



Ship-Source Pollution Directive Amendment of Directive 2005/35/EC -update

**MENELAS Meeting
4-5 December 2024**

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Reporting and Publication of information

Existing reporting obligation under current SSPD

- Current SSPD Art. 12 requires EU Member States to report every three years on the application of the Directive
- The scope of reporting & format of template were discussed in a Correspondence Group with participation also from BA/NSN and HELCOM
- The resulting template was circulated to EU Member States, Norway/Iceland in January 2021 and consists of two Tables

Current reporting template – to be updated

TABLE 1 – Detections

Country (IMO / BA-HELCOM)
Year (IMO / BA-HELCOM)
Pollution event ID (BA-HELCOM)
Date (IMO / BA-HELCOM)
Time (BA-HELCOM)
Day/Night (BA-HELCOM)
Latitude [N/S] (IMO / BA-HELCOM)
Longitude [W/E] (IMO / BA-HELCOM)
Pollution Category (BA-HELCOM)
Type of substance (IMO / BA-HELCOM)
Estimated volume or quantity (IMO / BA-HELCOM)
Length [km] (BA-HELCOM)
Width [km] (BA-HELCOM)
Area [km²] (BA-HELCOM)
Aerial Surveillance detection (BA-HELCOM)
Polluter/Source (IMO/ BA-HELCOM)
Ship Type (IMO)
Remarks (IMO / BA-HELCOM)

TABLE 2 - Cases

Case ID (NSN)
Polluter Source (IMO)
Ship Type (NSN / IMO)
Pollution Type (NSN / IMO)
Location of infringement (IMO / NSN)
Date of infringement (IMO / NSN)
Detected by (NSN)
Pollution event ID
Referred to - Flag State (IMO)
Referred to –date (IMO)
Action by Flag State (IMO)
Type of sanction finally imposed (NSN)
Sanction imposed by (NSN)
Fine and/or penalty amount (NSN)
Contact Point (NSN)
Remarks (NSN)

New reporting obligations under the revised SSPD

- **New electronic reporting tool**, for the purposes of collection and exchange of information between EU Member States and the European Commission on the implementation of this Directive.
- Information to be reported relating to the following actions:
 - a) follow-up of an alert sent by CleanSeaNet** by competent authorities or the reasons for not following up such an alert, as soon as possible after the follow-up activities are completed or the decision not to follow-up is taken;
 - b) inspections** or other appropriate actions undertaken by EU Member States acting as **port States**, as soon as possible after the inspections or other appropriate actions are completed;
 - c) actions** undertaken by EU Member States acting as **coastal States**, as soon as possible after such actions are completed; and
 - d) penalties imposed**, once the administrative and, where applicable, legal proceedings are concluded, and in any case by 30 June each year. (Article 10a(2))

Information to be reported

- In order to ensure the uniform application of this Article, the Commission may, by means of implementing acts, lay down **detailed rules on the procedure for reporting the information** referred to in paragraph 2, including specifying the **type of information** to be reported. (Art.10a(3))

Article 10c Publication of information

- Based on information reported by Member States **in accordance with Article 10a**, the Commission shall make publicly available a regularly updated Union-wide overview on the implementation and enforcement of this Directive, upon the conclusion of the administrative and legal proceedings, when applicable.
- To the extent that information relating to penalties includes personal data or commercially sensitive information, such information shall be anonymised. That overview shall include the information listed in **Annex II** to this Directive.

Annex II Information included in the overview

For each pollution incident:

- a) date of the incident;
- b) identification of the ship involved in the incident;
- c) position (latitude and longitude) of the pollution incident;
- d) extent of the pollution incident (area and length), if applicable;
- e) type of pollutant;
- f) Member State(s) involved;
- g) description of the verification activities of the pollution incident;
- h) date and time of the verification activities and the assets used for verification activities;
- i) details of the administrative penalty imposed.

For each Member State, aggregated information:

- a) number of CleanSeaNet possible pollution incidents detected;
- b) number of CleanSeaNet possible pollution incidents verified on-site by the Member State;
- c) number of CleanSeaNet possible pollution incidents verified by other means by the Member State;
- d) number of confirmed pollution incidents after verification (detailed per area: territorial waters, EEZ, high seas);
- e) number of identified offenders;
- f) number of cases where a penalty was imposed.

Exchange of experience – reporting

- The EU Member States and the Commission, assisted by EMSA, shall cooperate in the exchange of information, building on SafeSeaNet (Directive 2002/59/EC), in order to:
 - **enhance the information** required for the effective implementation of this Directive, in particular by CleanSeaNet and other reporting mechanisms, with a view to **developing reliable methods of tracing polluting substances** in the sea;
 - develop an appropriate control and monitoring system, **integrating the information provided** under this Directive with the information made available in SafeSeaNet, THETIS-EU and other Union information databases in order to facilitate the **early identification and monitoring** of ships discharging polluting substances;
 - ensure that competent authorities **digitally analyse all high-confidence alerts** and indicate whether or not they verify those high-confidence alerts sent by **CleanSeaNet** every year, striving to verify **at least 25 % of those alerts**

Next steps for the SSPD - reporting

- Implementing act on the **procedure for reporting information** under the electronic reporting tool set out in Art. 10a
- Make **publicly available information** relating to enforcement against illegal discharges

Thank you

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