



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

11th Meeting of the Focal Points of the Regional
Marine Pollution Emergency Response Centre
for the Mediterranean Sea (REMPEC)

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Agenda Item 12

COOPERATION BETWEEN REMPEC AND THE EUROPEAN COMMISSION AS WELL AS THE EUROPEAN MARITIME SAFETY AGENCY

Note by the Secretariat

SUMMARY

Executive Summary: This document provides information on the on-going cooperation between REMPEC and the European Commission as well as the European Maritime Safety Agency (EMSA) and possible ways to strengthen cooperation.

Actions to be taken: Paragraph 47

Related documents: REMPEC/WG.28/9/2, REMPEC/WG.28/9/3, REMPEC/WG.32/8/1,
REMPEC/WG.36/5, REMPEC/WG.36/7, REMPEC/WG.37/4,
REMPEC/WG.37/8, REMPEC/WG.37/9, REMPEC/WG.37/14/1,
REMPEC/WG.37/14/2, REMPEC/WG.37/15.

Background

1 The mandate and objectives of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), the European Union (EU) Civil Protection Mechanism ("the UCPM") and the European Maritime Safety Agency (EMSA) are as follows:

- **Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea**

2 The International Maritime Organization (IMO) is the specialised agency of the United Nations (UN) that develops, administers and implements the international regulatory regime for maritime safety and the prevention of pollution from ships. Of great concern to both IMO and the global shipping industry is the fact that, in the absence of a single, uniform and internationally agreed regulatory regime to prevent pollution from ships, individual jurisdictions at the national, provincial and even local level are proceeding with implementing their own regulations. The danger of such a fragmented, patchwork approach is that differences may arise between each regulatory system. Because shipping is an international industry, with ships passing across jurisdictional lines in order to conduct trade, differences between regulatory systems can create extreme compliance difficulties and significant cost implication for shipping and trade. In order to be effective, international shipping needs internationally agreed standards and this is the fundamental reason for establishing IMO, then known as the Inter-Governmental Maritime Consultative Organization (IMCO), in 1958. Currently IMO consists of 171 Member States and three Associate Members.

3 The "Regional Oil Combating Centre" (ROCC) was originally established in 1976 by the decision of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea

Against Pollution (“the Barcelona Convention of 1976¹”), with the mandate to strengthen the capacities of coastal States in the Mediterranean region and to facilitate cooperation among them in order to combat massive marine pollution by oil, particularly by developing national capacities to combat oil pollution and by establishing a regional information system with a view to dealing with marine pollution emergencies. The Centre’s mandate was extended over the years in conformity with the decisions of the Contracting Parties to the Barcelona Convention with a view to addressing relevant emerging issues and the respective global developments with a particular focus on preventive measures against pollution from ships. In 1989, the name of the Centre was changed to REMPEC. The Centre is administered by IMO in cooperation with the Mediterranean Action Plan of the United Nations Environment Programme (UNEP/MAP).

4 In 2001, with a view to the adoption of the new Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (“the 2002 Prevention and Emergency Protocol”), the Contracting Parties to the Barcelona Convention reaffirmed the involvement of the Centre in activities related to prevention of, preparedness for and response to marine pollution.

5 The objective of REMPEC is to contribute to preventing and reducing pollution from ships and combating pollution in case of emergency. In this respect, the mission of REMPEC is to assist the Contracting Parties to the Barcelona Convention in meeting their obligations under Articles 4(1), 6 and 9 of the Barcelona Convention, under the Protocol Concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency (“the 1976 Emergency Protocol”) and under the 2002 Prevention and Emergency Protocol as well as in implementing the Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2005-2015)². The Centre is also to assist the Contracting Parties to the Barcelona Convention which so request in mobilizing the regional and international assistance in case of an emergency under the Protocol for the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (“the Offshore Protocol”).

- **European Union Civil Protection Mechanism**

6 The UCPM was established in 2001, and last revised by the Decision No 1313/2013/EU. It aims to facilitate coordination in the field of civil protection in order to improve the effectiveness of systems for preventing, preparing for and responding to natural and man-made disasters. The UCPM can be activated for emergencies inside and outside the EU to complement the response capabilities of an affected country. Upon a request for assistance submitted to the Emergency Response Coordination Centre (ERCC) by an EU Member State, a third country or the United Nations (UN) or its agencies, the European Commission may deploy an expert team on site and coordinate offers of assistance made by the UCPM countries and EMSA. For particular prevention and preparedness actions, the UCPM may also provide financial assistance to candidate countries and potential candidates not participating in the UCPM, as well as to countries that are part of the European Neighbourhood Policy (ENP).

7 When considering Decision No 1313/2013/EU, the European Parliament and the Council of the EU underlined *inter alia* that:

- .1 the UCPM should take due account of relevant EU law and international commitments, and exploit synergies with relevant EU initiatives;
- .2 with respect to disaster response assistance interventions outside the EU, the UCPM should facilitate and support actions undertaken by the EU Member States and the EU as a whole in order to promote consistency in international civil protection work. The UN, in cases where it is present, has an overall coordinating role for relief

¹ Further to its amendment in 1995, the Barcelona Convention of 1976 was renamed Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (“the Barcelona Convention”).

² Under Agenda Item 11, the Meeting is invited to agree upon the Revised Draft Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2016-2021), as may be amended during the Meeting, and to propose it for approval by the next Meeting of the MAP Focal Points prior to its submission for adoption by the Nineteenth Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols to be tentatively held in February 2016 in Greece. Its key objectives and targets are reflected in the overarching Mediterranean strategies, namely the Mediterranean Strategy for Sustainable Development (MSSD), the UNEP/MAP’s Integrated Six Year Programme of Work for the period 2016 to 2021 (Mid-Term Strategy) and the Ecosystem Approach (EcAp).

operations in third countries. Assistance provided under the UCPM should be coordinated with the UN and other relevant international actors to maximise the use of available resources and avoid any unnecessary duplication of effort. Enhanced coordination of civil protection assistance through the UCPM is a prerequisite to supporting the overall coordination effort and ensuring a comprehensive EU contribution to the overall relief effort; and

- .3 this Decision covers actions in the field of prevention of, preparedness for and response to marine pollution with the exception of actions falling under Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency, referred to in the following paragraph.

- **European Maritime Safety Agency**

8 In 2002, EMSA was established by Regulation (EC) No 1406/2002, amended by Regulation (EC) No 1644/2003, Regulation (EC) No 724/2004, Regulation (EC) No 2038/2006 and Regulation (EU) No 100/2013 for the purpose of ensuring a high, uniform and effective level of maritime safety, maritime security, prevention of, and response to, pollution caused by ships as well as response to marine pollution caused by oil and gas installations.

9 When considering the latest amendment (i.e. Regulation (EU) No 100/2013), the European Parliament and the Council of the EU highlighted *inter alia* that:

- .1 EMSA's tasks should be described clearly and precisely, and any duplication of tasks should be avoided;
- .2 EMSA should act in the interests of the EU. This should include the situation when the Agency is tasked to act outside the territory of the EU Member States in its fields of competence and to provide technical assistance to relevant third countries, in promoting the EU's maritime safety policy;
- .3 the activities of EMSA in this field should not relieve coastal States of their responsibility to have appropriate pollution response mechanisms in place and should respect existing cooperation arrangements between EU Member States or groups of EU Member States;
- .4 the assistance of EMSA to the EU Member States and to the European Commission with regard to the relevant work of international and regional organisations should be without prejudice to the relationship between those organisations and the EU Member States resulting from EU Member States' membership of those organisations;
- .5 the EU has acceded *inter alia* to the following instruments establishing regional organisations whose activities are also covered by EMSA's objectives: the Barcelona Convention of 1976, the Barcelona Convention as well as to a number of Protocols thereto. EMSA should therefore provide technical assistance to EU Member States and the European Commission to take part in the relevant work of those regional organisations;
- .6 in addition to those regional organisations, a number of other regional, sub-regional and bilateral coordination and cooperation arrangements exist with regard to pollution response. When providing assistance with regard to pollution response to third countries sharing a regional sea basin with the EU, EMSA should act, taking into account those arrangements; and
- .7 the EU shares the regional sea basins of the Mediterranean Sea, the Black Sea and the Baltic Sea with neighbouring countries. Upon request by the European Commission, EMSA should provide assistance with regard to pollution response to those countries.

- **Mediterranean coastal States**

10 Whilst the Contracting Parties to the Barcelona Convention are considered without distinction, namely Albania, Algeria, Bosnia & Herzegovina, Croatia, Cyprus, Egypt, EU, France, Greece, Israel, Italy, Lebanon, Libya, Malta, Monaco, Montenegro, Morocco, Slovenia, Spain, Syrian Arab Republic, Tunisia and Turkey, they are divided in five categories under the EU definition, whilst Monaco does not fall in any of the following categories:

- .1 **EU Member States:** Croatia, Cyprus, France, Greece, Italy, Malta, Slovenia and Spain;
- .2 **Candidate countries:** Albania, Montenegro and Turkey;
- .3 **Potential candidates:** Bosnia & Herzegovina; and
- .4 **Countries that are part of the ENP:** Algeria, Egypt, Israel, Lebanon, Libya, Morocco, Syrian Arab Republic and Tunisia³.

Rational for strengthened cooperation in the Mediterranean region in the field of preparedness for and response to marine pollution

11 It transpires from the above-mentioned paragraphs and from past and current experiences, as detailed in the following sections, that cooperation between REMPEC, the European Commission, especially through the UCPM, and EMSA, is essential to avoid duplication and to ensure the maximum benefit from the assistance offered to all Mediterranean coastal States.

12 In this regard, the following paragraphs provide a summary of lessons learnt from past experiences and lay down recommendations expressed by Mediterranean coastal States during various events related to the cooperation in the Mediterranean region.

13 As highlighted in document REMPEC/WG.28/9/3 on lessons learnt from the marine pollution incident in the Eastern Mediterranean during the summer 2006, within the context of an incident of a major magnitude, the type of assistance provided (advice, expertise, manpower, equipment, financial support, etc.) varies as well as sources (bilateral, international, intergovernmental/non-governmental organisations, private companies, individuals, etc.). This assistance contributes to the response operation, as expertise, equipment and manpower are required, *inter alia*, to carry out clean-up operations on extended stretch of shoreline, to protect various locations, to recover oil at sea (requiring heavy equipment and expensive means), etc.

14 However, massive mobilisation can also create difficulties and confusion due to the complexity of managing a multi-national and multi-organisation coordination and due to the quantity of information provided by the different sources, which requires a methodical information screening and dissemination policy. In the light of this incident and in view of the numerous offers of assistance, it was considered crucial to establish, at the early stage of an incident, a coordination procedure in order to avoid duplication of efforts and increase the efficiency of regional, European and international assistance. It should be noted that, as reported in document REMPEC/WG.32/8/1, similar conclusions were drawn from the lessons learnt from the "Deepwater Horizon" oil spill, which occurred in April 2010.

15 These experiences show that there is a need to further investigate how to better coordinate the assistance and speed up its delivery.

16 The Rosersberg Initiative launched in 2007 by the Advisory Group on Environmental Emergencies (AGEE) established by UNEP and the UN Office for the Coordination of Humanitarian Affairs (OCHA), aimed at strengthening the global regime that governs environmental emergency response and preparedness. The Rosersberg Initiative recognized the importance of regional agreements and mechanisms to coordinate regional emergency situations and strongly recommended making use of existing mechanisms which established a network of national contact points for managing emergency situations.

³ Although Libya and the Syrian Arab Republic are considered as countries that are part of the ENP, they remain outside most of the structures of ENP.

17 The marine pollution incident in the Eastern Mediterranean during the summer 2006 is an example of the important role of regional coordination. In this regard, it is recalled that, since the early days of the incident, in accordance with the provisions of the 2002 Prevention and Emergency Protocol, in liaison with UNEP/MAP and in close cooperation with UNEP, OCHA, IMO, the European Commission, EMSA and other partners, REMPEC had coordinated, at the regional level, the response operations to the oil spill, in collaboration with the respective competent national authorities in the region (vide REMPEC/WG.28/9/2).

18 It is also recalled that the Workshop on Regional Response Capacity and Coordination for Major Oil Spill in the Mediterranean Sea (MEDEXPOL 2013), organised by REMPEC in Athens, Greece from 10 to 12 December 2013, and attended by a total of seventy-five (75) participants including thirty-nine (39) representatives from eighteen (18) Contracting Parties to the Barcelona Convention (Albania, Algeria, Croatia, Cyprus, EU, France, Greece, Israel, Italy, Libya, Malta, Monaco, Montenegro, Morocco, Spain, Tunisia and Turkey) as well as thirty-six (36) representatives from the oil industry and response companies, discussed the sub-regional, regional, European, international, industry mechanisms and databases. Following these discussions, the participants recommended *inter alia*:

- .1 to identify duplication/overlapping/gaps between the European and regional levels, which include *inter alia*:
 - inventories, activities, reporting; and
 - projects financed through various funding mechanisms which required more coordination at European and regional levels.
- .2 to improve cooperation arrangements and synergies between the European and regional mechanisms, including *inter alia*:
 - better coordination in case of emergency (e.g. between the Emergency Response Coordination Centre or ERCC and REMPEC); and
 - Mediterranean decision on integration within the Common Emergency Communication and Information System (CECIS).
- .3 to organise a Meeting on coordination between the European Commission and UNEP/MAP to discuss the above-mentioned issues.

19 It is further recalled that the Meeting of National Experts on the Revision of the Regional Strategy for Prevention of and Response to Marine Pollution from Ships, organised by REMPEC in Malta from 11 to 12 March 2015, agreed upon the Revised Draft Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2016-2021) (REMPEC/WG.36/7), hereinafter referred to as “the Regional Strategy (2016-2021)”, which includes specific references to the cooperation with EMSA and the UCPM.

20 In this regard, further to the introduction on the Comparative Report on on-going and existing Mediterranean, European and international strategies / sectorial action plans / initiatives on marine environment protection (REMPEC/WG.36/5), which was aimed at providing recommendations on the potential marine environment protection synergies and to contribute, through the implementation of the Regional Strategy (2016-2021), to Mediterranean, European and international strategies / sectorial action plans / initiatives on marine environment protection, the said Meeting agreed upon the General Objective of the Regional Strategy (2016-2021) which highlight that several areas of activity within the Specific Objectives have strong synergies with the work of other UNEP/MAP components and related regional and international organisations. Where necessary, the undertakings required of REMPEC under the Regional Strategy (2016-2021) should create linkages with the work of such other entities and foster cooperation among them. The latter included considerations on EMSA and the UCPM, as reproduced hereunder in paragraphs .1 to .3:

- .1 Drawing from the successful outcome of previous cooperation arrangements between the Contracting Parties to the Barcelona Convention and EMSA, it would be advisable to maintain and, where needed, increase coordination between them, especially when implementing some of the Specific Objectives of the Regional Strategy (2016-2021), which should ideally be in full harmony, not only with the aims of UNEP/MAP's strategies and action plans but also with EU policies affecting the protection of the Mediterranean environment currently being, or about to be, implemented by EMSA.

- .2 The commonalities between some of the measures called for in EMSA's Action Plans (i.e. EMSA Oil, Hazardous and Noxious Substances or HNS and Offshore Action Plans) and the objectives of the Regional Strategy (2016-2021) are all too evident. Therefore, all measures in the relevant Action Plans, which are considered applicable to the Mediterranean, in particular in those areas where EMSA's mandate is extended to cover third parties and regional agreements, should be reflected as appropriate in the Regional Strategy (2016-2021). To that end, Specific Objectives 7, 17, 18, 19, 20, 21 and 22 make reference to the above-mentioned Action Plans.
- .3 The UCPM facilitates cooperation in the field of civil protection to improve the effectiveness of systems for preventing, preparing for and responding to natural and man-made disasters, including marine environment emergencies. The Regional Strategy (2016-2021) should make use of relevant aspects of the UCPM, and reflect them as appropriate actions to be addressed by REMPEC under Specific Objectives 19, 20, 21 and 22.

21 When considering Specific Objective 21 of the Regional Strategy (2016-2021), the said Meeting also underpinned the need to review the series of Principles and Guidelines on various aspects related to cooperation during an oil spill incident developed by REMPEC since 1987, which are listed in document REMPEC/WG.37/14/2, taking into account the latest international and European developments (i.e. the IMO Guidelines on International Offers of Assistance for Oil Pollution Incidents and the host nation support under the UCPM). The said Meeting further stressed that, in the context of this review, clear procedures, conditions and synergies should be established and agreed to ensure an effective coordination between the Mediterranean regional assistance, IMO support as well as the European response and assistance mechanism, as further elaborated in document REMPEC/WG.37/14/2.

22 In view of the above, the following paragraphs introduce past and current cooperation between REMPEC, the European Commission, especially through the UCPM, and EMSA as well as propose possible ways to strengthen cooperation in the next sections, taking into account existing arrangements between the EU and international organisations.

Past and current cooperation between REMPEC and the European Commission as well as EMSA

23 Since its establishment, the EU, as a Contracting Party to the Barcelona Convention and its Protocols, has contributed to the work of UNEP/MAP and its components, including REMPEC, through its political support in the definition of policies, legal obligations and guidance documents in the Mediterranean region as well as through its technical and financial supports in the implementation of such policies, obligations and documents in the field of prevention from, preparedness for and response to marine pollution from ships, and more recently in the field of offshore oil and gas safety in accordance with Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending Directive 2004/35/EC.

24 In terms of funding, as highlighted in document REMPEC/WG.37/9, it is recognised that the whole Mediterranean region has benefited from a number of EU funded projects implemented by REMPEC. Whilst the UCPM financed two recent projects, including the Project for Preparedness for Oil-polluted Shoreline clean-up and Oiled Wildlife interventions (POSOW), it is proposed under document REMPEC/WG.37/9 to submit jointly with the concerned Mediterranean coastal States a project proposal in the context of the call for proposals 2016 for prevention and preparedness projects in the field of civil protection and marine pollution and the call for proposals 2016 for Union Civil Protection Mechanism Exercises.

25 The cooperation between REMPEC and EMSA has been fruitful in many aspects, as detailed below, including during the implementation by REMPEC of the EU-funded MEDA Regional Project "*Euromed Cooperation on Maritime Safety and Prevention of Pollution from Ships – SAFEMED*", between 2006 and 2009 (SAFEMED I – MED 2005/109-573) and between 2010 and 2013 (SAFEMED II – MED 2007/147-568) as well as during the ongoing implementation by EMSA of SAFEMED III which runs from June 2013 to June 2016.

26 During the implementation of SAFEMED I and SAFEMED II coordinated by REMPEC, EMSA was involved through consultation, technical support and assistance in the organisation of events, for the following activities:

SAFEMED I:

- .1 Identification of possible standard models for flag State administrations;
- .2 Development of a framework for the adequate monitoring of Classification Societies;
- .3 Preparation and organisation of the Vessel Traffic Monitoring & Information Systems (VTMIS) Info Day;
- .4 Preparation of a proposal to designate the Mediterranean Sea as a Sulphur Oxides (SOx) emission control area under Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL);
- .5 Assistance in the ratification and implementation of the International Convention on the Control of Harmful Anti-fouling Systems on Ships (AFS Convention);
- .6 Assessment of the implementation of the IMO International Ship and Port Facility Security (ISPS) Code;
- .7 Regional seminar on human element influence in maritime accidents;

SAFEMED II:

- .8 Presentation of the SAFEMED II activities to the Mediterranean Memorandum of Understanding on Port State Control (MED MoU);
- .9 Assessment of the feasibility of further developing Global Maritime Distress and Safety System (GMDSS) coastal stations, Automatic Identification System (AIS) base stations or national networks and new Vessel Traffic Services (VTS) installations and/or maritime reporting systems and preparation of the relevant terms of reference for potential calls for tenders;
- .10 Monitoring of flag performance and improved monitoring of Classification Societies;
- .11 Promotion of the ratification of the International Labour Organization (ILO) Maritime Labour Convention, 2006 (MLC);
- .12 Equipment procurement for traffic monitoring/port control stations, alerting posts and AIS base stations;
- .13 Development of a training programme on Port State Control (PSC) procedures for MED MoU PSC inspectors and training of PSC inspectors;
- .14 Seminar on Casualty Investigations; and
- .15 Long-range identification and tracking of ships (LRIT) Regional Workshop.

27 Since the launch of SAFEMED III, in June 2013, REMPEC and EMSA have discussed the following issues:

- .1 Follow-up on the Geographical Information System (GIS) on Maritime Traffic Flows in the Mediterranean Sea; and
- .2 Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS) and its related activities, as detailed in document REMPEC/WG.37/8.

28 The cooperation between REMPEC, the European Commission and EMSA is further discussed in the framework of the Inter-Secretariat Meetings held annually between regional agreements, the European Commission and EMSA, which are hosted in turn. The goal of these meetings is to exchange information, once a year, regarding preparedness and response activities, between, on the one hand, the European Commission represented by the its Humanitarian Aid and

Civil Protection department (ECHO) and EMSA's Preparedness and Response Unit and, on the other hand, representatives of regional agreements which include the Baltic Marine Environment Protection Commission (Helsinki Commission or HELCOM), the Commission of the Convention for the Protection of the marine Environment of the North-East Atlantic (OSPAR Commission), the Agreement for cooperation in dealing with pollution of the North Sea by oil and other harmful substances (Bonn Agreement), the cooperation Agreement for the protection of the coasts and waters of the north-east Atlantic against pollution (Lisbon Agreement), the Barcelona Convention and the Convention on the Protection of the Black Sea Against Pollution (Bucharest Convention). At the last 11th Inter-Secretariat Meeting, which was held in Lisbon on 12 February 2015, it was agreed to establish a correspondence group to discuss the possible synergies to inter-connect the existing oil spill response databases (e.g. Mediterranean Integrated GIS on Marine Pollution Risk Assessment and Response – MEDGIS-MAR) and CECIS to facilitate the update of these databases by the Contracting Parties to the above-mentioned regional agreements.

29 Furthermore, it should be mentioned that both the European Commission and EMSA regularly participate in and contribute to the implementation of the programme of work of the Mediterranean Technical Working Group (MTWG) through their respective nominated MTWG representatives, as detailed in document REMPEC/WG.37/14/1.

30 Following the establishment of the EMSA Consultative Technical Group for Marine Pollution Preparedness and Response (CTG MPPR) in 2007, which succeeded the Community framework for cooperation in the field of accidental and deliberate marine pollution established by Decision 2850/2000 for the period 1 January 2000 to 31 December 2006, REMPEC participated in a number of CTG MPPR Meetings and contributed to the discussions.

31 From an operational point of view, as detailed in document REMPEC/WG.28/9/2 on REMPEC's involvement in the marine pollution incident in the Eastern Mediterranean during the summer 2006, it is recalled that, taking into consideration the increase in the workload of REMPEC due to the coordination of the response operations to the Lebanese oil spill as well as the ongoing and scheduled programme of activities of the Centre, external human resources were urgently needed to reinforce REMPEC's involvement in the management of the oil spill. Following REMPEC's request, three experts were successively seconded to the Centre by Environment Canada (28 August 2006 – 18 September 2006), the United Kingdom Maritime and Coast Guard Agency (MCA) (26 September 2006 – 10 October 2006), and the European Commission through EMSA (10 October 2006 – 30 October 2006). During the said incident, REMPEC and the Monitoring Information Centre (former ERCC), exchanged regular correspondence to provide update on measures undertaken at European and regional levels.

Cooperation in the field of preparedness for and response to marine pollution at United Nations and European levels

- **Cooperation between the International Maritime Organization and the United Nations Environment Programme**

32 During the early days of the establishment of UNEP, it was recognized that, whereas UNEP has a catalytic and coordinating role in defining general environmental objectives and in formulating environment programmes, IMO is responsible for the implementation of international Conventions relating to protection of the marine environment against pollution from ships.

33 Consequently, UNEP and IMO signed on 9 November 1976 the Memorandum of Understanding (MoU) concerning cooperation between the two institutions. The areas of mutual interest and cooperation relating to Pollution Incident Preparedness, Response and Cooperation defined in the MoU were:

- .1 the support to the entry into force and implementation of international Conventions relating to prevention of marine pollution from ships;
- .2 the development and implementation of regional Action Plans for the Protection of the Marine Environment (e.g. development of regional legal instruments, organisation of programmes for combating marine pollution);
- .3 the prevention and combat of oil spillage resulting from marine accidents (e.g. preparation of contingency plans);

- .4 the support to governments for the preparation of marine legislations for the protection of the marine environment against pollution from ships; and
- .5 technical assistance, education and training in the area of prevention of marine pollution from ships through consultancy services, technical workshops/seminars and national/regional training programmes.

34 Since then, IMO and UNEP have contributed to the establishment of various regional centres such as REMPEC in 1976 and the Regional Marine Pollution Emergency Information and Training Center for the Wider Caribbean (RAC/REMPEITC-Caribe) in 1995. IMO has been financially and technically supporting the implementation of UNEP's Regional Seas Programmes. The support provided by IMO in the Mediterranean region since the last Meeting of the Focal Points of REMPEC is presented in document REMPEC/WG.37/4.

35 In the front of emergency support, IMO signed a MoU with the Joint UNEP/OCHA Environment Unit (JEU) to cooperate in responding to the humanitarian consequences of natural disasters and other emergencies by coordinating international efforts and mobilizing partners to assist affected countries requesting assistance. The MoU is currently under review by the parties and will be updated in the near future.

- **Cooperation between United Nations and the European Union**

36 According to the Commission Decision 2005/160/EC of 27 October 2004 approving the exchange of letters between OCHA and the European Commission (then Commission of the European Communities) concerning their cooperation in the framework of disaster response (in case of simultaneous interventions in a country affected by a disaster), the Joint Standard Operating Procedures for coordination in disaster response for Civil Protection aspects and for Humanitarian aspects were agreed upon by OCHA and the European Commission.

37 In this regard, it is further acknowledged that Article 16 of Decision No 1313/2013/EU clearly defines the role of the EU and international organisations in the response to disasters outside the EU:

- .1 when a disaster occurs outside the EU, or is imminent, the affected country may request assistance through the ERCC. The assistance may also be requested through or by the UN and its agencies, or a relevant international organisation; and
- .2 interventions in response disasters outside the EU may be conducted either as an autonomous assistance intervention or as a contribution to an intervention led by an international organisation. The EU coordination shall be fully integrated with the overall coordination provided by OCHA, and shall respect its leading role.

38 The JEU assists EU Member States in preparing for and responding to environmental emergencies by coordinating international efforts and mobilizing partners to aid affected countries requesting assistance. By pairing the environmental expertise of UNEP and the humanitarian response network coordinated by OCHA, the JEU ensures an integrated approach in responding to environmental emergencies. The Environmental Emergencies Centre (EEC) (<http://www.eecentre.org/>) is an online tool designed to build the capacity of national responders to environmental emergencies developed by the JEU.

39 According to Article 2.5 of Regulation (EC) No 1406/2002, amended by Regulation (EU) No 100/2013, amongst others, EMSA may provide assistance in case of pollution caused by ships as well as marine pollution caused by oil and gas installations affecting those third countries sharing a regional sea basin with the EU, in line with the UCPM established by Decision No 1313/2013/EU. These tasks shall be coordinated with the existing regional cooperation arrangements related to marine pollution.

40 In the context of the cooperation between JEU and the European Commission, a number of operations to respond to an oil spill took place and includes *inter alia* response to the capsized ferry MV Princess of the Stars, 2008, in the Republic of the Philippines, and the Sundarbans Oil Spill, in December 2014, in Bangladesh.

Proposed way forward to strengthen cooperation in the Mediterranean region in the field of preparedness for and response to marine pollution

41 Considering the above and with a view to providing a framework for the exchange of information on operational, technical, scientific, legal and financial matters, as well as promoting dialogue aimed at conducting coordinated action at the national, regional and global levels for the implementation of the 2002 Prevention and Emergency Protocol, and with a view to assisting Mediterranean coastal States, which in cases of emergency so request, either directly or by obtaining assistance from the other Parties thereto, or when possibilities for assistance do not exist within the region, in obtaining international assistance from outside the region, as dictated by REMPEC's mandate, the Secretariat proposes the following possible ways to strengthen cooperation in the Mediterranean region:

42 Taking into account the complementarity of the MTWG and the CTG MPPR, which are both aimed at providing a platform respectively between Contracting Parties to the Barcelona Convention and EU Member States as well as at contributing to the improvement in preparedness for and response to accidental and deliberate pollution from ships, the Secretariat proposes to strengthen the possible synergies between these two Groups by:

- .1 amending the 2007 Guidelines for the MTWG, as proposed in Annex II of document REMPEC/WG.37/14/1; and
- .2 requesting EMSA to take note of any relevant MTWG developments (e.g. Progress report and Programme of Work) during the CTG MPPR, as it is already the case on update of activities carried out by technical groups of other regional agreements, namely the Bonn Agreement Working Group on Operational, Technical and Scientific Questions Concerning Counter-Pollution Activities (OTSOPA), the Helsinki Commission's Response Group (HELCOM Response), etc.

43 In this regard, as mentioned in document REMPEC/WG.37/14/1, in line with the above-mentioned proposal, the cooperation between the regional forum (MTWG) and the international forum (the IMO's Sub-Committee on Pollution Prevention and Response (PPR)) has demonstrated the efficiency of bilateral contribution whereby:

- .1 the MTWG received technical support from the Technical Group of the IMO's Marine Environment Protection Committee on Oil Pollution Preparedness, Response and Co-operation (OPRC) / Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances (OPRC-HNS) to implement its programme of work (e.g. the Maritime Integrated Decision Support Information System on Transport of Chemical Substances or MIDSIS-TROCS);
- .2 deliverables from the MTWG were integrated in the international context (e.g. the Mediterranean Oil Spill Waste Management Guidelines and the associated Decision Support Tool served as a reference document for the development of the IMO Guidelines on Waste Management of Oil Spills); and
- .3 technical guidelines identified at the regional level were integrated in the programme of work of IMO (e.g. the IMO Operational Guidelines on Sunken and Submerged Oil Assessment and Removal Techniques).

44 Whilst the importance of the regular exchange of information on activities carried out by the regional agreements, the European Commission and EMSA during the Inter-Secretariat Meetings should be acknowledged, the Secretariat proposes, within the framework of the Inter-Secretariat Meetings, to:

- .1 explore possible synergies on joint future activities or projects in order to benefit from a stronger cooperation on topics of common interest, and
- .2 discuss possible synergies between the technical groups, referred above.

45 Considering the recommendations of MEDEXPOL 2013, the Secretariat also proposes to organise working-level exchanges between, on the one hand, the Mediterranean coastal States and, on the other hand, relevant entities such as IMO, UNEP together with representatives from

UNEP/MAP, OCHA and REMPEC, the European Commission as well as EMSA, to discuss cooperation arrangements and synergies between the EU and regional mechanisms including *inter alia* inventory of resources, procedures in case of emergency, deployment of experts, etc, in view of the organisation of a high-level meeting.

46 Finally, as highlighted in several Specific Objectives of the Regional Strategy (2016-2021), also recalled above, the Secretariat proposes to initiate discussions, in consultation with IMO and UNEP/MAP, to define, as soon as possible, the most appropriate way to cooperate and support the implementation of the said Strategy to be implemented as from 2016, following its adoption by the Nineteenth Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols to be tentatively held in February 2016 in Greece.

Actions requested by the Meeting

47 **The Meeting is invited to:**

- .1 **take note** of the information provided in the present document; and
- .2 **consider** the proposals put forward by the Secretariat, as laid down in paragraphs 42, 44 to 46 of the present document.