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UNEP-PNUE



**REGIONAL MARINE POLLUTION EMERGENCY RESPONSE CENTRE
FOR THE MEDITERRANEAN SEA (REMPEC)**

EURO-MEDITERRANEAN PARTNERSHIP

**EUROMED COOPERATION ON MARITIME SAFETY AND PREVENTION OF POLLUTION
FROM SHIPS (SAFEMED)**

EU-Funded MEDA Regional Project MED 2005/109-573

**3rd Meeting of the Maritime Safety Sub-Group
Euromed Maritime Transport Working Group
(SAFEMED Advisory Committee Meeting)**

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SAFEMED Project Progress Report

Introduction

The European Union (EU) financed MEDA¹ project entitled "EUROMED COOPERATION ON MARITIME SAFETY AND PREVENTION OF POLLUTION FROM SHIPS - SAFEMED" is a regional project being implemented by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) in ten Euromed Mediterranean Partners², namely Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Authority, Syria, Tunisia and Turkey.

The SAFEMED Project is a response to the interest of the EU to develop cooperation in the field of maritime safety and security, as well as in marine environmental issues, with the "Mediterranean Partners".

This interest derives from the constant increase of the maritime transport in the Mediterranean sea. This trend is expected to continue due to the future establishment of a Euro-Mediterranean free trade area. This context gives particular relevance to international regulations and EU related legislation that are aimed to prevent maritime accidents and operational pollution from ships and to mitigate the effects of large oil spills when an accident has not been possible to avoid.

The overall objectives of the project are:

- to procure a sustainable improvement in the protection of the Mediterranean against the risks of accidents at sea and marine pollution;
- to further reduce the capacity gap between the application of international regulatory framework and the EU framework in order to ensure an effective and uniform implementation of international conventions and rules for maritime safety and security and the prevention of pollution from ships in both the Mediterranean and the EU.

The EU's Directorate-General EuropeAid Co-operation Office is the contracting authority of the project with the Directorate-General Energy and Transport (DG TREN) and the European Maritime Safety Agency (EMSA) providing technical advice. The project is implemented on the basis of a contract between the European Commission (EC) and the International Maritime Organization (IMO) acting on behalf of REMPEC. SAFEMED is initiated and financed by the European Union. IMO backstops REMPEC in the implementation of the project and plays a general overseeing role in administrative arrangements. At the request of DG TREN, EMSA also provides constant technical support to REMPEC in the implementation of project activities. REMPEC has been selected by the EC to implement the project due to its well established links with the EC and the Mediterranean coastal States.

Although the operational phase of the project commenced on 1st January 2006, implementation of project activities was slightly held up due to some delay in the

¹ The MEDA programme is the principal financial instrument of the European Union for the implementation of the Euro-Mediterranean Partnership. The programme offers technical and financial support measures to accompany the reform of economic and social structures in the Mediterranean Partners.

² Refers to the "Mediterranean Partners" as defined in the 1995 Euro-Mediterranean Partnership (Barcelona Process) and constitutes a wide framework of political, economic and social relations between the Member States of the European Union and Partners of the Southern Mediterranean.

recruitment of the project's long-term experts (Project Officers). However, the team is now fully operational and several tasks have already been implemented.

The main actions of the SAFEMED project are:

- 1) Flag State implementation: In this respect the project aims to assess the current situation within the maritime administrations of the Mediterranean Partners, take stock of the state of training and qualifications of personnel of flag State administrations, and provides short and long-term training. It also aims to improve the level of monitoring of classification societies and assists the administrations to prepare for the Voluntary IMO Audit Scheme.
- 2) Safety of navigation: this activity focuses on the development of traffic monitoring systems. To that effect, the project commissions studies and provides for the organisation of training activities to promote the use of such systems in the beneficiaries.
- 3) Protection of the marine environment: this section of the project is primarily related to the implementation of the MARPOL Convention, taking into account the REMPEC strategy in relation to the Prevention and Emergency Protocol to the Barcelona Convention. This activity also promotes the ratification of the AFS and Bunker Conventions, the implementation of the IMDG Code, and aims to develop guidelines for a coherent regional ballast water management strategy.
- 4) Human element: this part of the project will be implemented in 2008, and primarily relates to the ISM Code and to the human element influence in maritime accidents.
- 5) Security of Ships and Port Facilities: Uniform implementation of the ISPS Code is an essential key to a successful approach in ships and ports security, and in that respect the SAFEMED project will assess the level of implementation in the beneficiaries and provide recommendations on how to improve maritime security in the area.

Achievements 2006

Activity 1 – Flag State implementation

The first action implemented under this activity was a needs assessment mission in the beneficiaries' maritime administrations (**Tasks 1.1 P & 1.2 P**). This mission had two purposes: to collect information in order to establish which countries had filled the IMO Self Assessment Form, and assist those who had not done so; and to assess the training and qualifications in the flag State administrations. In spite of the very good co-operation shown by the beneficiaries, it was not possible to fully complete all the missions due to the events in the area at the time. Notwithstanding, the experts collected an important amount of information that will be used for the identification of possible standard models for the flag State administrations. Information on qualifications allows to fine tune the project's upcoming training sessions.

The results of the missions show a great diversity of situations between beneficiaries, in terms of staff (the ratio is several times ten-fold between the smallest and biggest administrations), of merchant ships of 100 GT and above (ratio of 130), and of course

of administrative structures and staff qualifications. National reports have been circulated in October 2006.

Although it has been requested, it was not possible for REMPEC to forward directly to the IMO official documents such as the Self-Assessment Form. Due to the status of the IMO as an inter-governmental organisation, such documents have to be sent directly by the national authorities to have any official value. However, project beneficiaries which were prepared to submit their Self-Assessment Form were however urged to submit it directly to IMO.

Identification of possible standard models for the maritime administrations and development of a framework for the adequate monitoring of classification societies (**Tasks 1.4 O & 1.7 O**) have been entrusted to a single short-term expert because of the proximity of the purpose they serve. Regarding the possible standard models, it is important to note that the purpose is not to impose a single model, considering what was stated above regarding the variety of situations in the beneficiaries, but to give guidance on how to improve overall efficiency. Accordingly, the Consultant has been requested to take into account the results of information collected on the field in the previous missions and review the most relevant model(s) of maritime administrations in the European Union, for the implementation of mandatory IMO instruments and compliance with flag State requirements. The Project is assisted in this task by EMSA which has supplied an overview of the twenty-five European maritime administrations.

Regarding the monitoring of classification societies, the Consultant was requested to develop a framework that can be used by any of the beneficiaries' maritime administrations, in order for them to adequately monitor the work carried out by the Recognised Organizations (ROs) on their behalf. The framework should, when implemented by the Administrations, be instrumental for these countries to meet their obligations under international IMO conventions with respect to the verification and monitoring of the ROs.

The Reports of Tasks 1.4 O and 1.7 O are expected to be finalised in April 2007.

One of the main aspects of the project is capacity building through training. SAFEMED provides fellowships which enable students from the project beneficiaries to attend courses at the three major IMO training centres: the IMO International Maritime Law Institute (IMLI) in Malta, the World Maritime University (WМУ) in Malmö, Sweden, and the IMO International Maritime Academy (IMO – IMA) in Trieste, Italy. Courses are varied in length and subject to try to cover all the main aspects and address the different types of qualifications that may be found within maritime administrations.

The SAFEMED Project grants scholarships for participation in the Master of Laws course at IMLI (**Task 1.5 O**). This course has been selected in view of the important role played by the legal aspects of flag State implementation in the organisation of maritime administrations. IMLI offers a nine month LLM course in International Maritime Law covering various related topics such as International Law of the Sea, International Marine Environmental Law, Shipping Law and Maritime Legislation. The objective pursued is that each maritime administration is able to permanently rely upon a qualified lawyer involved in the setting up of the national maritime legislative framework. To that effect, the project provides ten scholarships, one per beneficiary. For academic year 2006-2007, four scholarships have been granted. Unfortunately, only three students actually enrolled. Early feedback from IMLI is quite positive regarding the students' capacity to follow the course. Seven scholarships are still

available for academic year 2007-2008. The invitations to nominate candidates for the IMLI LLM course commencing in September 2007 have been sent to all project beneficiaries at the beginning of December 2006. The deadline for nominations is 9 March 2007.

There are several general aspects, applicable to all long-term training courses, to be pointed out:

- Some administrations are understaffed, making it difficult to part with a staff member for several months. However, such a course has to be considered as a long-term investment. Qualified staff is an essential key to success towards an effective flag State implementation. The maritime world is now getting aware of the importance of human element on board ships, but it is equally important within the offices of maritime administrations.
- The second aspect derives directly from the first. One essential condition to grant scholarships for long-term training is proof of commitment of the nominating authority and of the candidate to remain long-term in the administration of employment. Only in that case does the operation make sense. The training is not only provided for the personal benefit of the student but primarily to upgrade the standards of the administration. As the body implementing the SAFEMED project, REMPEC keeps a close eye on this issue.
- The third aspect refers to knowledge of the English language. This is an issue upon which nominations have been turned down. IMLI has informed REMPEC that, following past experience, in future, only a successful TOEFL test result will be accepted as proof of proficiency in English. The TOEFL test is conducted at different dates in various countries and deadlines are fixed. Nominating authorities and candidates should therefore plan well in advance in order to present a valid test result on time.
- Ideally, one scholarship per beneficiary is to be granted. However, should some authorities not be in a position to nominate suitable candidates, remaining scholarships may be allocated to students from those beneficiaries who have already been granted one scholarship.

The other major training program provided through the SAFEMED Project is the Master of Science (MSc) courses at the World Maritime University (WMU) in Sweden (**Task 1.9 O**). This course was selected within the framework of the project because, in addition to their maritime background, the staffs of the maritime administrations need to have specific expertise on the various aspects related to the responsibilities of the maritime administration. SAFEMED provides ten scholarships for the MSc courses offered by WMU, which last 17 months. Six scholarships have been granted for the upcoming academic year, a satisfying figure. At the time of this report, students should have received confirmation from WMU that they have been granted the scholarship. Two candidates were subject to producing a successful TOEFL test.

The EC approved the launching of a new round of WMU scholarships for academic year 2008-2009. Approval was required because students enrolling in June 2008 will graduate in October 2009, after the SAFEMED Project ends. It will thus be possible for beneficiaries who have not been in a position to submit candidates in 2006 to do so next year. As for IMLI, if there are any remaining WMU scholarships, they may be reallocated to beneficiaries who obtained one scholarship before, and so all beneficiaries will be invited to nominate candidates.

Both scholarships are important for the maritime administrations, especially considering the quality of the education provided in these institutions. It is also to be stressed that SAFEMED, i.e. the European Union, is considered a very generous donor by the academic institutions when compared to other sponsors.

Apart from the abovementioned long-term postgraduate courses, the SAFEMED Project also envisages the organisation of short-term training courses at the IMO International Maritime Academy (IMO – IMA) and at the World Maritime University. Preparations are at hand for the organisation of such courses at IMO – IMA in 2008 and at WMU in 2007.

Activity 2 – Safety of navigation

Safety of navigation is primarily implemented through the promotion and development of Vessel Traffic Monitoring Systems within the Mediterranean Partners. The first task under this activity aimed at assessing the present situation with regard to Vessel Traffic Monitoring Information Systems (VTMIS), the Global Maritime Distress and Safety System (GMDSS) and the Search and Rescue (SAR) infrastructure and capabilities, and the description of data exchange systems available within the Mediterranean Partners (**Task 2.1 P**). This Task also plans for the provision of the necessary actions and recommendations for the establishment of a Mediterranean Vessel Traffic Monitoring System, with a view of eventually integrating the system within the overall EU system (EU Directive 2002/59/EC), taking into account previous studies such as the regional VTMIS in Genoa and other systems implemented in Europe such as Traffic2000, the Adriatic TIS and the Common Baltic Sea Monitoring System (HELCOM).

After drawing up detailed terms of reference with the technical assistance of IMO and EMSA, REMPEC commissioned two short-term experts to visit the project beneficiaries in order to prepare an inventory of the available and planned means in respect of the VTMIS requirements. Experts went on the field during the months of November and December 2006, and draft reports are expected by mid-January.

Another action within this task was to examine the possibilities of financing the acquisition of equipment for vessel traffic monitoring centres. To that effect, an expert specialised in financial studies visited a number of financial institutions. The report of the short-term expert has been submitted to REMPEC and will be circulated together with the VTMS inventory reports.

On the 11 October 2006, REMPEC, with the full technical support of EMSA, also organised an Information Day on Vessel Traffic Monitoring Systems (**Task 2.2 P**) with the assistance of the Italian Coast Guard. The objectives of the VTMIS Info Day were to familiarise participants with the latest developments on VTMIS, in particular the EC's SafeSeaNet project, and to enable the participants to benefit from the experience of the European Union (EU) Member States and other non-EU Member States, which have already developed and implemented the VTMIS, in particular within the Mediterranean region. The Info Day was aimed at senior officials from maritime administrations, in particular officials responsible for Vessel Traffic Monitoring, and Search and Rescue services. The Info day was successful in that respect, several countries having nominated, as delegates, SAR coordinators / Heads of MRCC, or Supervisors / Directors of Vessel Traffic System (VTS). REMPEC also invited Mediterranean coastal States which are not benefiting from the SAFEMED Project for this activity and 28 participants from 15 Mediterranean coastal States attended, including delegates from 9 SAFEMED beneficiaries.

Activity 3 – Protection of the marine environment

The short-term expert that was recruited for investigating the possibilities of financing VTS equipment was also required to examine in what respect the financial institutions he visited would be able and willing to provide financing for port reception facilities (**Task 3.2 P**). Information about needs on port reception facilities was taken from the previous MEDA project on port reception facilities carried out between 2002 and 2004. The report delivered by the Consultant will be disseminated during the first quarter of 2007. It details guidelines and procedures and is aimed at explaining how to obtain sources of financing for such projects, what is required from an organisation which decides to set up such facilities, and what kind of assistance can be expected from the financial institutions.

Task 3.3 O covers several sub-actions and the first was to identify appropriate procedures to facilitate the decision making when designating places of refuge for ships in need of assistance in accordance with IMO Resolutions A.949(23) and A.950(23), taking into account article 20 of the EU Directive 2002/59/EC on vessel traffic monitoring requiring EU Member States to draw up plans to accommodate ships in distress in the waters under their jurisdiction. REMPEC recruited a short-term expert to identify guidelines and procedures on this subject and his study was presented and discussed during the Regional Workshop on Places of Refuge that took place in Barcelona, Spain in November 2006. The study will be disseminated in the first quarter of 2007.

The above mentioned Workshop was held in Barcelona between the 28 and 30 November 2006 with the assistance of the Spanish authorities. The main objectives of the Regional Workshop on Places of Refuge were to familiarise participants with the issues related to the designation and planning of places of refuge for ships in need of assistance; to discuss methodologies and best practices that could be followed in identifying and planning refuge areas for ships in need of assistance; to provide the necessary knowledge and information to facilitate decision making when planning and designating places of refuge; and to discuss appropriate procedures and guidelines that can be used by the Mediterranean coastal States to facilitate their decision making when designating places of refuge for ships in need of assistance in accordance with IMO Assembly Resolutions A.949(23) and A.950(23). Eleven speakers, including officials from REMPEC, the European Commission, the International Maritime Organization, government officials from Spain, United Kingdom, France and Cyprus and other experts, delivered presentations during this three day event. All Mediterranean coastal States including non-SAFEMED beneficiaries were invited to participate in the workshop and 52 participants from 19 Mediterranean coastal States participated including representatives from 8 SAFEMED beneficiaries. The feedback and response, both from the participants and the speakers, was very encouraging and all the objectives set for this Workshop seem to have been satisfactorily met.

Between the 5 and 7 June 2006 REMPEC organised a training course on the Bunkers Convention (**Task 3.10 O**). The course was designed to present the various aspects of the liability regime for marine oil spills and to promote the ratification of the Convention in the Mediterranean partners. The training course was aimed at legal experts and senior government administrators with a legal background from national authorities responsible for pollution prevention and control who are involved in marine pollution liability issues. Six expert lecturers and officials from REMPEC delivered several presentations on the Bunkers Convention and related international instruments forming part of the liability and compensation regime for ship-source pollution damage and also provided participants with an overview of practical aspects

of marine pollution claim handling. Two case studies on the transposition of the Bunkers Convention into national legislation were also presented during the training course. 45 government officials from 22 Mediterranean coastal States participated in the training course including representatives from all the SAFEMED beneficiaries.

Programme for 2007

Activity 1 - Flag State implementation

Except for on-going activities that started in 2006 and that have been described above, two main activities are planned next year in the domain of flag State implementation. The first one, preparation for the Voluntary IMO Audit Scheme (**Task 1.8 O**), is an essential task within the field of flag State implementation. The European Union is in the process of developing a mandatory audit system and in that respect, subscription of the Mediterranean partners to the IMO Scheme will be an important contribution to reduce the gap in the implementation of legislation between the EU Member States and the other Mediterranean Partners. In order to promote the Voluntary IMO Audit Scheme, REMPEC will develop an operational framework for its application, provide advice to the beneficiaries who need it, and organise a three-day workshop in 2008.

In October 2007, a one-week course on flag State implementation, taking into account international conventions, relevant IMO recommendations and applicable EU legislation will be organised at the WMU (**Task 1.10 O**) within the framework of the SAFEMED Project. Its purpose is to provide a general understanding to junior personnel in maritime administrations and agencies of the legal and regulatory framework in which they are performing their jobs. Two participants from each project beneficiary will be invited to attend the course.

Activity 2 - Safety of navigation

In the field of Safety of Navigation (Activity 2), one of the prominent activities for next year will be the study of maritime traffic flows in the Mediterranean and the development of an associated Geographical Information System (GIS) (**Task 2.3 O**). The first leg of this task will be a consistent and exhaustive analysis, based on the past five to ten years, of ships' movements in the Mediterranean. Care will be taken that the data, as much as possible, will have been recorded in a similar manner over the years, and that there are no gaps in the coverage throughout the area. This study will help to assess risk areas and future trends in traffic flows, in a context of general growth of the maritime transport. The second leg will be the setting up of a GIS. The relevant components of the GIS will be data on ship movements purchased from Lloyd's Maritime Intelligence Unit, together with the data on oil and chemical spills that REMPEC has accumulated over the years.

As a complement of the other tasks related to VTMS, a one week training course is scheduled to be organised in July 2007 (**Task 2.4 O**). The training institution has yet to be determined, but it will take place in a major training centre within the EU specialised in vessel traffic monitoring. This introductory course will be aimed at officers who are destined to work in such centres as VTS operators. Two participants per project beneficiary will be invited to participate in this course.

Activity 3 - Protection of the marine environment

Tasks 3.1 P & 3.4 O both relate to the MARPOL Convention and will thus be implemented together. First, a field mission will evaluate the needs for assistance of the beneficiaries for implementing MARPOL, taking into account the REMPEC strategy in relation to the Prevention and Emergency Protocol to the Barcelona Convention. It will identify obstacles faced by the beneficiaries to effectively implement their commitments.

The second task focuses on illegal discharges of oily residues into the sea as defined under Annex I of MARPOL, and in addition the relevant EU legislation. In that respect, the project will take stock of the situation in the beneficiaries regarding national legislation and actual implementation, identification of responsible authorities, examine the possibilities of setting a data exchange system, and consider mitigating the legislative gap between EU and non-EU members in the Mediterranean.

Regarding the question of designation of Places of Refuge (**Task 3.3 O**), the last action to be implemented in 2007 is the evaluation of the capacities, number and location of emergency towing vessels throughout the Mediterranean and provision of technical advice for the preparation of arrangements amongst Mediterranean countries on emergency towing. This task is carried out in view of a possible future pooling of resources amongst coastal States.

The INFOPOL training course, organised by CEDRE with the support of the French authorities, did not take place in 2006. Through the SAFEMED Project, given that one officer per beneficiary will have the opportunity to take part in it, it has been possible to program it in the second half of June 2007 (**Task 3.5 O**). INFOPOL is a technical training course on oil pollution response, with consideration for the legal framework in which these actions take place, from international conventions to prosecution of offenders.

The purpose of **Task 3.6 O** is to develop a strategy in the management of ballast water and propose a regional action plan. However, the feasibility of some actions of this task, like carrying out port baseline surveys, is in question. The implementation of this task has thus been postponed and its scope will have to be reviewed with both the European Commission and IMO also taking note of other related developments.

Task 3.7 O aims to prepare the necessary documentation related to the designation of the Mediterranean area as a SO_x Emission Control Area under MARPOL Annex VI. Upon preliminary investigation, it was established that the designation of the Mediterranean sea as a SO_x free area is a long-term task beyond the time span and resources of the SAFEMED project. Under the scope of this Task, REMPEC is thus considering commissioning a study of preparatory guidelines on procedures leading to the designation of an area as SO_x free.

Assistance in the implementation and ratification of the AFS Convention (**Task 3.8 O**), was originally planned for 2008. However, given the fact that the EU Regulation 782/2003 on the prohibition of organotin compounds on ships, which presently applies to all Member States and ships registered under their flags, will as from 1st January 2008, apply to all ships entering EU ports, it has been decided to move this task forward in order for all Mediterranean Partners to be able to take advantage of the planned seminar in order to bring themselves up-to-date with this Convention and the relative EU requirements affecting all ships whilst in European waters. The seminar is scheduled to be organised in the second quarter of 2007 and

two staff members from each beneficiary will be invited to participate. The SAFEMED Project will also define procedures for the securing, removal and final disposal of anti-fouling wastes in the framework of the AFS Convention.

The IMDG Code is now mandatory under the SOLAS Convention and is also implemented as mandatory legislation in the entire EU. SAFEMED will, within the framework of **Task 3.9 O**, evaluate the needs of the beneficiaries related to the implementation of international standards on the handling, transport and storage of dangerous cargoes on ships and in ports, and carry out a risk analysis to facilitate the preparation of emergency plans.

Activity 5 - Security of ships and ports

Two Tasks (**5.1 O & 5.2 O**) will be implemented in the domain of ships and ports security. The ISPS Code has been in force since 1 July 2004, but it is common knowledge that the level of implementation varies greatly around the globe, although consistency is essential if efficiency is to be achieved. In that context, the SAFEMED Project will carry out a country-based assessment of the implementation by flag and port States of the ISPS Code in the beneficiaries and provide recommendations for the beneficiaries as well as for the EC on how to improve maritime security.

Activity 6 - SAFEMED website

The SAFEMED provisional website has been launched in June 2006. It was expected that the definitive website would be launched later this year but the decision-making process has been slower than expected. However, everything is in place and now the development of the new site is under way and will be tentatively delivered in the first quarter of 2007.

Conclusion

Even though the SAFEMED Project faced initial delays, the level of achievements can be considered satisfactory and the Project is now on course for implementation of the full programme planned for 2007. The co-operation of the project beneficiaries in the implementation of the project was satisfactory and it is expected that this level of co-operation would be maintained and possibly also improve in the future. Project beneficiaries are kindly requested to plan and prepare in advance, taking into account the information provided in this report and during this meeting, for the future activities of SAFEMED. In particular, beneficiaries should ensure that their staff members selected for participation in the training activities of the project possess the required profiles which are necessary to ensure maximum benefit from such activities.