional training course commencing in [2005].

### **3.3 To strengthen the Mediterranean Memorandum of Understanding (MoU) on Port State Control (PSC)**

In order to enhance the effectiveness of individual States in carrying out inspections of ships under the MARPOL Convention, Memoranda of Understanding have been agreed by the States concerned to enhance their regional co-operation. The Paris MoU was adopted to strengthen co-operation between European States and ports and, in the mid-1990s, a MoU for the Mediterranean region was adopted with its headquarters in Alexandria and a decision that a database should be established in Morocco.

The EU directive 95/21/EC, which makes the Paris MoU mandatory for the EU States, sets out an inspection level of 25% of ships calling at European ports. The Mediterranean MoU sets out an inspection level of 15% inspections, but this target is not yet achieved.

Furthermore, by their very nature, vessels move from one region to another and trade between the Mediterranean and European ports is strong. It is therefore important to establish closer links between the two systems. At present, such links are not very effective and it is suggested that REMPEC could have an important role to play in facilitating information flow and undertaking some kind of co-ordination role between the two regional systems. Moreover, REMPEC might play a role in harmonizing and eventually integrating the two systems in a single one applicable to the entire region.

In order to achieve the specific objective of strengthening the Mediterranean Memorandum of Understanding on Port State Control,

*The Contracting Parties agree:*

- a) to mandate REMPEC to facilitate co-ordination of procedures and co-operation between the Paris MoU and the Mediterranean MoU.

### **3.4 Provision of reception facilities in ports**

An important provision of the MARPOL 73/78 Convention is that all States Party 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 is currently being addressed by the MEDA project.

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 appropriate reception facilities for the different types of ship-

generated waste and cargo residues; this issue is being 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 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. There would therefore seem to be a case for Mediterranean States to address this issue in order to ensure that waste management fees are not a disincentive to the use of reception facilities in Mediterranean ports.

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

*The Contracting Parties agree on the following:*

- a) To adopt by [2005] a Mediterranean policy on whether ships' use of reception facilities should be an additional charge or included within the port dues, with a view to achieving a harmonised system.
- 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 Mediterranean ports by [2010].
- c) For bilge waters and oily wastes:
  - i) all major ports to establish collection and disposal procedures for bilge waters and oily wastes by [2007];
  - ii) collection and disposal procedures for bilge waters and oily wastes to be in place for all Mediterranean ports by [2010].
- d) For ballast water:

all Mediterranean terminals to comply with the provisions of the proposed Ballast Water Convention when it is finalised by [2012], if necessary in advance of the requirements of the Convention.



### 3.5 Improved Port State control of ship-generated wastes

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 on the following:*

- a) The establishment, [by 2015], of 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) The implementation by all Mediterranean States of national regulations, [by 2010], empowering maritime authorities to require, if they deem it necessary, the Masters of vessels to discharge wastes into designated port reception facilities before sailing.

### 3.6 Improved monitoring and surveillance of illegal discharges

With the exception of France, Italy and Greece, which have already set up aerial surveillance of the waters under their jurisdiction, there is a general lack of monitoring and surveillance of Mediterranean waters which is necessary for effective implementation of the MARPOL Convention. This lack of surveillance allows – even encourages – irresponsible ships' Masters to discharge dirty ballast waters or oily sludges, or even garbage, without fear of detection.

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 at least four regions of the Mediterranean which apparently lend themselves to such sub-regional co-operation (see below). 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 illegal discharges. The Director of REMPEC has succeeded in negotiating an agreement with the European Space Agency (ESA) under which the Agency will contract one person for one year at the Environmental Risk Monitoring Centre to analyse the data received from European satellites and identify possible pollution events in the Mediterranean. In the longer term it could be envisaged that REMPEC would act as the agency to receive and assess such satellite data and pass on information about possible pollution incidents to the nearest coast State. In

order to reduce the costs on the REMPEC budget, it is proposed that staff for this activity should be provided by representatives of the Contracting Parties who could be seconded to REMPEC on a rota basis. This would also have the added advantage of improving the capacities of the seconded staff and increasing their knowledge and expertise.

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

*The Contracting Parties agree on the following:*

- a) To establish, by [2006], systems and procedures for national 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 establish, by [2007], sub-regional systems, including the conditions to over-fly the waters under the jurisdiction of a neighbouring State if the Parties so agree, for aerial surveillance of the following sensitive and/or high risk zones of the Mediterranean Sea:
  - i) of the Sanctuaire du Cétacé;
  - ii) of the channel between Sicily and Cap Bon;
  - iii) of the Adriatic Sea;
  - iv) of the south-east Mediterranean, including the approaches to the Suez Canal.

*To request the Secretariat:*

- c) To establish a Memorandum of Understanding with the European Space Agency (ESA) whereby [from 2006] REMPEC will act as the focal point between ESA and coastal States on possible pollution incidents identified by satellite.

### **3.7 To improve the level of enforcement and the prosecution of discharge offenders**

Even though many Mediterranean States have ratified the MARPOL Convention, not all countries have yet established a national legal framework to 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. An assessment of the current legal situation and the enforcement capacity in terms of inspection officers is the one of the objectives of the proposed project described in section 1. Although the subject is complex, much progress has been made within the framework of the Bonn Agreement for dealing with pollution incidents in the North Sea 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 on the following:*

- a) All Mediterranean States to establish a national legal framework (regulations) as a basis for prosecuting discharge offenders by [2010 at the latest].
- b) To achieve the harmonisation of penalties (fines) by [2010] with a view to ensuring even-handed treatment of discharge offenders throughout the Mediterranean region.

- c) To agree [by 2010] to share collected data, and accept the evidence gathered by other States, to ensure the successful prosecution of discharge offenders (Masters and shipowners).

*To request the Secretariat:*

- d) To provide training, through REMPEC, of enforcement officers from marine administrations and lawyers on the relevant issues needed 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].

The measure of success of this specific objective will be shown by an increase in the number of cases where offenders are prosecuted in the courts of Mediterranean States.

### **3.8 To reduce the pollution problems generated by pleasure craft**

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. 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. It is proposed that the Recommendations could form the basis of stronger measures within the Mediterranean region in order to prevent marine pollution from pleasure craft.

Taking into consideration the work carried out so far by the Government of Monaco and INDEMER, and the initial studies which indicated that these problems might be the subject of a legal document that could ultimately become part of the Barcelona system, Monaco undertook to make a more detailed proposal, after a technical consultation with the Secretariat of the Barcelona Convention, to the next Meeting of the Bureau of the Contracting Parties, scheduled for April/May 2003. Should the Bureau endorse the continuation of this work, REMPEC could ensure the coherence of the proposal by Monaco and of the above-mentioned draft Recommendations prepared by REMPEC, as far as the prevention of pollution from pleasure craft is concerned.

In order to meet the specific objective of reducing pollution problems generated by pleasure craft, the Contracting Parties agree:

*To request the Secretariat:*

- a) To investigate with other concerned parties [INDEMER] the possibility of further developing and integrating the work already carried out by such parties [organization] and by REMPEC in the field of prevention of pollution from pleasure craft with a view to taking co-ordinated action within the framework of the mechanism of the Barcelona Convention;
- b) To establish, not later than [2005], a regional workshop to examine in depth the results of the activities [initiatives] mentioned under a) above;

*The Contracting Parties agree that:*

- c) All Mediterranean States shall report by [2008] on the measures they have taken to implement the adopted measures for the prevention of pollution from pleasure craft.

#### **4. GENERAL OBJECTIVE: (B) THE PREVENTION OF ACCIDENTS**

It is envisaged that there may be several areas of activity where the Prevention and Emergency Protocol will create a synergy with other aspects of the Mediterranean Action Plan (MAP). Where necessary, the work of REMPEC should create linkages with other components of the MAP and the identification of sensitive areas is one such topic of mutual interest (see specific objective 4.4).

The first step would be to obtain more comprehensive and up-to-date information on current maritime traffic in the Mediterranean, and this is already the focus of the proposed “*Mare Nostrum*” project.

##### **4.1 Ratification of relevant international conventions, including those related to the response to accidents**

It is evident that not all Mediterranean States have yet ratified the international conventions which are relevant to the prevention of accidents and the response to such incidents. A list of the conventions concerned is shown in Appendix 1. In order that there is a comprehensive legal basis for the prevention of 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.

In order to achieve the specific objective of ratification of the relevant international conventions,

*The Contracting Parties agree on the following:*

- a) All Mediterranean States to ratify all relevant international conventions by [2007] and implement them in national law by [2010].

##### **4.2 Reduced risk of collisions by establishment of additional Vessel Traffic Separation (VTS) routes\***

Some VTS schemes have already been established in the Mediterranean and there is also an EU Directive on the subject concerning the waters under the jurisdiction of Member States. However, it is evident from preliminary discussions with some Contracting Parties to the Barcelona Convention that there is scope for creating additional VTS, at least in narrow passages and in the region of the most sensitive coastal areas.

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\* 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.

In order to meet the specific objective of reducing the risk of collisions by the establishment of additional VTS routes, the Contracting Parties agree:

*To request the Secretariat:*

- a) To identify the main shipping lanes for vessels carrying oil and other hazardous and noxious substances (HNS) by [2006].
- b) In conjunction with the appropriate MAP/Regional Activity Centres (RACs), to identify by [2006] sensitive areas in need of protection (see also specific objective 4).

*The Contracting Parties agree:*

- c) To propose to IMO by [2008] additional VTS in the Mediterranean for adoption not later than [2010].

#### **4.3 Improved control of maritime traffic\***

Vessel Traffic Management Schemes (VTMS), whereby vessels' positions are constantly monitored by radio links with coastal stations in order to track their routes, are already established in some areas of the Mediterranean. There have already been incidents where vessels which may pose a threat of pollution have "disappeared" from the knowledge and control of the nearest coastal State and there is a case for establishing additional VTMS in the Mediterranean region in order to effectively implement the Prevention and Emergency Protocol.

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. For example, the use of single hull tankers could be restricted to less persistent oils.

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

*The Contracting Parties agree on the following:*

- a) To review the conditions for the transport of oil and other HNS in single hull tankers with a view to establishing [by 2007] a Mediterranean standard in conformity with the international regulations.
- b) To identify by [2006] those areas of the Mediterranean where control of maritime traffic would be improved by the establishment of Vessel Traffic Management Schemes and to complete approval procedures by [2010].

*To request the Secretariat:*

- c) To negotiate with GEF on behalf of Contracting Parties the international financial assistance required to establish the VTMS by [2010].

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\* 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.

The goal will be that buildings and sites will be provided by Contracting Parties, VTMS equipment will be installed, and operating personnel will be trained in order for the VTMS to be fully operational by [2015].

#### **4.4 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 Convention. It is also open to Contracting Parties to identify Particularly Sensitive Sea Areas as zones requiring special protection. The IMO adopted Guidelines for the Identification and Designation of Particularly Sensitive Sea Areas in November 2001.

A PSSA is an area that needs special protection through IMO because of its significance for recognised 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, eg 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 identify, by [2006], in conjunction with the appropriate MAP/RACs and Contracting Parties, those areas which should be designated as PSSAs.
- b) To obtain the approval of the Meeting of the Contracting Parties and IMO, by [2010], to the designation of the PSSAs in the Mediterranean.

#### **4.5 Improved standard and quality of seafarers certified by the Contracting Parties\***

The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended in 1995 (STCW), which entered into force in February 1997, establishes the basic requirements on training, certification and watchkeeping for seafarers on an international level. One especially important feature of the Convention is that it applies to ships of non-party States when visiting ports of States which are Parties to the Convention. The Convention requires Parties to apply the control measures to ships of all flags to the extent necessary to ensure that no more favourable treatment is given to ships entitled to fly the flag of a State which is not a Party than is given to ships entitled to fly the flag of a State that is a Party.

Under the Convention, Parties are required to provide detailed information to IMO concerning administrative measures taken to ensure compliance with the Convention, education and training courses, certification procedures and other factors relevant to implementation.

In order to meet the specific objective of improving the standard and quality of seafarers, the Contracting Parties agree:

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*To request the Secretariat:*

- a) To improve the knowledge and expertise of seafarers by establishing, with IMO support, a training programme in STWC, the ISM Code and related maritime standards.

*The Contracting Parties agree that:*

- b) All Mediterranean States shall submit the necessary information to IMO by [2007] concerning the administrative measures they have taken nationally to ensure compliance with the STWC Convention 1995.

#### **4.6 To establish places of refuge in order to minimise the risks of widespread pollution\***

In the aftermath of the incident involving the fully laden tanker *Castor* which, in December 2000, developed a structural problem in the Mediterranean Sea, as well as of other major accidents outside the Mediterranean region, IMO has been giving consideration at the global level to the problem of places of refuge for disabled vessels. The Sub-Committee on Safety of Navigation has prepared draft Assembly resolutions 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, shipowners, 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 draft 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, has also been prepared for adoption by the IMO Assembly in November 2003.

Although the status of the drafted IMO Resolutions on places of refuge has not yet been determined, 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 minimise the risks of widespread pollution,

*The Contracting Parties agree on the following:*

- a) To define, by [2006], the modalities for establishing places of refuge in conformity with the guidelines adopted at the international level.
- b) All Mediterranean States to have identified and established at least one place of refuge by [2008].
- c) All places of refuge to be reinforced with additional equipment by [2015].

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\* 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.

#### **4.7 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 risks becoming a hazard to other vessels, it is vitally important to do everything possible as quickly as possible to save life (if necessary), to prevent her going aground 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 port 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 reach her, attach a line and prevent her from drifting towards hazards or into shipping lanes.

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.

Tugs vary enormously in their purposes and capacity. The most significant measure is “bollard pull”: the rating given to a towing craft measured in tonnes force. Under reasonable weather conditions a tug or supply ship with a rated bollard pull of 100 tonnes would be capable of towing a fully laden Very Large Crude Carrier (VLCC), but a tug with a bollard pull of 150 tonnes would be needed to control a VLCC successfully in bad weather. A bollard pull of about 125 tonnes should be enough in most circumstances for a ship to be held in position.

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. Many tugs have bollard pulls of 6 tonnes or less; such tugs rarely have a bollard pull in excess of 60 tonnes.

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

*To request the Secretariat:*

- a) To evaluate, by [2006], the capacity, number and location of tugs throughout Mediterranean ports.

*The Contracting Parties agree:*

- b) To adopt, by [2010], Mediterranean guidelines on emergency towing including, if appropriate, agreements on sharing towing capacity between neighbouring States.

#### **4.8 Prevention of accidents in ports**

The majority of pollution incidents occur in ports and oil terminals and, even though they may be of relatively small size (usually less than 7 tonnes), 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 safety management in 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 on the following:*

- a) To prepare and adopt, by [2010], a comprehensive Safety Management System for use in ports and oil terminals comprising procedures, personnel training and equipment requirements.
- b) All Mediterranean States to report by [2015] on the measures taken to implement the Safety Management System.

## **5. GENERAL OBJECTIVE: (C) PREPARATION FOR RESPONSE TO MAJOR POLLUTION INCIDENTS**

Although this document deals primarily with the strategy for implementing the prevention provisions of the new Prevention and Emergency Protocol, it should perhaps be emphasised that REMPEC and Contracting Parties will continue to work under the Protocol on their long-established remit to prepare for and respond to pollution incidents involving oil or other hazardous and noxious substances. Although there has been much progress in the past 26 years in improving national capabilities and enhancing regional co-operation, the framework is not static and will continue to evolve in the future. There is, however, less need for a strategy document to guide future work. There are, nevertheless, two specific objectives which could be added to the existing mandate.

**[NOTE: THE ABOVE PARAGRAPH MIGHT NEED TO BE MODIFIED/AMENDED IN ACCORDANCE WITH THE RESULTS OF THE CURRENTLY ONGOING PROCESS OF REMPEC EVALUATION ]**

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

A problem which faces many countries which 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 the 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.

One possibility for finding the finance to build up an adequate level of State-owned equipment is to establish a mechanism whereby the owners of oil are charged a levy on every tonne of oil which is imported or exported. The proceeds of the levy could be placed in a dedicated Fund, the purpose of which would be to build up a stock of oil spill combating equipment. Such a Fund could either stand independently or could become part of any established Environment Protection Fund.

In order to reduce the risk of pollution incidents, it could be envisaged that the levy should be doubled wherever oil is transported in tankers which are not protected by double hulls. Furthermore, financing the purchase of such equipment could be enhanced by administrative fines imposed on discharge offenders.

In order to meet the specific objective of enhancing the levels of pre-positioned equipment under the direct control of Mediterranean States,

*The Contracting Parties agree:*

- a) To establish by [2010], national legal frameworks to enable Governments to levy an appropriate “eco tax” on all imports/exports of oil and refined products, or alternative arrangements, in order to establish a dedicated fund for the purchase of pollution combating equipment.

## **6. CONCLUSIONS**

The suggestions contained in the preceding paragraphs are at this stage considered as a basis for a strategy for implementing the new Prevention and Emergency Protocol. These should be discussed and amended as necessary before the strategy is finalized. For ease of reference, the specific objectives are listed in Appendix 1 together with the goals (success criteria) to indicate whether the objectives are being achieved. A timetable of the activities for meeting the specific objectives is contained in Appendix 2.

**IMPLEMENTATION GOALS FOR THE PREVENTION AND EMERGENCY PROTOCOL**

**GENERAL OBJECTIVE: (A) PREVENTION OF ILLEGAL DISCHARGES FROM SHIPS**

<b>Specific Objective</b>	<b>Goal (Success Criteria)</b>
1. Ratification of relevant international conventions (see Appendix 1)	a) All Mediterranean States to have ratified MARPOL 73/78 and all six Annexes by [2007]. b) All Mediterranean States to have established effective marine administrations in accordance with the IMO guidelines by [2010]. c) All Mediterranean States to have ratified all relevant international conventions by [2012]. d) All Mediterranean States to have established national regulations to implement MARPOL 73/78 by [2010] and other conventions by [2015].
2. Raising the standard of vessel inspections	a) To develop [by 2006] a uniform "Mediterranean" standard for vessel inspection procedures. b) To improve knowledge and expertise of inspection officers by establishing, through REMPEC, a programme to train [30] officers per year at an annual regional training course commencing in [2005].
3. To strengthen the Mediterranean Memorandum of Understanding (MoU) on Port State Control (PSC)	a) REMPEC to be mandated by the Contracting Parties to facilitate co-ordination of procedures and co-operation between Paris MoU and Mediterranean MoU.
4. Provision of adequate reception facilities in ports	a) To adopt by [2005] a Mediterranean policy on whether ships' use of reception facilities should be an additional charge or included within the port dues, with a view to achieving a harmonised system. b) For garbage: i) all major ports to have installed 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 Mediterranean ports by [2010]. c) For oily wastes and slops: i) all major ports to have established collection and disposal procedures for oily wastes and slops by [2007]; ii) collection and disposal procedures for oily wastes and slops to be in place for all Mediterranean ports by [2010]. d) For ballast water: all Mediterranean terminals to comply with the provisions of the proposed Ballast Water Convention [by [2012], if necessary in advance of the requirements of the Convention].

5 . Improved port State control of ship-generated wastes	<ul style="list-style-type: none"> <li>a) Establishment, [by 2015], of a system of notification to a vessel's next port of call of the status of its onboard retention of oily wastes and slops, garbage, sewage and, if appropriate, liquid chemical wastes.</li> <li>b) Implementation by all Mediterranean States of national regulations, [by 2010], empowering maritime authorities to require, if they deem it necessary, Masters of vessels to discharge wastes into designated port reception facilities before sailing.</li> </ul>
6. Improved monitoring and surveillance of illegal discharges	<ul style="list-style-type: none"> <li>a) To establish by [2006], systems and procedures for national aerial surveillance in waters under the jurisdiction of Contracting Parties and reporting results to meetings of REMPEC Focal Points.</li> <li>b) To establish, by [2007], sub-regional systems, including the conditions to over-fly the waters under the jurisdiction of a neighbouring State if the Parties so agree, for aerial surveillance of the sensitive and/or high risk zones of the Mediterranean Sea: <ul style="list-style-type: none"> <li>i) Of the Sanctuaire du Cétacé;</li> <li>ii) Of the channel between Sicily and Cap Bon;</li> <li>iii) Of the Adriatic Sea;</li> <li>iv) Of the south-east Mediterranean, including the approaches to the Suez Canal.</li> </ul> </li> <li>c) REMPEC to establish a Memorandum of Understanding with the European Space Agency (ESA) whereby [from 2006] it will act as the focal point between ESA and coastal States on possible pollution incidents identified by satellite.</li> </ul>
7. To improve the level of enforcement and the prosecution of discharge offenders	<ul style="list-style-type: none"> <li>a) All Mediterranean States to have established national legal framework (regulations) as a basis for prosecuting discharge offenders by [2010 at the latest] (see also objective 1(d)).</li> <li>b) Harmonization of penalties (fines) by [2010] with a view to ensuring even-handed treatment of discharge offenders throughout the Mediterranean region.</li> <li>c) Agreement [by 2010] to share collected data, and accept the evidence gathered by other States, to ensure the successful prosecution of discharge offenders (Masters and ship owners).</li> <li>d) Training to be provided, through REMPEC, for enforcement officers and lawyers on relevant issues, e.g. collection of data, submission of evidence to courts, etc, with the aim of achieving the necessary expertise in all Mediterranean States by [2010].</li> <li>e) Prosecution of offenders shown by increase in cases brought to court.</li> </ul>
8. To reduce the pollution problems generated by pleasure craft	<ul style="list-style-type: none"> <li>a) Establishment, not later than [2005], of a regional workshop to examine in depth REMPEC's draft Recommendations and the preparation of firm guidelines for adoption by the Contracting Parties.</li> <li>b) Reports from all Mediterranean States by [2008] on measures taken to implement guidelines.</li> </ul>

**GENERAL OBJECTIVE: (B) PREVENTION OF ACCIDENTS**

Specific Objective	Goal (Success Criteria)
1. Ratification of relevant international conventions (see Appendix 1), including those related to the response to accidents	a) All Mediterranean States to have ratified all relevant international conventions by [2007] and implemented in national law by [2010].
2. Reduced risk of collisions by establishment of additional Vessel Traffic Separation (VTS) routes	a) To identify main shipping lanes for vessels carrying oil and other hazardous and noxious substances (HNS) by [2006]. b) In conjunction with the appropriate MAP/Regional Activity Centres (RACs), to identify by [2006] sensitive areas in need of protection (see also specific objective 4). c) To propose to IMO by [2008], additional VTS in the Mediterranean for adoption not later than [2010].
3. Improved control of maritime traffic	a) To review the conditions for the transport of oil and other HNS in single hull tankers with a view to establishing [by 2007] a Mediterranean standard in conformity with international regulations. b) To identify by [2006] those areas of the Mediterranean where control of maritime traffic would be improved by the establishment of Vessel Traffic Management Schemes (VTMS). c) REMPEC to negotiate with GEF on behalf of Contracting Parties the international financial assistance required to establish the VTMS by [2010]. d) Buildings and sites to be provided by Contracting Parties, VTMS equipment to be installed, and operating personnel to be trained in order for the VTMS to be fully operational by [2015].
4. Identification of Particularly Sensitive Sea Areas (PSSAs)	a) To identify by [2006], in conjunction with the appropriate MAP/RACs and Contracting Parties, those areas which should be designated as PSSAs. b) To obtain the approval of the Meeting of the Contracting Parties and IMO, by [2010], to the designation of the PSSAs in the Mediterranean.
5. Improved standard and quality of seafarers certified by the Contracting Parties	a) To improve knowledge and expertise of seafarers by establishing, through REMPEC (with IMO support) an annual training programme in STWC, the ISM Code and related maritime standards. b) To ensure that, by [2007], all Mediterranean States have submitted the necessary information to IMO concerning the administrative measures taken to ensure compliance with the STWC Convention 1995.
6. To establish places of refuge in order to minimise the risks of widespread pollution	a) To define, by [2006], the modalities for establishing places of refuge in conformity with the international guidelines. b) All Mediterranean States to have identified at least one place of refuge by [2008]. c) All places of refuge to be reinforced with additional equipment by [2015].

7. To ensure that adequate emergency towing capacity is available throughout the Mediterranean to assist vessels, including tankers, in distress	<ul style="list-style-type: none"> <li>a) REMPEC to evaluate, by [2007], the capacity, number and location of tugs throughout Mediterranean ports.</li> <li>b) Contracting Parties to adopt by [2010], Mediterranean guidelines on emergency towing including, if appropriate, agreements on sharing towing capacity between neighbouring States.</li> </ul>
8. Prevention of accidents in ports	<ul style="list-style-type: none"> <li>a) To prepare and adopt, by [2010], a comprehensive Safety Management System for use in ports and oil terminals comprising procedures, personnel training and equipment requirements.</li> <li>b) All Mediterranean States to report by [2015] on the measures taken to implement the Safety Management System.</li> </ul>

**GENERAL OBJECTIVE: (C) PREPARATION FOR RESPONSE TO MAJOR POLLUTION INCIDENTS**

<b>Specific Objective</b>	<b>Goal (success criteria)</b>
1. To enhance the levels of pre-positioned equipment under the direct control of Mediterranean States	<ul style="list-style-type: none"> <li>a) To establish, by [2010], national legal frameworks to enable Governments to levy an appropriate "eco tax" on all imports/exports of oil and refined products in order to establish a dedicated fund for the purchase of pollution combating equipment.</li> </ul>











## 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.

### 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.