



Mediterranean
Action Plan
Barcelona
Convention



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

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

REMPEC/WG.61/INF.10

24 January 2025

Original: English only

Sliema, Malta, 13-15 May 2025

Agenda Item 6: Illegal and accidental oil and HNS pollution from ships

Report of the Sixth Meeting of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS) (Lija, Malta, 4-5 December 2024)

For environmental and cost-saving reasons, this document will not be printed and is made available in electronic format only. Delegates are encouraged to consult the document in its electronic format and limit printing.

Note by the Secretariat

This document presents the report of the Sixth Meeting of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS) (Lija, Malta, 4-5 December 2024).

Background

1 The Sixth Meeting of the Mediterranean Network of Law Enforcement Officials relating to the International Convention for the Prevention of Pollution from Ships (MARPOL) within the framework of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (“the Barcelona Convention”) (MENELAS), hereinafter referred to as the Sixth Meeting of MENELAS, was held in Lija, Malta, from 4 to 5 December 2024, pursuant to the Programme of Work and Budget for 2024-2025 of the Mediterranean Action Plan (MAP) of the United Nations Environment Programme (UNEP), adopted by the Twenty-third Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (Portorož, Slovenia, 5-8 December 2023).

2 The report of the Sixth Meeting of MENELAS is presented in the **Appendix** to the present document.

Action requested by the Meeting

3 **The Meeting is invited to take note** of the information provided in the present document.

Appendix

**Report of the Sixth Meeting of the Mediterranean Network of Law Enforcement Officials
relating to MARPOL within the framework of the Barcelona Convention (MENELAS)
(Lija, Malta, 4-5 December 2024)**

(REMPEC/WG.59/10)

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

Sixth Meeting of the Mediterranean Network of Law
Enforcement Officials relating to MARPOL within the
framework of the Barcelona Convention (MENELAS)

REMPEC/WG.59/10
6 January 2025
Original: English

Lija, Malta, 4-5 December 2024

REPORT

SIXTH MEETING OF THE

**MEDITERRANEAN NETWORK OF LAW ENFORCEMENT OFFICIALS RELATING TO MARPOL WITHIN
THE FRAMEWORK OF THE BARCELONA CONVENTION (MENELAS)**

Lija, Malta, 4-5 December 2024

For environmental and cost-saving reasons, this document will not be printed and is made available in electronic format only. Delegates are encouraged to consult the document in its electronic format and limit printing.

INTRODUCTION

1 The Sixth Meeting of the Mediterranean Network of Law Enforcement Officials relating to the International Convention for the Prevention of Pollution from Ships (MARPOL) within the framework of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (the “Barcelona Convention”) (MENELAS), hereinafter referred to as the Meeting, was convened in Lija, Malta, from 4 to 5 December 2024, pursuant to the Programme of Work and Budget for 2024-2025 of the Mediterranean Action Plan (MAP) of the United Nations Environment Programme (UNEP), also referred to as UNEP/MAP, adopted by the Twenty-third Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 23) (Portorož, Slovenia, 5-8 December 2023).

2 The principal objectives of the Meeting, which was organised by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), were:

- .1 to examine the implementation of the MENELAS Programme of Activities for the period 2024-2025, notably:
 - .1 the further examination of the draft decision to apply criteria for a common minimum level of fines for each offense provided for under the Annexes to MARPOL, within the framework of the Barcelona Convention;
 - .2 the further development of modalities of possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing; and
 - .3 the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean.
- .2 to discuss about emerging issues related to violations of MARPOL in the Mediterranean;
- .3 to discuss about cooperation with other regional and international organisations;
- .4 to elect the chair of the network for the period 2024-2025; and
- .5 to discuss and agree on the items to be included in the MENELAS Programme of Activities for the period 2026-2027.

3 All MENELAS Designated Representatives were invited to nominate jointly and, in consultation with the REMPEC Prevention Focal Points and the REMPEC Governmental Focal Points, their representatives in the Meeting. The invitation to participate in the Meeting was also extended to observers from relevant regional and international organisations, the activities of which were relevant to the objectives of the Meeting. In-person participation was complemented by the use of hybrid meeting capabilities to enable observers having expressed interest to attend the Meeting remotely.

4 The Meeting was attended by delegations from the following Contracting Parties to the Barcelona Convention:

BOSNIA AND HERZEGOVINA	MALTA
CROATIA	MONTENEGRO
CYPRUS	MOROCCO
EGYPT	SLOVENIA
EUROPEAN UNION	SPAIN
GREECE	TUNISIA
LEBANON	TÜRKIYE
LIBYA	

by a representative from the following inter-governmental organisation:

- HELCOM – BALTIC MARINE ENVIRONMENT PROTECTION COMMISSION

by a representative from the following other organisation:

- NORTH SEA NETWORK OF INVESTIGATORS AND PROSECUTORS (NSN)

5 A complete list of participants is set out in **Annex I** to the present report.

OPENING OF THE MEETING

6 The Meeting was opened by Mr Ivan SAMMUT, Head of Office of REMPEC, on Wednesday, 4 December 2024 at 0900 hours¹. He welcomed the participants to the Meeting, stressing that it was made possible thanks to the financial support of the Mediterranean Trust Fund (MTF). He also thanked the Government of Malta, particularly the Authority of Transport in Malta, for providing the meeting facilities in kind. He indicated that fifteen (15) Contracting Parties to the Barcelona Convention out of twenty-two (22) had confirmed their participation at the Meeting, which demonstrated the continuous interest of the Contracting Parties to the Barcelona Convention in the work of MENELAS. He referred to two important items for consideration by the Meeting, namely the further examination of the draft decision to apply criteria for a common minimum level of fines for each offense provided for under the Annexes to MARPOL, within the framework of the Barcelona Convention, and the consideration of the possible creation and operation of a regional “Blue Fund”. He indicated that he looked forward to constructive and fruitful discussions to register good progress to be able to report to the Sixteenth Meeting of the Focal Points of REMPEC and the Twenty-fourth Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols to be held in Malta in May 2025 and in Alexandria, Egypt in December 2025, respectively.

ORGANISATION OF THE MEETING

Rules of Procedure

7 The Meeting agreed to apply, *mutatis mutandis*, the Rules of procedure for Meetings and Conferences of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related Protocols (UNEP/IG.43/6, Annex XI) to its deliberations.

Election of Officers

8 Following informal consultations held with the Contracting Parties to the Barcelona Convention, the Head of Office of REMPEC proposed Egypt as Chair, Slovenia as Vice-Chair and Tunisia as Rapporteur. The Meeting unanimously agreed to elect the following officers of the Meeting:

Ms Hala IBRAHIM (Egypt)	Chairperson
Dr Vesna MEDICA (Slovenia)	Vice-Chairperson
Mme Folla Naimi (Tunisia)	Rapporteur

Working Languages

9 The working languages of the Meeting were English and French. Simultaneous English/French/English interpretation services were provided during the Meeting. All working documents were available in both official languages of the Centre, i.e. in English and in French. Information documents were available in their original language unless a translation was provided in the second working language.

¹ Malta local time or GMT+1.

AGENDA ITEM 1: ADOPTION OF THE AGENDA

10 The Chairperson thanked the Meeting for supporting her election and proposed that the Provisional Agenda, as set out in document REMPEC/WG.59/1 and annotated in document REMPEC/WG.59/1/1, be adopted.

11 The Meeting adopted the Agenda reproduced in **Annex II** to the present report. The list of documents is set out in **Annex III** thereto.

AGENDA ITEM 2: DRAFT DECISION TO APPLY CRITERIA FOR A COMMON MINIMUM LEVEL OF FINES FOR EACH OFFENSE PROVIDED FOR UNDER THE ANNEXES TO MARPOL, WITHIN THE FRAMEWORK OF THE BARCELONA CONVENTION

12 The Chairperson invited the Secretariat to present the Report of the Working Group within MENELAS, as set out in document REMPEC/WG.59/2.

13 In its presentation, the Secretariat provided information on the outcome of the work of the Working Group within MENELAS over the period June-October 2024, including:

- .1 a review of existing applicable sanctions at national level with regard to illicit ship pollution discharges over the period 2020-2023, hereinafter referred to as the “review of existing sanctions”; and
- .2 a consolidated draft decision to apply criteria for a common minimum level of fines for each offense provided for under the Annexes to MARPOL, within the framework of the Barcelona Convention, hereinafter referred to as the “draft decision”, as set out in the Appendix to document REMPEC/WG.59/2.

14 The Meeting appreciated the work of the Working Group within MENELAS undertaken by correspondence over the period June 2024 to October 2024, and endorsed the Report of the Working Group within MENELAS, as set out in document REMPEC/WG.59/2.

15 The Meeting noted with interest the review of existing sanctions, as prepared by the Secretariat.

16 At the invitation of the Chairperson, the representative of the European Union (EU) provided an update on the revision of the EU Ship-Source Pollution Directive².

17 The Meeting valued the presentation from the EU on the revision of the EU Ship-Source Pollution Directive, and recognised the relevance of the work that it was undertaking on the effective determination and application of penalties including on types of polluting substances and sensitive areas of concern.

18 The Meeting examined the consolidated draft decision to apply criteria for a common minimum level of fines for each offense provided for under the Annexes to MARPOL, within the framework of the Barcelona Convention, hereinafter referred to as the “consolidated draft decision”, as set out in the Appendix to document REMPEC/WG.59/2

² Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences, as amended.

19 During an exchange of views, a number of Contracting Parties to the Barcelona Convention expressed their positions on the consolidated draft decision. The general feeling was that it was premature to submit the consolidated draft decision to the Sixteenth Meeting of the Focal Points of REMPEC to be held on 13-15 May 2025 for further consideration by the Contracting Parties to the Barcelona Convention and that further work was required before doing so. Following a request by a delegation to add a new general criteria related to the gross tonnage of the ship, type of the ship, and type of pollutant in section II thereof, the Meeting:

- .1 reiterated that it provided for a harmonised level of administrative penalties in a non-criminal context;
- .2 concurred with the specific proposals, as detailed in document REMPEC/WG.59/2, and accepted the subsequent adjustments made; and
- .3 agreed to take the consolidated draft decision, as adjusted³, as a basis for the further work.

20 Following a query from several delegations, Dr Murat SÜMER who attended the Meeting on behalf of Professor Dr Norman A. MARTÍNEZ GUTIÉRREZ⁴, REMPEC Consultant, clarified the legally-binding nature of a decision by the Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP), making specific reference to the example of the MTF established under the Barcelona Convention as well as Decision IG.21/15 on Financial Regulations and Rules and Procedures for the Contracting Parties, its subsidiary bodies and the Secretariat of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean.

21 The Meeting discussed the need to carry out a detailed study on the possible criteria and possible minimum level of fines for each offense provided for under the Annexes to MARPOL, as set out in the consolidated draft decision, as adjusted, taking into consideration the specificities of each Contracting Party to the Barcelona Convention, and invited the Secretariat to carry out this study for consideration by the next meeting of MENELAS, subject to the availability of funds.

22 Following a query from a delegation, the Secretariat clarified that the possible criteria and possible minimum level of fines were two distinct issues and that the above-mentioned study would cover both aspects, in a combined manner or separately.

23 The Meeting discussed the need for the development of associated draft guidelines in order to ensure the uniform and effective implementation of the consolidated draft decision, as adjusted, in the Mediterranean region, taking into consideration information from Contracting Parties to the Barcelona Convention on how quantities of waste discharged from polluting ships might be measured, and invited the Secretariat to develop these associated draft guidelines for consideration by the next meeting of MENELAS, subject to the availability of funds.

24 The Meeting also discussed at what level(s) the minimum fines for each offense provided for under the Annexes to MARPOL, within the framework of the Barcelona Convention, should be set, and:

- .1 considered that the minimum and maximum levels of the average administrative fines, as set out in the review of existing sanctions, were useful information to that end; and
- .2 took note with interest of the overview on how the Mediterranean coastal States that were EU Member States had set out penalties under their national laws with regard to ship-source pollution offenses, as outlined in Part 2 of the European Commission Staff Working Document on the evaluation of the EU Ship-Source Pollution Directive⁵.

³ i.e., including the new general criteria, as mentioned above.

⁴ Director, IMO International Maritime Law Institute (IMLI).

⁵ [SWD\(2023\) 159 final](#).

25 The Meeting recommended, in this context, to:

- .1 undertake further work on the consolidated draft decision, as adjusted, referred to in paragraph 18 above, taking into account the outcome of the discussions held at the Meeting;
- .2 carry out the study referred to in paragraph 21 above; and
- .3 develop the associated draft guidelines referred to in paragraph 23 above.

26 The Meeting invited the Contracting Parties to the Barcelona Convention to contribute to the further work referred to in paragraph 25 above, as appropriate.

27 The Meeting requested, in this regard, the Secretariat to inform the Sixteenth Meeting of the Focal Points of REMPEC of the progress made on the consolidated draft decision, as adjusted, and to advance the work referred to in paragraph 25 above as well as to report on the outcome of this work at the next meeting of MENELAS.

AGENDA ITEM 3: POSSIBLE CREATION AND OPERATION OF A REGIONAL “BLUE FUND”, INCLUDING IN TERMS OF GOVERNANCE AND FINANCING

28 At the invitation of the Chairperson, the Secretariat provided information on the draft Legal Analysis to assess the implications of the possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing, in the Mediterranean region, hereinafter referred to as the “draft Legal Analysis”, as presented in document REMPEC/WG.59/3.

29 In its presentation, the Secretariat referred to the Report of the Working Group within MENELAS, as set out in document REMPEC/WG.59/2.

30 The Chairperson invited Dr Murat SÜMER, on behalf of Professor Dr Norman A. MARTÍNEZ GUTIÉRREZ, REMPEC consultant, to present the draft Legal Analysis, as set out in the Appendix to document REMPEC/WG.59/3.

31 The Meeting recalled that COP 23 agreed to include the finalisation of modalities of possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing, as well as a comprehensive legal analysis, in the UNEP/MAP Programme of Work and Budget for 2024-2025.

32 The Meeting welcomed the preparation of the draft Legal Analysis, as set out in the Appendix to document REMPEC/WG.59/3, and valued, in this regard, the presentation by Dr Murat SÜMER, on behalf of Professor Dr Norman A. MARTÍNEZ GUTIÉRREZ, REMPEC consultant.

33 During an exchange of views, a number of Contracting Parties to the Barcelona Convention expressed their positions on the draft Legal Analysis, notably questioning the necessity to establish such a fund, its scope and use as well as the various potential approaches for its possible creation and modus operandi (i.e. how it would function, who would contribute, who would benefit, for which type of activities, which organisation would act as Secretariat, etc). On those many queries, the Secretariat clarified that all was still to be defined and that the objective under this agenda item was to have an open exchange of views on the various elements, encouraging all participants to contribute to the discussions accordingly, with a view to submitting the draft Legal Analysis, together with recommendations, to the Sixteenth Meeting of the Focal Points of REMPEC.

34 The Meeting reviewed the proposed conclusions and recommendations for possible options for a way forward, as detailed in chapters 8 and 9 of the draft Legal Analysis, and found that these could guide the Contracting Parties to the Barcelona Convention when further discussing the possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing.

35 The Meeting noted that there were three (3) potential approaches for the possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing, in the Mediterranean region, as follows:

- .1 a formal approach, which could be:
 - .1 either an amendment to the Barcelona Convention;
 - .2 or an amendment to the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea to the Barcelona Convention;
 - .3 or the adoption of a new Protocol to the Barcelona Convention;
 - .4 or the adoption of a COP Decision.
- .2 an informal approach based on a voluntary or trust fund model like The MedFund or the Partnerships in Environmental Management for the Seas of East Asia (PEMSEA); and
- .3 a hybrid approach transitioning from an informal approach at first to a formal approach at a later stage.

36 The Meeting highlighted that each approach had advantages and challenges with:

- .1 a formal approach providing long-term legal certainty but facing procedural delays and political challenges;
- .2 an informal approach offering flexibility and expediting implementation but possibly lacking stability, sustainability and enforcement authority; and
- .3 a hybrid approach combining elements of the informal and formal approaches, hence aiming to balance early flexibility with future legal certainty.

37 The Meeting noted the various concerns raised by the Contracting Parties to the Barcelona Convention on the possible creation and operation of a regional “Blue Fund”, including in terms of necessity to establish such a fund as well as in terms of its governance and financing.

38 The Meeting recommended, in this context, to finalise the draft Legal Analysis, taking into account the outcome of the discussions held at the Meeting, and submit the final draft Legal Analysis to the Sixteenth Meeting of the Focal Points of REMPEC, for further consideration by the Contracting Parties to the Barcelona Convention, which should be requested to examine, on that basis, whether the work on the possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing, should be pursued further within the framework of MENELAS and the Barcelona Convention, or not.

39 The Meeting requested, in this regard, the Secretariat to advance the work referred to in paragraph 38 above, and to report on the outcome of this work at the next meeting of MENELAS.

AGENDA ITEM 4: ESTABLISHMENT OF A MENELAS DATABASE ON ILLICIT SHIP POLLUTION DISCHARGES IN THE MEDITERRANEAN

40 The Chairperson invited the Secretariat to provide information on the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean, as presented in document REMPEC/WG.59/4.

41 Following an introduction by the Secretariat and, at the invitation of the Chairperson, the EU representative provided an update on the harmonised reporting template pursuant to the EU Ship-Source Pollution Directive.

42 The Meeting welcomed the presentation by the EU on the harmonised reporting template in accordance with Article 12 of the EU Ship-Source Pollution Directive and the latest developments on updating this template under the revised EU Ship-Source Pollution Directive, and remarked that a revised template was expected to be developed at the latest within two (2) and a half years after the entry into force of the revised directive.

43 Following a query from several delegations, the Secretariat clarified how data on illicit ship pollution discharges in the Mediterranean could be used and to whom it could be made available, based on the already existing Mediterranean Integrated Geographical Information System on Marine Pollution Risk Assessment and Response (MEDGIS-MAR) databases and datasets as well as practices in other regions. A delegation further emphasised that, at the end, it was the prerogative of the Contracting Parties to the Barcelona Convention to decide how data was used and who would have access to it.

44 The Meeting underlined the importance to:

- .1 avoid the duplication of efforts both in terms of reporting by Contracting Parties to the Barcelona Convention and in terms of establishing databases on illicit ship pollution discharges in the Mediterranean by the relevant regional and international organisations to which participating members were Parties;
- .2 ensure a coordinated approach, consistency and possible harmonisation of reporting requirements on illicit ship pollution discharges under the IMO as well as the relevant regional and international organisations to which participating members were Parties; and
- .3 explore the possibility to interconnect the respective databases, as may be appropriate.

45 The Meeting recommended, in this context, that the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean was put on hold until further developments were achieved on the harmonised reporting template under the EU Ship-Source Pollution Directive.

46 The Meeting invited, in this regard, the Secretariat to continue to liaise with the EU as well as the relevant regional and international organisations to which participating members were Parties on the matter, and briefly report on this at the next meeting of MENELAS under any other business.

AGENDA ITEM 5: EMERGING ISSUES RELATED TO VIOLATIONS OF MARPOL IN THE MEDITERRANEAN

47 At the invitation of the Chairperson, the Secretariat provided information on emerging issues related to violations of MARPOL in the Mediterranean, as presented in document REMPEC/WG.59/5.

48 In its presentation, the Secretariat referred to the designation of the Mediterranean Sea Emission Control Area for Sulphur Oxides and Particulate Matter (Med SO_x ECA), the date of entry into effective application of which was on 1 May 2025, and the subsequent implications on possible violations of MARPOL Annex VI in the Mediterranean. The Secretariat also referred to the on-going work on other emerging issues.

49 The Meeting noted the information on emerging issues related to violations of MARPOL in the Mediterranean, as presented in document REMPEC/WG.59/5.

50 The Meeting concurred that, when considering emerging issues, particular attention should be drawn to the fact that the Mediterranean Sea was defined as a “special area” under MARPOL Annex I and MARPOL Annex V, and was designated as an Emission Control Area (ECA) for Sulphur Oxides (SO_x) and particulate matter under MARPOL Annex VI.

51 The Meeting acknowledged that the expected date of entry into effective application of the Mediterranean Sea Emission Control Area for Sulphur Oxides and Particulate Matter (Med SO_x ECA) was on 1 May 2025, and believed that this could have subsequent implications on possible violations of MARPOL Annex VI in the Mediterranean going forward.

52 The Meeting underscored that the effectiveness of ships to comply with the discharge requirements of MARPOL depended largely upon the availability of adequate port reception facilities (PRFs), especially within special areas such as the Mediterranean Sea, and that violations of MARPOL might lead to the release of pollutants to the marine environment.

53 The Meeting reiterated the importance to continue improving the understanding and cooperation between Contracting Parties to the Barcelona Convention in the different stages of the enforcement process, i.e. detection, investigation and enforcement measures taken by the competent authorities following possible violations, and emphasised the relevance of the network to that end.

54 The Meeting recommended, in this context, that Contracting Parties to the Barcelona Convention should:

- .1 focus their efforts on the effective implementation and enforcement of MARPOL, notably Annexes I, V and VI thereto, including the consistent implementation of the 0.10% sulphur limit under MARPOL Annex VI in the Med SO_x ECA;
- .2 engage in the on-going work on the possible designation of the Mediterranean Sea Emission Control Area for Nitrogen Oxides (Med NO_x ECA) pursuant to MARPOL Annex VI, as well as marine litter (in particular plastic), in the Mediterranean region; and
- .3 actively participate in the discussions on other emerging issues related to possible violations of MARPOL at the IMO level since these would have impacts on how they should be dealt with at the Mediterranean level.

55 The Meeting invited, in this regard, the Secretariat, to report on any relevant developments on emerging issues related to violations of MARPOL in the Mediterranean, at the next meeting of MENELAS.

AGENDA ITEM 6: COOPERATION WITH OTHER REGIONAL AND INTERNATIONAL ORGANISATIONS

56 The Chairperson invited the Secretariat to provide information on cooperation with other regional and international organisations..

57 In its presentation, the Secretariat referred to the Report on the Activities of MENELAS for the period from November 2021 to October 2023, as requested by Decision IG.21/9, as set out in the Annex to document REMPEC/WG.59/INF.3.

58 At the invitation of the Chairperson, Mr Markus HELAVUORI, Deputy Executive Secretary, Professional Secretary, HELCOM⁶ Secretariat, provided an update on the HELCOM activities of relevance to the objectives of the Meeting. Following a query from a delegation, the HELCOM Secretariat clarified how HELCOM impacted IMO regulations, how it was helping EU Member States to streamline their reporting obligations, and referred to the level of implementation and enforcement of the HELCOM regulations.

59 The Meeting noted the Report on the Activities of MENELAS for the period from November 2021 to October 2023, as requested by Decision IG.21/9 and set out in the Annex to document REMPEC/WG.59/INF.3.

60 The Meeting valued the presentation from the HELCOM Secretariat on the latest developments and activities within HELCOM.

61 The Meeting called on the Secretariat to liaise with the relevant regional and international organisations to which participating members were Parties, through their respective secretariats, as well as the dedicated networks of investigators and sanctioning authorities established under the Regional Seas framework⁷, through their respective chairpersons, with a view to ensuring the necessary cooperation, notably by:

- .1 regularly exchanging information on topics of common interest in relation to illicit ship pollution discharges, including, but not limited, to emerging issues related to violations of MARPOL, as well as on the outcome of relevant activities or meetings;
- .2 ensuring reciprocal representation at the respective meetings, as appropriate;
- .3 organising joint awareness-raising activities as well as training sessions and workshops, as appropriate; and
- .4 promoting and facilitating their respective participation to coordinated aerial surveillance operations for illicit ship pollution discharges, as appropriate, with a view to enhancing operational cooperation in this field.

⁶ the Baltic Marine Environment Protection Commission (Helsinki Commission or HELCOM) is the governing body of the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention).

⁷ notably the North Sea Network of Investigators and Prosecutors (NSN) as well as the Network of Prosecutors on Environmental Crime in the Baltic Sea Region (ENPRO).

62 The Meeting agreed to pursue the discussions with the OSPAR Commission⁸/Bonn Agreement⁹ Secretariat and the HELCOM Secretariat, to explore the possibility to jointly endorse the final draft common marine oil pollution detection/investigation report endorsed by the Fifteenth Meeting of the Focal Points of REMPEC (Kappara, Malta, 13-15 June 2023), for use in the Bonn Agreement, HELCOM and Mediterranean Sea areas, and requested the Secretariat to report on the outcome of these discussions at the next meeting of MENELAS.

63 The Meeting noted with satisfaction that further practical experience was obtained in the Mediterranean region with the use of the final draft common marine oil pollution detection/investigation report during the coordinated aerial surveillance operation for illicit ship pollution discharges in the Mediterranean (OSCAR-MED) organised in 2023 by the RAMOGE Agreement¹⁰.

AGENDA ITEM 7: ELECTION OF CHAIR FOR THE PERIOD 2024-2025

64 At the invitation of the Chairperson, the Secretariat provided information on the election of the chair of the network for the period 2024-2025.

65 The Meeting took note that informal consultations were carried out by the Secretariat with a participating member that had expressed preliminary interest in being elected as Chair of the network for the period 2024-2025, but that no confirmation was received in time for the Meeting.

66 The Meeting requested the Secretariat to review the process leading to the election of Chair of the network, including the relevant Terms of Reference as annexed to Decision IG.21/9 on the Establishment of a Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention, with a view to ensuring that a Chair was elected at the next meeting of MENELAS.

AGENDA ITEM 8: FUTURE WORK AND MEETINGS

67 The Chairperson invited the Secretariat to provide information on the next MENELAS meeting and related meetings.

68 In its presentation, the Secretariat referred to the various elements that could possibly require future work, as mentioned during the Meeting, with a view to assist the Meeting in deciding on a proposed programme of activities for the period 2026-2027.

69 Following an exchange of views, the Meeting agreed to include the following items in the MENELAS Programme of Activities for the period 2026-2027, subject to the outcome of relevant discussions at the Sixteenth Meeting of the Focal Points of REMPEC:

- .1 the further work on the consolidated draft decision, as adjusted, referred to in paragraph 18 above;
- .2 the carrying out of the study referred to in paragraph 21 above;
- .3 the development of the associated draft guidelines referred to in paragraph 23 above;
and

⁸ the OSPAR Commission was established by the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention).

⁹ Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances, 1983.

¹⁰ Accord relatif à la Protection de l'Environnement Marin et Côtier d'une Zone de la Mer Méditerranée.

- .4 the further development of modalities of possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing.

70 The Meeting asked the Secretariat to report to the Sixteenth Meeting of the Focal Points of REMPEC on the outcome of the Meeting.

71 The Meeting observed that, depending on the outcome of relevant discussions at the Sixteenth Meeting of the Focal Points of REMPEC, the Working Group within MENELAS might need to be re-established to oversee, through correspondence coordinated by the Secretariat, the completion of the work referred to in paragraph 69 above, ahead of the next meeting of MENELAS.

72 The Meeting invited the Secretariat to present the results of the work of the Working Group within MENELAS, if so re-established, at the next meeting of MENELAS.

73 The Meeting recommended that the next meeting of MENELAS should be held subject to the decision on the Programme of Work and Budget for the biennium 2026-2027 by the Contracting Parties to the Barcelona Convention.

AGENDA ITEM 9: OTHER BUSINESS

74 Under this agenda item, the Chairperson invited any organisation wishing to provide brief information on their activities that might be of interest to the Meeting.

75 At the invitation of the Chairperson, Mr Steven VANDENBORRE, Chair of the NSN, provided an update on the NSN activities of relevance to the objectives of the Meeting. Following a query from a delegation, the Chair of the NSN clarified the scope, area of coverage and target audience of the North Sea Manual on Maritime Pollution Offences, which was jointly developed by NSN and the Bonn Agreement to support the detection of maritime pollution offences, the collection of evidence about such offences and the imposition of penalties on those responsible for them, thereby helping to deter further offences and improving the marine environment.

76 The Meeting valued the presentation from the Chair of the NSN on the latest developments and activities within NSN.

AGENDA ITEM 10: CONCLUSIONS AND RECOMMENDATIONS

77 The Chairperson invited the Rapporteur to read through the draft conclusions and recommendations of the Meeting that resulted from the discussions at the Meeting, which had been circulated by the Secretariat to all delegates, as document REMPEC/WG.56/WP.1, for their consideration, review, amendment, and adoption.

78 Following interventions by some delegations to express their views on the draft conclusions and recommendations of the Meeting, and after having entrusted the Secretariat to carry out final editing and any editorial corrections that might be identified, as appropriate, the Meeting adopted the Conclusions and Recommendations of the Meeting, as detailed in **Annex IV** to the present report.

79 The Secretariat indicated that the report of the Meeting would be prepared and circulated after the Meeting.

CLOSURE OF THE MEETING

80 Before closing the Meeting, the Chairperson thanked all delegations for their active participation and REMPEC, as Secretariat, for the preparation and successful organisation of the Meeting.

81 The Head of Office of REMPEC expressed his appreciation to the Chairperson, Ms Hala IBRAHIM, for the smooth running of the proceedings, and thanked all REMPEC staff for their excellent work throughout the Meeting. He also thanked all delegations for their contribution as well as the interpreters and technicians for their support.

82 The Chairperson closed the Meeting at 1530 hours on Thursday, 5 December 2024.

ANNEX(E) I

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

CONTRACTING PARTIES / PARTIES CONTRACTANTES

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Dr Enis OMEROVIĆ

Associate Professor

University of Zenica, Faculty of Law

CROATIA / CROATIE

Ms Tanja ŠUŠAK

Deputy Attorney General of the Republic of Croatia

State Attorney Office of the Republic of Croatia

CYPRUS / CHYPRE

Ms Evdokia SAVVA

Maritime Affairs Officer

Shipping Deputy Ministry

EGYPT / ÉGYPTE

Ms Hala IBRAHIM

General Manager of Crisis Department

Egyptian Environmental Affairs Agency (EEAA), Ministry of Environment

EUROPEAN UNION / UNION EUROPÉENNE

Ms Georgia KITSAKI

Policy Officer

Directorate General for Mobility and Transport (DG MOVE), European Commission

GREECE / GRÈCE

Captain H.C.G. (ENG) Stylianos MARKOULAKIS

Deputy Director of Marine Environment Protection Directorate

Hellenic Coast Guard, Hellenic Ministry of Shipping and Insular Policy

LEBANON / *LIBAN*

Ms Ilham MANSOUR MANSOUR EL KHABBAZ

Chief of Maritime Transport Division

Directorate General of Land and Maritime Transport, Ministry of Public Works and Transport

LIBYA / *LIBYE*

Mr Ali TANTOSH

Head of Documentation and Information Unit, Environmental Emergency Department

Ministry of Environment

MALTA / *MALTE*

Ms Evangelia POULI

Assistant Registrar

Merchant Shipping Directorate, Authority for Transport in Malta

Mr Mevric ZAMMIT

Head, Marine Operations and Incident Response

Ports and Yachting Directorate, Authority for Transport in Malta

MONTENEGRO / *MONTÉNÉGRO*

Mr Vladan RADONJIĆ

Independent Advisor

Harbour Master's Office, Ministry of Maritime Affairs

MOROCCO / *MAROC*

Mme Hanane ATMANE

Chef de service de la sécurité de la navigation et la prévention de la pollution par les navires

Direction de la Marine Marchande, Ministère des Transports

SLOVENIA / *SLOVÉNIE*

Dr Vesna MEDICA

District State Prosecutor

District's Prosecutor's Office in Koper

SPAIN / *ESPAGNE*

Ms Noelia CABELLO RODRÍGUEZ

Management Technician

Directorate General for Maritime Affairs, Ministry of Transport

TUNISIA / TUNISIE

Mme Folla NAIMI

Sous-Directeur Affaires Juridiques

Agence Nationale de Protection de l'Environnement (ANPE)

TÜRKIYE / TÜRKIYE

Ms Özlem ÖZER

Environmental Expert

Ministry of Environment, Urbanization and Climate Change

Ms Safiye TECEN

Maritime Expert

Directorate General for Maritime Affairs, Ministry of Transport and Infrastructure

**INTER-GOVERNMENTAL ORGANISATION / ORGANISATION
INTERGOUVERNEMENTALE**

**HELCOM – BALTIC MARINE ENVIRONMENT PROTECTION COMMISSION / HELCOM
– COMMISSION POUR LA PROTECTION DU MILIEU MARIN DE LA MER BALTIQUE**

Mr Markus HELAVUORI

Deputy Executive Secretary, Professional Secretary

HELCOM Secretariat

OTHER ORGANISATION / AUTRE ORGANISATION

**NORTH SEA NETWORK OF INVESTIGATORS AND PROSECUTORS (NSN) / RÉSEAU DES
ENQUÊTEURS ET DES PROCUREURS DE LA MER DU NORD (NSN)**

Mr Steven VANDENBORRE

Chair of the NSN

CONFERENCE INTERPRETERS / INTERPRÈTES DE LA CONFÉRENCE

SONOVISION

Ms Najet MCHALA

Interpreter

Ms Hanem ATTIA

Interpreter

SECRETARIAT / SECRÉTARIAT

REGIONAL MARINE POLLUTION EMERGENCY RESPONSE CENTRE FOR THE MEDITERRANEAN SEA (REMPEC) / CENTRE RÉGIONAL MÉDITERRANÉEN POUR L'INTERVENTION D'URGENCE CONTRE LA POLLUTION MARINE ACCIDENTELLE (REMPEC)

Mr Ivan SAMMUT

Head of Office

Mr Franck LAUWERS

Programme Officer (Prevention)

Mr Chris SACCO

Finance / Administrative Assistant

Ms Mary Grace PISANI

Senior Administrative Assistant

CONSULTANT / CONSULTANT

Dr Murat SÜMER o.b.o Professor Dr Norman A. Martínez Gutiérrez

REMPEC Consultant

ANNEX II

AGENDA

Opening of the Meeting

1. Adoption of the Agenda
2. Draft decision to apply criteria for a common minimum level of fines for each offense provided for under the Annexes to MARPOL, within the framework of the Barcelona Convention
3. Possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing
4. Establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean
5. Emerging issues related to violations of MARPOL in the Mediterranean
6. Cooperation with other regional and international organisations
7. Election of Chair for the period 2024-2025
8. Future work and meetings
9. Other business
10. Conclusions and recommendations

Closure of the Meeting

ANNEX III

LIST OF DOCUMENTS

WORKING DOCUMENTS

REMPEC/WG.59/1	Provisional agenda
REMPEC/WG.59/1/1	Annotated provisional agenda and draft timetable
REMPEC/WG.59/2	Report of the Working Group within MENELAS
REMPEC/WG.59/3	Draft Legal Analysis to assess the implications of the possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing, in the Mediterranean region
REMPEC/WG.59/4	Establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean
REMPEC/WG.59/5	Emerging issues related to violations of MARPOL in the Mediterranean
REMPEC/WG.59/WP.1	Draft conclusions and recommendations
REMPEC/WG.59/10	Report of the Meeting

INFORMATION DOCUMENTS

REMPEC/WG.59/INF.1	List of documents
REMPEC/WG.59/J/1	Provisional list of participants
REMPEC/WG.59/INF.2	List of participants
REMPEC/WG.59/INF.3	Report on the Activities of MENELAS for the period from November 2021 to October 2023, as requested by Decision IG.21/9 (English only)

ANNEX IV

CONCLUSIONS AND RECOMMENDATIONS

The Sixth Meeting of the Mediterranean Network of Law Enforcement Officials relating to the International Convention for the Prevention of Pollution from Ships (MARPOL) within the framework of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (the “Barcelona Convention”) (MENELAS), hereinafter referred to as the Meeting, which was held in Lija, Malta, from 4 to 5 December 2024:

1 **expressed** appreciation for the financial support provided by the Mediterranean Trust Fund (MTF);

2 **encouraged** the Mediterranean coastal States as well as the relevant regional and international organisations to which they were Parties to provide voluntary contributions to support future activities and meetings of MENELAS;

3 **thanked** the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), as Secretariat, for the work carried out since the Fifth Meeting of MENELAS (Floriana, Malta, 22-23 February 2023), as well as for the preparation and successful organisation of the Meeting;

4 **stressed** the importance of the active engagement of all Contracting Parties to the Barcelona Convention in the network in accordance with its terms of reference;

5 **urged** the Mediterranean coastal States, which had not already done so, to nominate their MENELAS Designated Representatives as soon as possible, in consultation with the relevant authorities;

6 **called** the Mediterranean coastal States, which had not already done so, to ratify the MARPOL Convention and its six Annexes;

7 **asked** the Secretariat to continue to provide technical assistance and capacity building to the Contracting Parties to the Barcelona Convention, which so requested, to ratify and effectively implement MARPOL, in synergy with the International Maritime Organization (IMO) and other relevant stakeholders;

Agenda Item 2 **Draft decision to apply criteria for a common minimum level of fines for each offense provided for under the Annexes to MARPOL, within the framework of the Barcelona Convention**

8 **appreciated** the work of the Working Group within MENELAS undertaken by correspondence over the period June 2024 to October 2024, and **endorsed** the Report of the Working Group within MENELAS, as set out in document REMPEC/WG.59/2;

9 **noted** with interest the review of existing applicable sanctions at national level with regard to illicit ship pollution discharges over the period 2020-2023, as prepared by the Secretariat (hereinafter referred to as the “review of existing sanctions”);

10 **valued** the presentation from the European Union (EU) on the revision of the EU Ship-Source Pollution Directive¹, and **recognised** the relevance of the work that it was undertaking on the effective determination and application of penalties including on types of polluting substances and sensitive areas of concern;

11 **examined** the consolidated draft decision to apply criteria for a common minimum level of fines for each offense provided for under the Annexes to MARPOL, within the framework of the Barcelona Convention (hereinafter referred to as the “consolidated draft decision”), as set out in the Appendix to document REMPEC/WG.59/2, and:

- .1 **reiterated** that it provided for a harmonised level of administrative penalties in a non-criminal context;
- .2 **concurred** with the specific proposals, as detailed in document REMPEC/WG.59/2, and accepted the subsequent adjustments made; and
- .3 **agreed** to take the consolidated draft decision, as adjusted, as a basis for the further work.

12 **discussed** the need to carry out a detailed study on the possible criteria and possible minimum level of fines for each offense provided for under the Annexes to MARPOL, as set out in the consolidated draft decision, as adjusted, taking into consideration the specificities of each Contracting Party to the Barcelona Convention, and **invited** the Secretariat to carry out this study for consideration by the next meeting of MENELAS, subject to the availability of funds;

13 **discussed** the need for the development of associated draft guidelines in order to ensure the uniform and effective implementation of the consolidated draft decision, as adjusted, in the Mediterranean region, taking into consideration information from Contracting Parties to the Barcelona Convention on how quantities of waste discharged from polluting ships might be measured, and **invited** the Secretariat to develop these associated draft guidelines for consideration by the next meeting of MENELAS, subject to the availability of funds;

14 also **discussed** at what level(s) the minimum fines for each offense provided for under the Annexes to MARPOL, within the framework of the Barcelona Convention, should be set, and:

- .1 **considered** that the minimum and maximum levels of the average administrative fines, as set out in the review of existing sanctions, were useful information to that end; and
- .2 **took note** with interest of the overview on how the Mediterranean coastal States that were EU Member States had set out penalties under their national laws with regard to ship-source pollution offenses, as outlined in Part 2 of the European Commission Staff Working Document on the evaluation of the EU Ship-Source Pollution Directive².

15 **recommended**, in this context, to:

- .1 undertake further work on the consolidated draft decision, as adjusted, referred to in paragraph 11 above, taking into account the outcome of the discussions held at the Meeting;
- .2 carry out the study referred to in paragraph 12 above; and

¹ Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences, as amended.

² [SWD\(2023\) 159 final](#).

.3 develop the associated draft guidelines referred to in paragraph 13 above.

16 **invited** the Contracting Parties to the Barcelona Convention to contribute to the further work referred to in paragraph 15 above, as appropriate;

17 **requested**, in this regard, the Secretariat to inform the Sixteenth Meeting of the Focal Points of REMPEC to be held on 13-15 May 2025 of the progress made on the consolidated draft decision, as adjusted, and to advance the work referred to in paragraph 15 above as well as to report on the outcome of this work at the next meeting of MENELAS;

Agenda Item 3 **Possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing**

18 **recalled** that the Twenty-third Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 23) (Portorož, Slovenia, 5-8 December 2023) agreed to include the finalisation of modalities of possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing, as well as a comprehensive legal analysis, in the Programme of Work and Budget for 2024-2025 of the Mediterranean Action Plan (MAP) of the United Nations Environment Programme (UNEP);

19 **welcomed** the preparation of the draft Legal Analysis to assess the implications of the possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing, in the Mediterranean region (hereinafter referred to as the “draft Legal Analysis”), as set out in the Appendix to document REMPEC/WG.59/3, and **valued**, in this regard, the presentation by Dr Murat Sümer, on behalf of Professor Dr Norman A. Martínez Gutiérrez³, REMPEC consultant;

20 **reviewed** the proposed conclusions and recommendations for possible options for a way forward, as detailed in chapters 8 and 9 of the draft Legal Analysis, and **found** that these could guide the Contracting Parties to the Barcelona Convention when further discussing the possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing;

21 **noted** that there were three (3) potential approaches for the possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing, in the Mediterranean region, as follows:

- .1 a formal approach, which could be:
 - .1 either an amendment to the Barcelona Convention;
 - .2 or an amendment to the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea to the Barcelona Convention;
 - .3 or the adoption of a new Protocol to the Barcelona Convention;
 - .4 or the adoption of a COP Decision.
- .2 an informal approach based on a voluntary or trust fund model like The MedFund or the Partnerships in Environmental Management for the Seas of East Asia (PEMSEA); and

³ Director, IMO International Maritime Law Institute (IMLI).

- .3 a hybrid approach transitioning from an informal approach at first to a formal approach at a later stage.

22 **highlighted** that each approach had advantages and challenges with:

- .1 a formal approach providing long-term legal certainty but facing procedural delays and political challenges;
- .2 an informal approach offering flexibility and expediting implementation but possibly lacking stability, sustainability and enforcement authority; and
- .3 a hybrid approach combining elements of the informal and formal approaches, hence aiming to balance early flexibility with future legal certainty.

23 **noted** the various concerns raised by the Contracting Parties to the Barcelona Convention on the possible creation and operation of a regional “Blue Fund”, including in terms of necessity to establish such a fund as well as in terms of its governance and financing;

24 **recommended**, in this context, to finalise the draft Legal Analysis, taking into account the outcome of the discussions held at the Meeting, and submit the final draft Legal Analysis to the Sixteenth Meeting of the Focal Points of REMPEC, for further consideration by the Contracting Parties to the Barcelona Convention, which should be requested to examine, on that basis, whether the work on the possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing, should be pursued further within the framework of MENELAS and the Barcelona Convention, or not;

25 **requested**, in this regard, the Secretariat to advance the work referred to in paragraph 24 above, and to report on the outcome of this work at the next meeting of MENELAS;

Agenda Item 4 **Establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean**

26 **welcomed** the presentation by the EU on the harmonised reporting template in accordance with Article 12 of the EU Ship-Source Pollution Directive and the latest developments on updating this template under the revised EU Ship-Source Pollution Directive, and **remarked** that a revised template was expected to be developed at the latest within two (2) and a half years after the entry into force of the revised directive;

27 **underlined** the importance to:

- .1 avoid the duplication of efforts both in terms of reporting by Contracting Parties to the Barcelona Convention and in terms of establishing databases on illicit ship pollution discharges in the Mediterranean by the relevant regional and international organisations to which participating members were Parties;
- .2 ensure a coordinated approach, consistency and possible harmonisation of reporting requirements on illicit ship pollution discharges under the IMO as well as the relevant regional and international organisations to which participating members were Parties; and
- .3 explore the possibility to interconnect the respective databases, as may be appropriate.

28 **recommended**, in this context, that the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean was put on hold until further developments were achieved on the harmonised reporting template under the EU Ship-Source Pollution Directive;

29 **invited**, in this regard, the Secretariat to continue to liaise with the EU as well as the relevant regional and international organisations to which participating members were Parties on the matter, and briefly report on this at the next meeting of MENELAS under any other business;

Agenda Item 5 **Emerging issues related to violations of MARPOL in the Mediterranean**

30 **noted** the information on emerging issues related to violations of MARPOL in the Mediterranean, as presented in document REMPEC/WG.59/5;

31 **concurred** that, when considering emerging issues, particular attention should be drawn to the fact that the Mediterranean Sea was defined as a “special area” under MARPOL Annex I and MARPOL Annex V, and was designated as an Emission Control Area (ECA) for Sulphur Oxides (SO_x) and particulate matter under MARPOL Annex VI;

32 **acknowledged** that the expected date of entry into effective application of the Mediterranean Sea Emission Control Area for Sulphur Oxides and Particulate Matter (Med SO_x ECA) was on 1 May 2025, and **believed** that this could have subsequent implications on possible violations of MARPOL Annex VI in the Mediterranean going forward;

33 **underscored** that the effectiveness of ships to comply with the discharge requirements of MARPOL depended largely upon the availability of adequate port reception facilities (PRFs), especially within special areas such as the Mediterranean Sea, and that violations of MARPOL might lead to the release of pollutants to the marine environment;

34 **reiterated** the importance to continue improving the understanding and cooperation between Contracting Parties to the Barcelona Convention in the different stages of the enforcement process, i.e. detection, investigation and enforcement measures taken by the competent authorities following possible violations, and **emphasised** the relevance of the network to that end;

35 **recommended**, in this context, that Contracting Parties to the Barcelona Convention should:

- .1 focus their efforts on the effective implementation and enforcement of MARPOL, notably Annexes I, V and VI thereto, including the consistent implementation of the 0.10% sulphur limit under MARPOL Annex VI in the Med SO_x ECA;
- .2 engage in the on-going work on the possible designation of the Mediterranean Sea Emission Control Area for Nitrogen Oxides (Med NO_x ECA) pursuant to MARPOL Annex VI, as well as marine litter (in particular plastic), in the Mediterranean region; and
- .3 actively participate in the discussions on other emerging issues related to possible violations of MARPOL at the IMO level since these would have impacts on how they should be dealt with at the Mediterranean level.

36 **invited**, in this regard, the Secretariat, to report on any relevant developments on emerging issues related to violations of MARPOL in the Mediterranean, at the next meeting of MENELAS;

Agenda Item 6 **Cooperation with other regional and international organisations**

37 **noted** the Report on the Activities of MENELAS for the period from November 2021 to October 2023, as requested by Decision IG.21/9 and set out in the Annex to document REMPEC/WG.59/INF.3;

38 **valued** the presentations from the HELCOM⁴ Secretariat and the Chair of the North Sea Network of Investigators and Prosecutors (NSN) on the latest developments and activities within HELCOM and NSN, respectively;

39 **called** on the Secretariat to liaise with the relevant regional and international organisations to which participating members were Parties, through their respective secretariats, as well as the dedicated networks of investigators and sanctioning authorities established under the Regional Seas framework⁵, through their respective chairpersons, with a view to ensuring the necessary cooperation, notably by:

- .1 regularly exchanging information on topics of common interest in relation to illicit ship pollution discharges, including, but not limited, to emerging issues related to violations of MARPOL, as well as on the outcome of relevant activities or meetings;
- .2 ensuring reciprocal representation at the respective meetings, as appropriate;
- .3 organising joint awareness-raising activities as well as training sessions and workshops, as appropriate; and
- .4 promoting and facilitating their respective participation to coordinated aerial surveillance operations for illicit ship pollution discharges, as appropriate, with a view to enhancing operational cooperation in this field.

40 **agreed** to pursue the discussions with the OSPAR Commission⁶/Bonn Agreement⁷ Secretariat and the HELCOM Secretariat, to explore the possibility to jointly endorse the final draft common marine oil pollution detection/investigation report endorsed by the Fifteenth Meeting of the Focal Points of REMPEC (Kappara, Malta, 13-15 June 2023), for use in the Bonn Agreement, HELCOM and Mediterranean Sea areas, and **requested** the Secretariat to report on the outcome of these discussions at the next meeting of MENELAS;

41 **noted** with satisfaction that further practical experience was obtained in the Mediterranean region with the use of the final draft common marine oil pollution detection/investigation report during the coordinated aerial surveillance operation for illicit ship pollution discharges in the Mediterranean (OSCAR-MED) organised in 2023 by the RAMOGE Agreement⁸;

⁴ the Baltic Marine Environment Protection Commission (Helsinki Commission or HELCOM) is the governing body of the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention).

⁵ notably the NSN as well as the Network of Prosecutors on Environmental Crime in the Baltic Sea Region (ENPRO).

⁶ the OSPAR Commission was established by the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention).

⁷ Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances, 1983.

⁸ Accord relatif à la Protection de l'Environnement Marin et Côtier d'une Zone de la Mer Méditerranée.

Agenda Item 7 **Election of Chair for the period 2024-2025**

42 **took note** that informal consultations were carried out by the Secretariat with a participating member that had expressed preliminary interest in being elected as Chair of the network for the period 2024-2025, but that no confirmation was received in time for the Meeting;

43 **requested** the Secretariat to review the process leading to the election of Chair of the network, including the relevant Terms of Reference as annexed to Decision IG.21/9 on the Establishment of a Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention, with a view to ensuring that a Chair was elected at the next meeting of MENELAS;

Agenda Item 8 **Future work and meetings**

44 **agreed** to include the following items in the MENELAS Programme of Activities for the period 2026-2027, subject to the outcome of relevant discussions at the Sixteenth Meeting of the Focal Points of REMPEC:

- .1 the further work on the consolidated draft decision, as adjusted, referred to in paragraph 11 above;
- .2 the carrying out of the study referred to in paragraph 12 above;
- .3 the development of the associated draft guidelines referred to in paragraph 13 above; and
- .4 the further development of modalities of possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing.

45 **asked** the Secretariat to report to the Sixteenth Meeting of the Focal Points of REMPEC on the outcome of the Meeting;

46 **observed** that, depending on the outcome of relevant discussions at the Sixteenth Meeting of the Focal Points of REMPEC, the Working Group within MENELAS might need to be re-established to oversee, through correspondence coordinated by the Secretariat, the completion of the work referred to in paragraph 44 above, ahead of the next meeting of MENELAS;

47 **invited** the Secretariat to present the results of the work of the Working Group within MENELAS, if so re-established, at the next meeting of MENELAS; and

48 **recommended** that the next meeting of MENELAS should be held subject to the decision on the Programme of Work and Budget for the biennium 2026-2027 by the Contracting Parties to the Barcelona Convention.
