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UNEP-PNUE

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)

MEDITERRANEAN ACTION PLAN
PLAN D'ACTION POUR LA MEDITERRANEE



7th Meeting of Focal Points of the
Regional Marine Pollution Emergency
Response Centre for the Mediterranean
Sea (REMPEC)

REMPEC/WG.26/8/1
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Malta, 25-28 April 2005

Agenda Item 8

**IMO COMMENTS ON THE DRAFT RESOLUTION FOR THE SUSTAINABLE DEVELOPMENT AND
RESPECT OF THE MARINE ENVIRONMENT BY PLEASURE CRAFT ACTIVITIES IN THE
MEDITERRANEAN SEA, AGREED AT THE FIRST MEETING OF NATIONAL EXPERTS ON THE
FEASIBILITY OF A LEGAL REGIONAL INSTRUMENT ON PREVENTION OF POLLUTION FROM
PLEASURE CRAFT ACTIVITIES IN THE MEDITERRANEAN
Monaco, 8-10 December 2004**

Submitted by the International Maritime Organization (IMO)

1 The last two lines of the first preambular paragraph of the draft Resolution should be amended to read:

“...Parties, as well as the applicable provisions of relevant IMO instruments, in particular the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocols of 1978 and 1997 relating thereto (MARPOL Convention);”

Justification: Since the Principles attached to the Resolution also refer to MARPOL Annex VI, which will enter into force on 19 May 2005, it would be inappropriate to allude to “MARPOL 73/78”. Reference, therefore, should be made either to the full title of the instrument, including the Protocol of 1997, or to the abbreviated “MARPOL Convention”.

2 It is suggested that the 11th preambular paragraph should be amended to read:

“**Desirous** of establishing a uniform regime to assist Contracting Parties which so desire to regulate pleasure craft activities within their jurisdiction in the Mediterranean Sea, consistent with the different uses coastal areas are put to;”

Justification: The way the existing paragraph is written might imply that the “regime to regulate” would be mandatory.

3 The expression “Contracting Parties”, which appears several times within the Principles, has been brought over from the original legal instrument, where it referred to the Parties to that instrument. To clarify that reference is being made to the Contracting Parties to the Barcelona Convention, a definition should be included under section I.1-Definitions of the Principles.

4 Following on the justification provided in paragraph 1 above, throughout the text of the Principles reference should be made to “MARPOL Convention” instead of “MAPOL 73/78. Also, the standard way of referring to the Annexes to that Convention is “MARPOL Annex [..]” instead of “Annex[..] of the MARPOL 73/78 Convention”.

5 In section V, indents .1, .2 and .3, it is suggested to modify the existing subtitles to read:

- .1 Craft identification
- .2 Crew qualifications
- .3 Craft insurance

Justification: Enhanced clarity.