

**Draft Decision IG.24/8**

**Road Map for a Proposal for the Possible Designation of the Mediterranean Sea, as a whole, as an Emission Control Area for Sulphur Oxides Pursuant to MARPOL Annex VI, within the Framework of the Barcelona Convention**

*The Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols at their 21<sup>st</sup> Meeting,*

*Recalling* the outcome document of the United Nations Conference on Sustainable Development, entitled “The future we want”, endorsed by the United Nations General Assembly in its resolution 66/288 of 27 July 2012,

*Recalling also* the United Nations General Assembly resolution 70/1 of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,

*Recalling further* the United Nations Environment Assembly resolution UNEP/EA.4/Res. 21 of 15 March 2019, entitled “Towards a pollution-free planet”,

*Having regard* to the Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (2002), in particular article 4 thereof, whereby the Parties shall take measures in conformity with international law to prevent the pollution of the Mediterranean Sea from ships in order to ensure the effective implementation in that Area of the relevant international conventions in their capacity as flag State, port State and coastal State, and their applicable legislation,

*Recalling further* the Regional Strategy for Prevention of and Response to Marine Pollution from Ships, adopted by the Contracting Parties at their 14<sup>th</sup> Meeting (COP 14) (Portoroz, Slovenia, 8-11 November 2005), which, under Specific Objective 13, aimed at examining the possibility of designating the Mediterranean Sea, as a whole, as a sulphur oxides (SO<sub>x</sub>) Emission Control Area (ECA) under Annex VI to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and as further amended by the Protocol of 1997 (MARPOL), hereinafter referred to as the proposed Mediterranean Emission Control Area (Med SO<sub>x</sub> ECA),

*Recalling further* Decision IG.22/4 on the Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2016-2021) adopted by the Contracting Parties at their 19<sup>th</sup> Meeting (COP 19) (Athens, Greece, 9-12 February 2016), which, under Specific Objective 15, aims at examining the possibility of designating the proposed Mediterranean Emission Control Area (Med SO<sub>x</sub> ECA) and effectively implementing the existing energy efficiency measures,

*Acknowledging* the role of the International Maritime Organization (IMO) and the importance of cooperating within the framework of this Organisation, in particular in promoting the adoption and the development of international rules and standards to prevent, reduce and control pollution of the marine environment from ships,

*Having also regard* to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and as further amended by the Protocol of 1997 (MARPOL), in particular Annex VI thereof on regulations for the prevention of air pollution from ships, as amended, and regulation 14 thereof on sulphur oxides (SO<sub>x</sub>) and particulate matter, as well as Appendix III thereto on criteria and procedures for designation of emission control areas (ECAs),

*Recalling* the mandate of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) within the MAP-Barcelona Convention System and its relevance to the implementation of this Decision,

*Conscious* that international shipping must be regulated at the global level for any control regime to be effective and to maintain a level playing field for all ships,

*Noting with concern* the impacts of emissions of SO<sub>x</sub> from ships on human health and the environment in the Mediterranean region and, *underlining* the importance of taking actions to deal with such an issue, including through a proposal for the possible designation of the Mediterranean Emission Control Area (Med SO<sub>x</sub> ECA),

*Recognising* the willingness and benefits of designating the Mediterranean Sea, as a whole, as a SO<sub>x</sub> Emission Control Area (ECA),

*Acknowledging* the existing studies on the technical feasibility of a designation of a nitrogen oxides ECA in the Mediterranean Sea, as a whole, carried out by the EU and France for consideration of further work,

*Highlighting* the importance of providing continued assistance for the ratification and effective implementation of MARPOL Annex VI to the Contracting Parties to the Barcelona Convention, which so request,

*Stressing* the need to complete the knowledge gathering and to carry out further studies notably socio-economic in support of the proposal for the possible designation of the Mediterranean Emission Control Area (Med SO<sub>x</sub> ECA),

*Noting* that, as from 1 January 2020, in accordance with MARPOL Annex VI and relevant resolutions of the International Maritime Organization (IMO), the limit for sulphur in fuel oil used on board ships will be reduced to 0.50% m/m from 3.5% m/m, which will bring about substantive influence on the fuel supply and other related businesses,

*Emphasising* the importance of designating the Mediterranean Sea, as a whole, as a SO<sub>x</sub> Emission Control Area (ECA),

*Having considered* the report of the Thirteenth Meeting of the Focal Points of REMPEC, held in Floriana, Malta, from 11 to 13 June 2019,

1. *Adopt* the road map for a proposal for the possible designation of the Mediterranean Sea, as a whole, as an emission control area for sulphur oxides pursuant to MARPOL Annex VI, within the framework of the Barcelona Convention, set out in the Annex to the present Decision and with the view of formally submitting the proposal to the 78<sup>th</sup> Session of the IMO's Marine Environment Protection Committee (MEPC78) scheduled for 2022;
2. *Agree* to finalize, based on the outcome of the further studies and the preparatory work, the development of a mutually agreed joint and coordinated proposal for the possible designation by the IMO of the Mediterranean Sea, as a whole, as an emission control area for sulphur oxides pursuant to MARPOL Annex VI;
3. *Request* the Secretariat to provide the necessary technical and financial support to Contracting Parties and to address any needs identified with the studies before the designation of the proposed Mediterranean Emission Control Area (Med SO<sub>x</sub> ECA);
4. *Agree* to extend the mandate of the Mediterranean Action Plan (MAP) SO<sub>x</sub> Emission Control Area (ECA)(s) Technical Committee of Experts, until 30 April 2021, to oversee the completion of the knowledge gathering and the preparations of further studies, notably socio-

economic impacts on individual Contracting Parties *inter alia* as indicated in Annex to the present decision, including the development of their respective terms of reference, through correspondence coordinated by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), when examining the possibility of designating the proposed Mediterranean Emission Control Area (Med SO<sub>x</sub> ECA);

5. *Request* the Secretariat to update the initial draft submission to the International Maritime Organization (IMO) for a proposal for the possible designation of the Mediterranean Sea, as a whole, as an emission control area for sulphur oxides pursuant to MARPOL Annex VI, under the guidance of the Mediterranean Action Plan (MAP) SO<sub>x</sub> Emission Control Area (ECA)(s) Technical Committee of Experts referred to in paragraph 4 above in line with the agreed road map;

6. *Call upon* the Contracting Parties to provide full support, both technically, in terms of expertise, and financially, in terms of voluntary contributions, where appropriate, to the further work of the Mediterranean Action Plan (MAP) SO<sub>x</sub> Emission Control Area (ECA)(s) Technical Committee of Experts in order to ensure that the above-mentioned knowledge gathering is completed and the above-mentioned further studies are carried out in a coordinated, timely and effective manner;

7. *Encourage* the Contracting Parties to the Barcelona Convention to ratify and effectively implement MARPOL Annex VI, if they have not yet done so, as soon as possible;

8. *Underline* the need to ensure the necessary synergy in supporting these efforts, through the technical cooperation and capacity-building activities carried out by the International Maritime Organization (IMO), the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), the European Commission and the European Maritime Safety Agency, in the Mediterranean region;

9. *Request also* the Secretariat to prepare an information document related to the adoption of the present Decision and submit it to the next session of the International Maritime Organization (IMO)'s Marine Environment Committee for its consideration;

10. *Underline* also the need to encourage and support preparation efforts and mitigate potential impacts as relevant, in line, with outcomes of further knowledge gathering through relevant frontrunner activities and financial, and capacity building mechanisms.

**Annex**

**Road Map for a Proposal for the Possible Designation of the Mediterranean Sea, as a whole, as an Emission Control Area for Sulphur Oxides Pursuant to MARPOL Annex VI, within the Framework of the Barcelona Convention**

## 1 Introduction

This road map outlines the process towards a proposal for the possible designation of the Mediterranean Sea, as a whole, as defined in Article 1 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (“the Barcelona Convention”), as an emission control area (ECA) for sulphur oxides (SO<sub>x</sub>) pursuant to Annex VI to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and as further amended by the Protocol of 1997 (MARPOL), within the framework of the Barcelona Convention, hereinafter referred to as the proposed Med SO<sub>x</sub> ECA, elaborating the goals, steps, timetable, including milestones and actions, which serve this purpose.

## 2 Goals

The goals of the process are two-fold:

1. to reach consensus amongst the Contracting Parties to the Barcelona Convention with a view to formulating a joint and coordinated proposal on the designation of the proposed Med SO<sub>x</sub> ECA to the International Maritime Organization (IMO); and
2. (only if consensus is reached) to submit the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO in accordance with the rules and procedures established by the Organization, to have the proposal assessed and approved by the Organization that may consider, adopt and bring into force an amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA, and to have the proposed Med SO<sub>x</sub> ECA effectively entering into force within a reasonable and practical timeframe, as defined by the Contracting Parties to the Barcelona Convention.

## 3 Steps

Main steps (2020-2021):

- Continued assistance provided for the ratification and effective implementation of MARPOL Annex VI to the Contracting Parties to the Barcelona Convention, which so request.
- Completion of the necessary knowledge gathering;
- Carrying out of the further studies to more fully address the criteria and procedures for designation of emission control areas laid down in Appendix III to MARPOL Annex VI;
- Updating of the initial draft submission to the IMO based on the completed knowledge gathering and the further studies carried out;
- Review of the outcome of the further studies by the SO<sub>x</sub> ECA(s) Technical Committee of Experts;
- Review and validation of the draft IMO submission by the SO<sub>x</sub> ECA(s) Technical Committee of Experts;
- Review, consideration and endorsement of a joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO, if any, by the 14<sup>th</sup> Meeting of the Focal Points of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC);
- Approval of a draft COP Decision on the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO, if any, by the Meeting of the MAP Focal Points;
- Adoption of the COP Decision on the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO, if any, by the 22<sup>nd</sup> Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 22).

Final steps (beyond 2021)<sup>1</sup>:

- Submission of the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO in accordance with the rules and procedures established by the Organization;
- Assessment of and, agreement to, the said proposal by the IMO's MEPC, if any;
- Consideration and approval of a draft amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA by the IMO's MEPC, if any, and request to the IMO Secretary-General to circulate it in accordance with article 16(2) of MARPOL, with a view to adoption at the next session of the IMO's MEPC;
- Circulation of the draft amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA by the IMO Secretary General to all Members of the Organization and all Parties at least six months prior to its consideration;
- Consideration and adoption of the draft amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA by the IMO's MEPC, if any;
- Determination of the date of bringing into force of the amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA by the IMO's MEPC, if any, in accordance with article 16(2)(f)(iii) of MARPOL;
- Deemed acceptance of the amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA, if any;
- Bringing into force of the amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA, if any; and
- Effective entry into force of the Med SO<sub>x</sub> ECA, if any.

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<sup>1</sup> Only if consensus is reached amongst the Contracting Parties to the Barcelona Convention on the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO.

**4 Timetable**

**Main steps (2020-2021):**

- National actions

Milestones	Actions
2020-2021 biennium	<ul style="list-style-type: none"> <li>• Continued assistance provided for the ratification and effective implementation of MARPOL Annex VI to the Contracting Parties to the Barcelona Convention, which so request.</li> </ul>

- Regional actions

Milestones	Actions
April – December 2020	<ul style="list-style-type: none"> <li>• Completion of the necessary knowledge gathering;</li> <li>• Carrying out of the further studies to more fully address the criteria and procedures for designation of emission control areas laid down in Appendix III to MARPOL Annex VI;</li> <li>• Updating of the initial draft submission to the IMO based on the completed knowledge gathering and the further studies carried out as follows:               <ul style="list-style-type: none"> <li>(a) Knowledge gathering:                   <ul style="list-style-type: none"> <li>• synopsis of the assessment;</li> <li>• quantification of the impacts associated with deposition of PM<sub>2.5</sub> and air toxics;</li> <li>• additional detail of land-based emissions controls of SO<sub>x</sub> and PM in the Mediterranean coastal States; and</li> <li>• additional elements on the economic impacts on shipping engaged in international trade.</li> </ul> </li> <li>(b) Further studies:                   <ul style="list-style-type: none"> <li>• additional economic impact evaluation, more precisely;</li> <li>• analyses of the impacts on shipping engaged in international trade as well as on trade modal shift outside the Mediterranean; and</li> <li>• analyses of the impacts on short-sea shipping activity as well on the social and economic impact on Contracting Parties including on development for islands, insular and remote areas.</li> <li>• additional fuel supply and technology analyses (regional fuel production, fuel</li> </ul> </li> </ul> </li> </ul>

	<p>availability, and alternative compliance technologies);</p> <ul style="list-style-type: none"> <li>• Discussion within the SO<sub>x</sub> ECA(s) Technical Committee of Experts that will be tasked to: <ul style="list-style-type: none"> <li>○ review the outcome of the further studies; and</li> <li>○ review and validate the draft IMO submission.</li> </ul> </li> </ul>
by April 2021 (TBC)	<ul style="list-style-type: none"> <li>• Submission of a Note by the Secretariat (REMPEC), including draft IMO submission, to the 14<sup>th</sup> Meeting of the Focal Points of REMPEC.</li> </ul>
<p>May 2021 (TBC)</p> <p>14<sup>th</sup> Meeting of the Focal Points of REMPEC</p>	<ul style="list-style-type: none"> <li>• Review and consideration of the Note by the Secretariat (REMPEC), including draft IMO submission;</li> <li>• Discussion on: <ul style="list-style-type: none"> <li>○ whether or not to submit a proposal to IMO for the designation of the proposed Med SO<sub>x</sub> ECA;</li> <li>○ the most appropriate timing for such a submission, if any; and</li> <li>○ the effective date of entry into force of the proposed Med SO<sub>x</sub> ECA, if any.</li> </ul> </li> <li>• Endorsement of a joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO, if any.</li> </ul>
by July 2021 (TBC)	<ul style="list-style-type: none"> <li>• Submission of a draft COP Decision on the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO, to the Meeting of the MAP Focal Points.</li> </ul> <p><i>(provided agreement was reached at the 14<sup>th</sup> Meeting of the Focal Points of REMPEC)</i></p>
<p>September 2021 (TBC)</p> <p>Meeting of the MAP Focal Points</p>	<ul style="list-style-type: none"> <li>• Approval of the draft COP Decision on the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO.</li> </ul>
by October 2021 (TBC)	<ul style="list-style-type: none"> <li>• Submission of draft COP Decision on the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO, to COP 22.</li> </ul> <p><i>(provided agreement was reached at the Meeting of the MAP Focal Points)</i></p>

<p>December 2021 (TBC)</p> <p>22<sup>nd</sup> Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 22)</p>	<ul style="list-style-type: none"> <li>• Adoption of COP Decision on the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO.</li> </ul>
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- Global actions

Milestones	Actions
<p>27 December 2019 (TBC)</p> <p><i>(13-week deadline for the submission of documents (including information documents) containing more than six pages of text (bulky documents) to the 75<sup>th</sup> session of the IMO's Marine Environment Protection Committee (MEPC 75))</i></p>	<ul style="list-style-type: none"> <li>• Submission of an information document, prepared by REMPEC, related to the adoption of the COP Decision on the road map, to the IMO.</li> </ul> <p><i>(provided agreement was reached at COP 21)</i></p>
<p>30 March – 3 April 2020 (TBC)</p> <p>75<sup>th</sup> session of the IMO's Marine Environment Protection Committee (MEPC 75)</p>	<ul style="list-style-type: none"> <li>• Presentation by REMPEC of the information document related to the adoption of the COP Decision on the road map.</li> </ul>

#### Final steps (beyond 2021)<sup>2</sup>:

- Global actions

Milestones	Actions
<p>by January 2022 (TBC)</p> <p><i>(13-week deadline for the submission of documents (including information documents) containing more than six pages of text (bulky documents) to the 78<sup>th</sup> session of the IMO's Marine</i></p>	<ul style="list-style-type: none"> <li>• Submission of the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO (along with a proposed amendment to MARPOL Annex VI).</li> </ul> <p><i>(provided agreement was reached at COP 22)</i></p>

<sup>2</sup> only if consensus is reached amongst the Contracting Parties to the Barcelona Convention on the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO.

<p><i>Environment Protection Committee (MEPC 78)</i></p>	
<p>April 2022 (TBC)</p> <p>78<sup>th</sup> session of the IMO's Marine Environment Protection Committee (MEPC 78)</p>	<ul style="list-style-type: none"> <li>• Presentation of the joint and coordinated proposal for the designation of the proposed Med SO<sub>x</sub> ECA to the IMO (along with a proposed amendment to MARPOL Annex VI);</li> <li>• Assessment of and, agreement to, the said proposal, if any; and</li> <li>• Consideration and approval of a draft amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA, if any, and request to the IMO Secretary-General to circulate it in accordance with article 16(2) of MARPOL, with a view to adoption at the next session of the IMO's MEPC, if any.</li> </ul>
<p>by April 2022 (TBC)</p> <p><i>(at least six months prior to its consideration)</i></p>	<ul style="list-style-type: none"> <li>• Circulation of the draft amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA by the IMO Secretary General to all Members of the Organization and all Parties.</li> </ul> <p><i>(provided agreement was reached at MEPC 78)</i></p>
<p>October 2022 (TBC)</p> <p>79<sup>th</sup> session of the IMO's Marine Environment Protection Committee (MEPC 79)</p>	<ul style="list-style-type: none"> <li>• Consideration and adoption of the draft amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA, if any; and</li> <li>• Determination of the date of bringing into force of the amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA, if any, in accordance with article 16(2)(f)(iii) of MARPOL.</li> </ul>
<p>not earlier than 1 September 2023 (TBC)</p> <p><i>(in accordance with article 16(2)(f)(iii) of MARPOL: "period shall be not less than ten months")</i></p>	<ul style="list-style-type: none"> <li>• Deemed acceptance of the amendment to regulation 14 of MARPOL Annex VI related to the designation of the proposed Med SO<sub>x</sub> ECA, if any.</li> </ul> <p><i>(provided agreement was reached at MEPC 79, and unless prior to the proposed date, not less than one third of the Parties or Parties the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objection to the amendment)</i></p>
<p>not earlier than 1 March 2024 (TBC)</p>	<ul style="list-style-type: none"> <li>• Bringing into force of the amendment to regulation 14 of MARPOL Annex VI related to the</li> </ul>

<i>(in accordance with article 16(2)(g)(ii) of MARPOL: “six months after its acceptance”)</i>	designation of the proposed Med SO <sub>x</sub> ECA, if any.
TBC <sup>3</sup>	<ul style="list-style-type: none"><li>• Effective entry into force of the Med SO<sub>x</sub> ECA, if any.</li></ul>

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<sup>3</sup> To be determined by the Contracting Parties to the Barcelona Convention.