
**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)

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

Establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean

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Note by the Secretariat

This document provides information on the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean, including a proposed way forward.

Background

1 Parties to the International Convention for the Prevention of Pollution from Ships (MARPOL) are requested to submit their annual reports to the International Maritime Organization (IMO) using the revised reporting formats for a mandatory reporting system under MARPOL, as set out in MEPC.1/Circ.318. The data from these reports are used by the IMO to assess the effectiveness of the application of MARPOL and for statistical purposes.

2 The establishment of a database on illicit ship pollution discharges in the Mediterranean has regularly been included as an item in the Programme of Activities of the Mediterranean Network of Law Enforcement Officials relating to 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).

3 Most recently, the Fifth Meeting of MENELAS (Floriana, Malta, 22-23 February 2023) invited the Secretariat (REMPEC) to continue to liaise with the OSPAR Commission¹/Bonn Agreement² Secretariat to obtain further information on the establishment and current use of the North Sea Network of Investigators and Prosecutors (NSN)³ Database of Pollution Offences Cases in the North Sea and Reporting Format, hereinafter referred to as the NSN Cases of Interest Database.

4 The meeting also invited the Secretariat to continue to liaise with the European Commission and the European Maritime Safety Agency (EMSA) to obtain further information on the development and use of the European Union (EU) harmonised reporting template as well as to explore the possibility to develop and use a similar database and reporting format for illicit ship pollution discharges in the Mediterranean within the framework of MENELAS.

5 The Fifteenth Meeting of the Focal Points of REMPEC (Kappara, Malta, 13-15 June 2023) acknowledged the importance of the Country Profiles as well as the Mediterranean Integrated Geographical Information System on Marine Pollution Risk Assessment and Response (MEDGIS-MAR) databases and datasets, and also the contribution of the Contracting Parties to the Barcelona Convention in the maintenance and updating of these databases.

NSN Database of Pollution Offences Cases in the North Sea and Reporting Format

6 The NSN Cases of Interest Database is maintained as a confidential source for NSN members by the OSPAR Commission/Bonn Agreement Secretariat with information on pollution offences from ships or offshore installations involving all MARPOL Annexes. It is associated to a specific reporting format and is considered as a valuable tool to share cases and to keep a record.

7 There has been discussion within NSN to explore the possibility to link the NSN Cases of Interest Database to any reporting under relevant EU Directives, including the EU Ship-Source Pollution Directive⁴, and to the Bonn Agreement Data and Information System (BADIMS) platform that will be launched in 2025.

¹ the OSPAR Commission was established by the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention).

² Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances, 1983.

³ a body associated with the OSPAR Commission.

⁴ 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.

Harmonised reporting template under the EU Ship-Source Pollution Directive

8 The European Commission, in cooperation with EU Member States, and the support of EMSA, is currently developing a harmonised reporting template under the EU Ship-Source Pollution Directive, covering information such as the pollution incident and type of pollution, the estimated volume or quantity, the polluter details, ship type, penalty type, amount, geographical position of discharge, etc.

9 This format is meant to be user-friendly, ensure cross-border coverage, and be aligned with other international and regional reporting requirements. The European Commission may adopt an implementing act specifying the type and format for reporting the information. The key non-confidential information from the reporting platform could be made available to the public online.

10 Since the EU Ship-Source Pollution Directive is currently being revised, the harmonised reporting template thereunder is expected to be launched in two (2) and a half years.

MEDGIS-MAR

11 Contracting Parties to the Barcelona Convention can report illicit ship pollution discharges by uploading data on MEDGIS-MAR managed by the Secretariat, which includes information on the pollution type, the nature of the sanction finally imposed, etc.

12 However, beyond technical challenges currently being faced with the platform, it is to be noted that no data related to illicit ship pollution discharges has been reported on MEDGIS-MAR by Contracting Parties to the Barcelona Convention.

Proposed way forward

13 Since a MENELAS database on illicit ship pollution discharges in the Mediterranean would cover all Mediterranean coastal States, hence more than those to be covered by the harmonised reporting template under the EU Ship-Source Pollution Directive, it is fundamental that double reporting is avoided in the future, whilst ensuring consistency and possible harmonisation of reporting requirements under the IMO as well as the relevant regional agreements to which Mediterranean coastal States are Parties, and possible interconnections between the respective databases are contemplated, as may be appropriate.

14 In this context, the Secretariat considers that the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean should be put on hold until further developments are achieved on the harmonised reporting template under the EU Ship-Source Pollution Directive.

Actions requested by the Meeting

15 **The Meeting is invited to:**

- .1 **take note** of the information provided in the present document; and
- .2 **comment** as deemed appropriate.