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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



8th Meeting of Focal Points of the
Regional Marine Pollution Emergency Response
Centre for the Mediterranean Sea (REMPEC)

REMPEC/WG.28/9/6
20 March 2007

Malta, 7-11 May 2007

Original: English

Agenda Item 9

**DEVELOPMENTS IN OIL SPILL RESPONSE CAPACITY AT SEA
IN THE MEDITERRANEAN**

Note by the Secretariat

Introduction

1. Since the 7th Meeting of REMPEC Focal Points, important developments with regard to the availability of oil spill response means at sea have taken place with the chartering of two oil recovery vessels in the Mediterranean Sea by the European Maritime Safety Agency (EMSA).

2. By a letter dated 4th April 2006, the Director of REMPEC has requested the competent European institutions to explain the *modus operandi* of these new means and how Contracting Parties to the Barcelona Convention which are not European Union Member States could benefit from these means in the event of a spill. In reply to this letter, the European Commission's Directorate General for Environment informed REMPEC that, together with EMSA, the European Commission (EC) was currently exploring on which conditions EMSA vessels could be made available via the EC to the non EU-Mediterranean coastal States. The present document provides information on the current situation with regard to the availability of these response vessels.

Background information

3. Regulation (EC) n° 724/2004 of the European Parliament and of the Council of the 31 March 2004, amending Regulation (EC) n° 1406/2002 establishing a European Maritime Safety Agency tasked the Agency "to support upon request with additional means in a cost efficient way the pollution response mechanisms of Member States."

4. As part of this new obligation, EMSA developed an Action Plan for Oil Pollution Preparedness and Response. This plan took into account the present capacities in oil spill response means of the EU Member States as well as a risk assessment study. The Mediterranean Sea, and within its limits the eastern part of it, has been identified as a priority zone partly due to the increase of oil exports from Russia through the Black Sea.

5. Amongst the various actions following the adoption of this Action Plan by its Administrative Board, EMSA has issued calls for tenders to hire vessels on a standby basis. Once they have been chartered, these vessels undergo specific adaptation in order to be classed as recovery vessels with the following features: oil slick detection capacity, ability to decant water recovered with the oil in order to maximize the use of the storage capacity, heating cargo system to ease the discharge of the recovered heavy grade oil. The basic response equipment set is composed of two types of oil recovery systems: one based on the sweeping arm concept, the other on an ocean going boom with its associated skimmer.

6. The vessels remain engaged on ordinary commercial activities but are under an obligation to reply immediately to an activation request from EMSA.

7. For the Mediterranean Sea, the two chartered vessels are the "MISTRA BAY" and the "SANTA MARIA", both based in Malta. Details about the vessels can be found on the EMSA website (www.emsa.europa.eu). Another call for tender for a third vessel has recently been issued.

Use of the vessels by EU Member States

8. As stated by the EC Regulations establishing EMSA, the standby vessels can be put at the disposal of the EU Member States, European Free Trade Agreement (EFTA) Contracting States (Iceland, Norway and Liechtenstein) and the European Union (EU) candidate countries in the course of accession negotiations (Croatia, Former Yugoslav Republic of Macedonia and Turkey).

9. The operational arrangements are the following:

- The State requesting assistance has to address its request through the Community Mechanism for Civil Protection. This mechanism has been established by Council Decision 2001/792/EC/Euratom of 23 October 2001 and focuses on the operational obligations of the Member States and the European Commission. The operational heart of the mechanism is the Monitoring and Information Centre (MIC) operated within the EC's Directorate General for Environment. The MIC can be contacted twenty-four hours a day.
- When receiving a request to activate the recovery vessels, the MIC will forward such request to EMSA, which will issue a "notice of pollution response" to the Contractor.
- Once activated, the vessel will operate under the command and control of the relevant authorities of the requesting State. During this period of time, the requesting State will be charged by the contractor according to an "incident response contract", which includes hire rates and actual bunker fuel prices.

Call for assistance by non EU Member States or through a regional agreement

10. The situation today with regard to the situation of third countries to the EU (i.e: non EU Member States, non EFTA States and non EU candidate countries) can be presented as follows:

- At present, it is not in the mandate of EMSA to provide assistance to other third countries to the EU than those mentioned above. While the European Commission is examining the opportunity of submitting a proposal to this effect, up to now, no decision has been taken at the EU level on the principle of making available these new response means to other neighbouring countries.

- It has to be emphasized that the EC's Community Mechanism for Civil Protection can be called upon by any non EU country struck by a major emergency as the Council Decision addresses both situations. However, it is understood that within the Community Mechanism, the MIC has no power to decide upon providing such means, its role being more to act as a facilitator at the coordination level.

The Meeting of Focal Points is invited to take note of the information provided in this document.