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

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Note by the Secretariat

This document provides information on emerging issues related to violations of MARPOL in the Mediterranean, with a particular reference 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 is on 1 May 2025, and the subsequent implications on possible violations of MARPOL Annex VI in the Mediterranean.

Background

1 The International Convention for the Prevention of Pollution from Ships (MARPOL) is recognised as the most important set of international regulations covering prevention of pollution of the marine environment by ships from operational or accidental causes. It was adopted on 2 November 1973 and celebrated 50 years in 2023.

2 Over the years, MARPOL has extended its scope in order to address new challenges that have emerged from shipping and in response to the changing expectations of global society – such as the demands for clean air and the reduction of greenhouse gas (GHG) emissions. As new challenges arose, MARPOL has been further expanded through new annexes, and amendments in turn adopted by the International Maritime Organization (IMO). This means that MARPOL has adopted an increasingly holistic approach, with six annexes covering all forms of pollution from ships, including pollution from oil, noxious liquid substances in bulk, harmful substances in packaged form, sewage and garbage from ships, as well as covering air pollution from ships, and improving energy efficiency. MARPOL also allows for the adoption of special areas with even stricter controls on operational discharges.

3 The Mediterranean region, with its unique challenges and opportunities, requires tailored approaches for the effective implementation and enforcement of MARPOL by the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (the “Barcelona Convention”), notably as 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.

Designation of the Mediterranean Sea Emission Control Area for Sulphur Oxides and Particulate Matter (Med SO_x ECA)

4 The 79th Session of the IMO’s Marine Environment Protection Committee (MEPC 79) (London, United Kingdom, 12-16 December 2022) adopted the amendments to MARPOL Annex VI concerning the Mediterranean Sea Emission Control Area for Sulphur Oxides and Particulate Matter (Med SO_x ECA), with an expected date of entry into effective application on 1 May 2025.

5 The entry into effective application of the Med SO_x ECA brings new challenges and opportunities in the Mediterranean region, notably as it implies more stringent controls on the emissions of SO_x and particulate matter, hence the subsequent implications on possible violations of MARPOL Annex VI in the Mediterranean.

6 Compliance with the requirements under MARPOL Annex VI within the Med SO_x ECA may be achieved:

- .1 either by limiting the sulphur content of fuel oil used on board ships operating within the Med SO_x ECA to 0.10% m/m (mass by mass)¹;
- .2 or by using an equivalent² means of compliance, i.e. alternative methods or technologies that ships operating within the Med SO_x ECA can use to meet requirements outlined in MARPOL Annex VI. These methods are termed primary (in which the formation of the pollutant is avoided) or secondary (in which the pollutant is formed but subsequently removed to some degree prior to discharge of the exhaust gas stream to the atmosphere).

¹ In accordance with IMO 2020, the sulphur content of fuel oil used or carried for use on board ships operating outside designated ECAs such as the Med SO_x ECA is limited to 0.50% m/m.

² According to regulation 4 of MARPOL Annex VI, the Administration of a Party may allow any fitting, material, appliance or apparatus to be fitted in a ship or other procedures, alternative fuel oils, or compliance methods used as an alternative to that required by this Annex if such fitting, material, appliance or apparatus or other procedures, alternative fuel oils, or compliance methods are at least as effective in terms of emissions reductions as that required by this Annex, including any of the standards set forth in regulations 13 (Nitrogen oxides (NO_x)) and 14 (SO_x and particulate matter).

7 The provision for equivalents is particularly relevant as:

- .1 Exhaust Gas Cleaning Systems (EGCS) or “scrubbers”, which operate by water washing the exhaust gas stream prior to discharge to the atmosphere, are considered as one of the alternative methods or technologies. The use of EGCS gives rise to new challenges in the Mediterranean region as to the possible harmful effects of the discharge water therefrom. EGCS residues should also be delivered to port reception facilities (PRFs), as well as subsequently properly managed and disposed of; and
- .2 low sulphur fuels or alternative fuels are also considered as alternative methods or technologies. The illicit or accidental release of low sulphur fuels or alternative fuels to the marine environment could be particularly challenging in the Mediterranean region.

8 To assist with the consistent implementation of MARPOL Annex VI, a set of guidelines was developed by IMO and issued by the MEPC. REMPEC also recently held a Regional Workshop on the consistent implementation of IMO 2020 and the 0.10% sulphur limit under MARPOL Annex VI in the Med SO_x ECA (Lija, Malta, 22-23 May 24), in close cooperation with IMO.

Other emerging issues

9 There are other emerging issues related to possible violations of MARPOL, which are particularly relevant to the Mediterranean region, and include, but are not limited to:

- .1 **emissions of nitrogen oxides (NO_x)**, as the Contracting Parties to the Barcelona Convention agreed to explore the possible designation of the Mediterranean Sea Emission Control Area for Nitrogen Oxides (Med NO_x ECA) pursuant to MARPOL Annex VI. Work is currently being undertaken on a Technical and Feasibility Study to examine the possibility of designating the Med NO_x ECA under MARPOL Annex VI within the framework of the Mediterranean Action Plan (MAP) NO_x ECA Technical Committee of Experts (NECA TCE); and
- .2 **marine litter (in particular plastic)**, notably as the Mediterranean Sea was defined as a “special area” under MARPOL Annex V. Beyond the work already undertaken in the Mediterranean region in relation to PRFs and the enhanced management of marine litter from sea-based sources in ports and marinas in the Mediterranean³, further work will be undertaken, notably within the framework of the EU-funded Marine Litter MED PLUS Project, including on the issue of loss of containers at sea.

10 These issues, as well as other emerging issues such as the reduction of environmental risks associated with maritime transport of plastic pellets, are regularly discussed by the IMO.

Next steps

11 Whilst the effectiveness of ships to comply with the discharge requirements of MARPOL depends largely upon the availability of adequate PRFs, especially within special areas, violations of MARPOL may lead to the release of pollutants to the marine environment, hence it is fundamental 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 violation, notably within the framework of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS).

³ This includes the adoption of Operational Guidelines on the Provision of Reception Facilities in Ports and the Delivery of Ship-Generated Wastes in the Mediterranean, as well as the Guidance Document to Determine the Application of Charges at Reasonable Costs for the Use of Port Reception Facilities or, when Applicable, Application of the No-Special-Fee System, in the Mediterranean (UNEP/MED IG.24/22, Decision IG.24/11, Annexes III and IV).

12 In this context, the Secretariat considers that particular attention should be paid to the effective implementation and enforcement of MARPOL, notably Annexes V and VI thereto, including the consistent implementation of the 0.10% sulphur limit under MARPOL Annex VI in the Med SO_x ECA. The on-going work on the Med NO_x ECA and marine litter (in particular plastic) in the Mediterranean region should also be monitored and reported to MENELAS accordingly.

13 The Secretariat also suggests that Contracting Parties to the Barcelona Convention actively participate in the discussions on other emerging issues related to possible violations of MARPOL at the IMO level since these will have impacts on how they should be dealt with at the Mediterranean level.

Actions requested by the Meeting

14 **The Meeting is invited to:**

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