



UNITED
NATIONS

EP

UNEP/MED WG.620/Inf.15



**Mediterranean
Action Plan**
Barcelona
Convention

25 July 2025
Original: English

Meeting of the MAP Focal Points

Athens, Greece, 16-19 September 2025

Agenda Items 3 and 4: Progress Report on Activities Carried Out during the 2024-2025 Biennium and Financial Implementation Report for 2022-2023 and 2024-2025

Agenda Item 5: Specific Matters for Consideration and Action by the Meeting, including draft Decisions

Report on the Activities of the Mediterranean Network of Law Enforcement Officials Relating to MARPOL within the Framework of the Barcelona Convention (MENELAS) for the period from November 2023 to June 2025, as requested by Decision IG.21/9

For environmental and cost-saving reasons, this document is printed in a limited number. Delegates are kindly requested to bring their copies to meetings and not to request additional copies.

Note by the Secretariat

1. Pursuant to Decision IG.21/9 on the Establishment of a 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”), the 18th Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 18) (Istanbul, Türkiye, 3-6 December 2013) requested the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), as the relevant Regional Activity Centre of the Barcelona Convention, to act as the Secretariat of this network and to report on its activities to the Contracting Parties to the Barcelona Convention at each of their Ordinary Meetings.

2. The activities carried out by the network during the 2022-2023 biennium were reported to the 23rd Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 23) (Portorož, Slovenia, 4-8 December 2023), in a report covering the period from November 2021 to June 2023, as laid down in document UNEP/MED WG.568/Inf.15.

3. In this context, the present document, which covers the period from November 2023 to June 2025, provides information on the activities carried out so far by the network during the 2024-2025 biennium, and is submitted to the present meeting, prior to onward transmission to the 24th Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP24) (Cairo, Egypt, 2-5 December 2025), for its consideration, as requested by Decision IG.21/9.

Report on the Activities of the Mediterranean Network of Law Enforcement Officials Relating to MARPOL within the Framework of the Barcelona Convention (MENELAS) for the period from November 2023 to June 2025, as requested by Decision IG.21/9

Background

The Eighteenth Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (“the Barcelona Convention”) and its Protocols (COP 18) (Istanbul, Türkiye, 3-6 December 2013) decided to establish 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 Barcelona Convention (MENELAS)¹, the overall objective of which is to facilitate cooperation between its members in order to improve the enforcement of the international regulations regarding discharges at sea from ships as laid down in MARPOL.

So far, nineteen (19) Mediterranean coastal States and the European Union (EU) have nominated their Designated Representatives (DR) to participate in MENELAS.

Sixth Meeting of MENELAS (Lija, Malta, 4-5 December 2024)

The Sixth Meeting of MENELAS was organised by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) in Lija, Malta, from 4 to 5 December 2024, with in-person participation complemented by the use of hybrid meeting capabilities, pursuant to the Programme of Work and Budget 2024-2025² of the Mediterranean Action Plan (MAP) of the United Nations Environment Programme (UNEP), also referred to as UNEP/MAP.

The principal objectives of the Meeting were:

- to examine the implementation of the MENELAS Programme of Activities for the period 2024-2025, notably:
 - 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;
 - the further development of modalities of possible creation and operation of a regional “Blue Fund”, including in terms of governance and financing; and
 - the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean.
- to discuss about emerging issues related to violations of MARPOL in the Mediterranean;
- to discuss about cooperation with other regional and international organisations;
- to elect the chair of the network for the period 2024-2025; and
- to discuss and agree on the items to be included in the MENELAS Programme of Activities for the period 2026-2027.

All MENELAS DR were invited to attend the Sixth Meeting of MENELAS that gathered over eighteen (18) participants from fifteen (15) Contracting Parties to the Barcelona Convention that were participating members of MENELAS, as well as two (2) regional organisations, the activities of which were relevant to the work of MENELAS, namely the Baltic Marine Environment Protection Commission (Helsinki Commission or HELCOM)³ and the North Sea Network of Investigators and Prosecutors (NSN).

¹ UNEP(DEPI)/MED IG.21/9, Decision IG.21/9.

² Decision IG.26/14.

³ the governing body of the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention).

The Sixth Meeting of MENELAS adopted a set of Conclusions and Recommendations and agreed on the re-establishment of the working group within MENELAS to oversee, through correspondence coordinated by the Secretariat (REMPEC), the completion of relevant work.

The Sixth Meeting of MENELAS also agreed to include the following items in the MENELAS Programme of Activities for the period 2026-2027:

- the further work on 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;
- the development of draft guidelines in order to ensure the uniform and effective implementation of the draft decision to apply criteria for a common minimum level of fines for each offense provided for under the Annexes to MARPOL, in the Mediterranean region; and
- the carrying out of a detailed study on the possible criteria and possible minimum level of fines for each offense provided for under the Annexes to MARPOL.

Furthermore, the Sixth Meeting of MENELAS requested the Secretariat (REMPEC) 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 Official relating to MARPOL within the framework of the Barcelona Convention. The Secretariat prepared revised Terms of Reference which were considered and endorsed by the Sixteenth Meeting of Focal Points of REMPEC and instructed the Secretariat to submit same for consideration and adoption by COP24.

The report of the Sixth Meeting of MENELAS was submitted to the Sixteenth Meeting of the Focal Points of REMPEC (Sliema, Malta, 13-15 May 2025), as set out in document REMPEC/WG.61/INF.10, for its information.

Implementation of the MENELAS Programme of Activities for the period 2024-2025

Since November 2023 and, with a view to implementing the MENELAS Programme of Activities for the period 2024-2025, REMPEC has been following up on the Conclusions and Recommendations adopted by the Fifth Meeting of MENELAS (Malta, 22-23 February 2023).

In particular, the Secretariat (REMPEC) prepared 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. This consisted of two phases that were carried out by correspondence with the Working Group within MENELAS, which was coordinated by the Secretariat.

The first phase consisted of a review of existing applicable sanctions at national level with regard to illicit ship pollution discharges. The second phase sought to further examine the draft decision and prepare a consolidated draft decision, which was discussed at the Sixth Meeting of MENELAS that agreed to take the draft decision as a basis for the further work, notably on 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, taking into consideration the specificities of each Contracting Party to the Barcelona Convention and the need for the development of associated guidelines in order to ensure the uniform and effective implementation of the consolidated draft decision, taking into consideration information from Contracting Parties on how quantities of waste discharged from polluting ships might be measured.

Moreover, having noted with satisfaction the first-hand experience in the Mediterranean region of the draft common marine oil pollution detection/investigation report, following its endorsement by the Fifteenth Meeting of the Focal Points of REMPEC, the Secretariat (REMPEC) liaised with HELCOM and Bonn Agreement, with a view to explore the possibility to jointly endorse the final draft common report for use in the Bonn Agreement, HELCOM and Mediterranean Sea areas. This represents a step

forward in aligning detection and reporting procedures, which is particularly relevant in light of the recent adoption of the revised EU Ship Source Pollution Directive (SSPD). Coordination with the HELCOM and Bonn Agreement Secretariats has confirmed the need for future harmonisation efforts, especially to ensure alignment with the latest reporting formats used in these frameworks, since the report format used by these regional agreements was updated since approval by the Fifteenth Meeting of REMPEC Focal Points. REMPEC also presented the final draft common report at the 21st Inter-Secretariat Meeting between Regional Agreement Secretariats, European Commission and the European Maritime Safety Agency (EMSA) held in February 2025. The Inter-Secretariat Meeting, noted that in view of the recently adopted SSPD, it would be beneficial to hold an online meeting between the Bonn Agreement, HELCOM, REMPEC, EU Commission -DG MOVE and EMSA to clarify the scope and various elements of the report's format and to also exchange views with regards to possible change in reporting in view of the adopted SSPD.

An online meeting was held in March 2025, whereby it was confirmed that the final draft common report, as endorsed by the Fifteenth Meeting of the REMPEC Focal Points was not the latest version adopted by the HELCOM and Bonn Agreement. It was further agreed that if the Contracting Parties to the Barcelona Convention agree to the latest version of the report, this may be further considered by HELCOM and the Bonn Agreement respectively, with a view to jointly endorse the final draft common report for use in the Bonn Agreement, HELCOM and Mediterranean Sea areas. The Secretariat (REMPEC) prepared an updated draft common report, which was considered and endorsed by the Sixteenth Meeting of the Focal Points of REMPEC.

[Obj.]

The Sixteenth Meeting of the Focal Points of REMPEC also stressed the importance to obtain further practical experience in the Mediterranean region with the use of the said report and recommended that it was further used during a forthcoming OSCAR-MED operation to be organised by the Secretariat of the RAMOGE Agreement, with the possible participation of interested Mediterranean coastal States, as observers. The Meeting also instructed the Secretariat to liaise with the OSPAR Commission/Bonn Agreement Secretariat and the HELCOM Secretariat to explore the possibility to jointly endorse the final draft common report for use in the Bonn Agreement, HELCOM and Mediterranean Sea areas.

The Fifth Meeting of the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS) (Floriana, Malta, 22-23 February 2023) highlighted that further work was necessary to develop the modalities of possible creation and operation of a regional "Blue Fund", including in terms of governance and financing, and asked the Secretariat (REMPEC), in this respect, to develop draft terms of reference for the provision of consultancy services for the development of such modalities. To this effect REMPEC conducted a detailed Legal Analysis on the possible creation and operation of regional "Blue Fund". The Secretariat coordinated its work with Contracting Parties through the Working Group within the MENELAS. These contributions informed the draft Legal Analysis, which was submitted for review and further consideration by the Sixth MENELAS Meeting in December 2024. The MENELAS Meeting requested that the updated Legal Analysis is submitted for consideration and direction by the Sixteenth Meeting of Focal Points of REMPEC. The updated legal analysis contained in the Annex to document REMPEC WG.61/6/8/1, aimed to clarify the legal implications, governance frameworks, and financing models that would underpin the potential establishment of the "Blue Fund."

During the Sixteenth Meeting of Focal Points of REMPEC, a number of Contracting Parties took the floor to indicate that they could not support the establishment of a "Blue Fund", citing a number of concerns, including issues related to governance, financing and jurisdiction, amongst others. Given the general lack of support for the establishment of a "Blue Fund" and in view of the limited time and other priorities on the agenda of the MENELAS, the Meeting agreed to place the matter in abeyance for the 2025-2026 biennium and to undertake further work, in the future, using an informal approach.

Additionally, with regard to the establishment of a MENELAS database on illicit ship pollution discharges in the Mediterranean, the Sixth Meeting of MENELAS 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, including that related to illicit ship pollution discharges, and also the contribution of the Contracting Parties to the Barcelona Convention in the maintenance and updating of these databases. Furthermore, the Meeting underlined the importance to 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, ensure a coordinated approach, consistency and possible harmonisation of reporting requirements and explore the possibility to interconnect the respective databases, as may be appropriate.

In view of the progress made by the European Union on the harmonised reporting template pursuant to the EU Ship Source Pollution Directive, which is expected to be finalised at the latest within two (2) and a half years, the Sixth MENELAS Meeting recommended that the establishment of a MENELAS database was put on hold until further developments were achieved on the harmonised reporting template under the EU Ship Source Pollution Directive.

To this effect, the Sixteenth Meeting of the Focal Points of REMPEC, having noted the outcome of the Sixth Meeting of MENELAS, concurred that the establishment of a database on MENELAS be placed on hold awaiting the outcome of the harmonized reporting template being developed by the EU.

The Centre has also been looking at various options to maintain REMPEC information systems and improve the quality, speed, and effectiveness of decision-making process in case of marine pollution incidents through the development and introduction of technical and decision support tools. In this respect, REMPEC has taken steps to maintain and update the MENELAS Information System (<http://www.menelas.org>), as appropriate.

Cooperation with other regional and international organisations

At COP 18, at the time of establishing MENELAS, the Contracting Parties to the Barcelona Convention acknowledged the relevant work carried out on the issue of ship sourced pollution and consequently stressed the need for the MAP-Barcelona Convention Secretariat in collaboration with REMPEC to further exploit possible synergies with the European Maritime Safety Agency (EMSA) within the framework of Decision IG.21/9. They also acknowledged the proven effectiveness of dedicated networks of investigators and sanctioning authorities established under the Regional Seas framework such as the NSN and the Network of Prosecutors on Environmental Crime in the Baltic Sea Region (ENPRO).

In this respect, the Sixth Meeting of MENELAS called on the Secretariat (REMPEC) to liaise with the relevant regional and international organisations to which participating members were Parties with a view to ensuring the necessary cooperation, which might include regular exchange of information and reciprocal representation at their respective meetings, amongst others. It also asked participating members to inform the relevant regional and international organisations to which they were Parties of the outcome of the Meeting and to report on the outcome of discussions within the said organisations at the next meeting of MENELAS.

In particular, REMPEC attended, *inter alia*, the 80th, 81st and 82nd sessions of the IMO's Marine Environment Protection Committee. Developments within MENELAS were presented, amongst others, at the 20th and 21st Inter-Secretariat meeting between Regional Agreement Secretariats, European Commission and EMSA (20th meeting: Lisbon, Portugal, 6-7 February 2024; 21st meeting: online, 5-6 February 2025) as well as the 3rd Steering Committee Meeting of the SAFEMED V Project (Lisbon, Portugal, 1 October 2024) organised by EMSA.

The Centre has also been exploring synergies, together with the IMO Secretariat and the Coordinating Unit for the MAP-Barcelona Convention Secretariat, between the updated Regional Plan on Marine Litter Management in the Mediterranean in the Framework of Article 15 of the LBS Protocol and the IMO Strategy/Action Plan to address marine plastic litter from ships, by maintaining and strengthening the dialogue between UNEP/MAP and IMO to ensure synergies between the EU-funded

“Marine Litter Med II” Project and the IMO-Food and Agriculture Organization of the United Nations (FAO)-Norway GloLitter Partnerships Project.

Moreover, the Secretariat (REMPEC) liaised with the OSPAR Commission/Bonn Agreement Secretariat as well as the Chair of the NSN and President of ENPRO, and was represented at the 2024 Meeting of the NSN (Paris, France / online; 23-24 April 2024) and the 2025 Meeting of the NSN (Dublin, Ireland / online; 23-24 April 2025), during which the Secretariat (REMPEC) provided information, respectively, on the outcome of the Fifth Meeting of MENELAS as well as the activities of MENELAS for the period from November 2023 to December 2024, and the outcome of the Sixth Meeting of MENELAS. The OSPAR Commission/Bonn Agreement Secretariats provided information on NSN updates at the Sixth Meeting of MENELAS.

During the intersessional period, REMPEC provided inputs to the European Commission on the evaluation and impact assessment for the revision of the EU Ship-Source Pollution Directive⁴, an updated of which was presented at the Sixth Meeting of MENELAS by the representative from the EU, together with the latest developments regarding the EU Directive on Port Reception Facilities⁵ as well as the harmonised reporting template in accordance with Article 12 of the EU Ship-Source Pollution Directive. The HELCOM Secretariat also provided information on HELCOM latest activities of relevance to MENELAS at the Sixth Meeting of MENELAS.

Turning to operational cooperation, the Secretariat (REMPEC) liaised with the Secretariat of the RAMOGE Agreement with a view to ensuring that the draft common marine oil pollution detection/investigation report be used in the margins of OSCAR-MED 2023 and 2024.

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 for infringements, as amended.

⁵ Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC.