

AGREEMENT

ON THE SUB-REGIONAL CONTINGENCY PLAN FOR PREVENTION OF, PREPAREDNESS FOR AND RESPONSE TO MAJOR MARINE POLLUTION INCIDENTS IN THE ADRIATIC SEA

The Government of the Republic of Croatia,

The Government of the Republic of Italy and

The Government of the Republic of Slovenia,

- **Being** Parties to the Convention for the Protection of the Mediterranean Sea against Pollution (hereinafter referred to as the Barcelona Convention) and to its Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (hereinafter referred to as the Prevention and Emergency Protocol);
- **Being also** Parties to the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990
- **Bearing in mind** their commitments undertaken by the signing of the Catania Declaration on the occasion of the 13th Ordinary Meeting of the Contracting Parties to the Barcelona Convention, and in particular the commitments related to the implementation of the Prevention and Emergency Protocol;
- **Bearing also in mind** that that during the Adriatic-Ionian Conference, which took place in Ancona on May 19th 2000, two bilateral Agreements, one between Slovenia and Italy, and the other between Italy and Croatia, on the coordination in SAR operations were signed, both of them stating the common will to cooperate in the above mentioned matter and indicating procedures to be observed in case of SAR operations to be carried out
- **Recognizing** that the Mediterranean Sea in general, and the Adriatic Sea in particular, is a major route for transporting oil and that there is a permanent risk of oil pollution, which imposes on the Mediterranean coastal States in the Adriatic sub-region an obligation to constantly develop measures for preventing pollution from ships and to organize and prepare response to marine pollution incidents, and that such permanent efforts have to be made at national, sub-regional and regional levels;
- **Considering** that coordinated joint preventive actions at the sub-regional level, taken in conformity with the applicable international regulations, can considerably reduce the risk of marine pollution incidents and contribute to the protection of the marine environment in the Mediterranean;
- **Aware** that sub-regional agreements, specifying in advance operational arrangements, administrative modalities and financial conditions related to co-operation in cases of emergency, are necessary for a prompt and efficient response to marine pollution incidents at sub-regional level;

– **Noting** that the existence of national capabilities for responding to marine pollution incidents, including pollution response equipment and trained personnel, is an indispensable prerequisite for the efficient regional co-operation and mutual assistance;

– **Taking into account** Article 9 of the Barcelona Convention and Article 4 of the Prevention and Emergency Protocol which inter alia stipulates that «Parties shall endeavour to maintain and promote, either individually or through bilateral or multilateral co-operation, contingency plans and other means of preventing and combating pollution incidents»;

– **Acknowledging** the positive role of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) in promoting sub-regional co-operation in prevention of, preparedness for and response to marine pollution incidents in the Mediterranean;

HAVE AGREED as follows:

1. To adopt, within the framework of the Barcelona Convention and in conformity with Article 17 of the Prevention and Emergency Protocol, a SUB-REGIONAL CONTINGENCY PLAN FOR PREVENTION OF, PREPAREDNESS FOR AND RESPONSE TO MAJOR MARINE POLLUTION INCIDENTS IN THE ADRIATIC SEA (hereinafter referred to as «the Plan», a copy of which is attached to this Agreement) affecting or likely to affect their respective territorial sea, coast and related interests;

2. To use their best endeavours to render assistance to any Signatory of this Agreement which might request assistance in case of emergency, bearing in mind that nothing in the Plan precludes the right of a Signatory, whose territorial sea, coasts or related interests are likely to be affected, to request assistance from other States or Organizations;

3. To designate the following authorities as their respective national authorities responsible for the implementation of the Plan, its amendment and revision, as well as for ensuring compatibility of the Plan with their respective National Contingency Plans:

for the Republic of Croatia: Prevention: Headquarters for the Contingency Plan for Accidental Marine Pollution in the Republic of Croatia Implementation

Preparedness and response: Headquarters for the Contingency Plan for Accidental Marine Pollution in the Republic of Croatia Implementation

for the Republic of Italy: Prevention: Ministry of the Environment and Territory,

Directorate General for Nature Protection

Preparedness and response: Ministry of the Environment and Territory, Directorate General for Nature Protection

for the Republic of Slovenia: Prevention: Ministry of Transport, Maritime Office

Preparedness and response: Ministry of Defence, Administration of the Republic of Slovenia for Civil Protection and Disaster Relief

4. Other Parties to the Barcelona Convention and its Prevention and Emergency Protocol, in the Adriatic sub-region, may join this Agreement subject to the consent of the Signatories of the Agreement;

5. This Agreement can be amended upon demand made by any Signatory with the consent of all Signatories. Amendments to this Agreement shall be made in writing and shall enter into force 30 days after REMPEC has been notified by all three Signatories of their approval or ratification of the amendments, made in accordance with their national legislation.

6. The respective national authorities shall be responsible for technical modifications and updating of the Plan in accordance with their national legislation.

7. The Agreement and the Plan shall enter into force thirty days after REMPEC has been notified by all three Signatories of their approval or ratification of this Agreement, made in accordance with their national legislations.

In witness whereof the undersigned, being duly authorised thereto, have signed this Agreement.

DONE at Portorož on this 9 day of November 2005 in the English language in three originals.

For the Government of the Republic of Croatia For the Government of the Republic of Italy For the Government of the Republic of Slovenia

Nikola Ružinski

Danielle Verga

Janez Podobnik

The Republic of Croatia

The Republic of Italy

The Republic of Slovenia

SUB-REGIONAL CONTINGENCY PLAN FOR PREVENTION OF, PREPAREDNESS FOR AND RESPONSE TO MAJOR MARINE POLLUTION INCIDENTS IN THE ADRIATIC SEA

ACKNOWLEDGEMENTS

This Sub-regional Contingency Plan for the prevention of, preparedness for and response to major marine pollution incidents in the Adriatic has been developed in accordance with Article 17 of the Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol) to the Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention).

The Plan was prepared as part of the project for the development of a Sub-regional System for preventing and combating major marine pollution incidents affecting or likely to affect the territorial sea, coasts and other related interests of Croatia, Italy and Slovenia in the Adriatic Sea. It was prepared with the technical assistance of the Regional Marine Pollution

Emergency Response Centre for the Mediterranean Sea (REMPEC) within the framework of the Mediterranean Action Plan (MAP).

The project for the development of a Sub-regional System for preventing and combating major marine pollution incidents affecting or likely to affect the territorial sea, coasts and other related interests of Croatia, Italy and Slovenia in the Adriatic Sea constitutes a contribution to the implementation of the Prevention and Emergency Protocol to the Barcelona Convention.

IMO – OMI UNEP – PNUE

Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea
REMPEC

Mediterranean Action Plan
MAP

1. INTRODUCTION

1.1 CONTEXT

The Northern Adriatic represents an important resource, not only in terms of the ecological heritage characterized by its rich ecosystem, but also as a stage for a multitude of economic activities taking place both on the sea surface and in its depths, in addition to being an engine for the development of tertiary activities.

The Northern Adriatic is also a blind alley of the Mediterranean basin, with a very slow change of waters. This gives peculiar characteristics to the local ecosystem and makes it particularly sensitive from the conservation, and therefore prevention, point of view. The Adriatic Sea is separated from the rest of the Mediterranean by the Ionian Sea, which acts as the lungs of the Adriatic contributing to the exchange of waters in the basin. The circulation in the Adriatic Sea is generally counter-clockwise.

Due to the high population density and to the concentration of industry and other economic activities, the maritime traffic in general and the traffic of oil tankers in particular are exceptionally heavy in the northern part of the Adriatic Sea.

The traffic routeing in the area is characterized essentially by two key elements: the flow of commodities (goods) and the types of ships that are used. The trade exchanges and the relative flows generally develop between ports and settlements, and influence the type of traffic in relation to their geographic locations. The type of traffic also depends on the factors related to the existence or not of liner services from and to the relevant ports, since, besides determining the type of vessels used, this component involves the development of structures and services on land that increase port's performance. The latter factor may consequently favour in terms of competitiveness such ports in comparison to the others that although better geographically positioned appear less convenient in terms of costs.

In the Adriatic Sea, in particular, a single traffic route may involve several flows of commodities that do not depend on the economic activities in the ports of origin and ports of destination. The reason for this is that the same route could comprise several ports servicing

various market sectors, and therefore the same route might be used by different types of ships depending on the market sectors involved (dry cargoes, liquid cargoes, containerised or bulk, goods that may or may not be dangerous, toxic or noxious).

The sensitivity of a certain traffic route does not depend exclusively upon the commodities involved, but also upon the standard and performance of the vessels involved, and in particular upon the average age of the fleet, the observance by ships of regulations concerning safety of navigation and protection of the marine environment, the level of training of the crews regarding ship and cargo handling.

A final element contributing to the sensitivity of a traffic route is the level of management of ship-generated wastes, which together with other cargo related risk elements determines the level of risk along a certain route.

Croatia, Italy and Slovenia, the three countries bordering the upper part of the Adriatic Sea, have been Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention) and to its 2002 Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol) which replaced 1976 Protocol concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency (Emergency Protocol). All three countries have developed their respective national systems for preparedness for and response to marine pollution incidents, have their National Contingency Plans and both trained personnel and material resources for combating oil spills.

Being aware that a serious marine pollution incident may significantly damage on one hand the Adriatic ecosystem and on the other the economic activities in the region, including in particular tourism, fisheries and energy generation, the representatives of Croatia, Italy and Slovenia informed regular meetings of Focal Points of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) of their intention to start working towards the preparation and adoption of a sub-regional contingency plan covering the Adriatic Sea.

The initiative was also discussed and a preliminary agreement on the scope and general outline of such a plan was reached at the level of the existing «Trilateral Commission for the Protection of the Adriatic Sea and the Coastal Area». Eventually, the idea was promoted within the framework of the Adriatic-Ionian Initiative, and in particular its Round Table on Environmental Protection and Sustainable Development, and the representatives of the three countries concerned decided to start the preparation of the sub-regional contingency plan. They jointly requested the assistance of REMPEC in the realization of this project and REMPEC ensured the necessary financial resources for the project in its budget for the biennium 2002-2003.

In February 2003 REMPEC organized in Malta a meeting of competent national authorities of Croatia, Italy and Slovenia, which discussed and agreed upon the outline of future plan and on the timetable for its preparation. Taking into consideration the guidelines of the International Maritime Organization (IMO) concerning the preparation of contingency plans, in particular the sub-regional ones, and the experience of REMPEC in this field, the representatives of the three countries concerned decided that the future plan should be based on the model

developed by REMPEC and already adopted in other areas of the Mediterranean region as well as in the other Regional Seas worldwide, under the auspices of IMO and UNEP.

At the initiative of REMPEC the three countries concerned decided to include in the Plan, in addition to the part referring to preparedness for and response to marine pollution incidents, also a part addressing the prevention of such incidents.

1.2 PURPOSE AND OBJECTIVES

The purpose of the present Sub-regional Contingency Plan (the Plan) is to establish, within the framework of the Prevention and Emergency Protocol to the Barcelona Convention and according to the obligations of the Contracting Parties under this Protocol, a mechanism for mutual assistance, under which the competent national Authorities of Croatia, Italy and Slovenia will co-operate in order to co-ordinate and integrate their activities related to prevention and response to marine pollution incidents affecting or likely to affect the territorial sea, coasts and related interests of one or more of these countries, or to incidents surpassing the available response capacity of each of these countries alone.

With a view to reducing as much as possible the risk of marine pollution incidents, the Plan addresses, in addition to preparedness for responding promptly and effectively to marine pollution incidents affecting or likely to affect the areas of responsibility and/or the areas of interest of the three countries concerned, also the activities related to the prevention of such incidents.

Taking into consideration the above outlined purposes, **specific objectives** of the plan are defined as follows:

- a) to determine the extent of co-operation among the relevant authorities of the Parties to the Plan, in the field of prevention of marine pollution incidents
- b) to determine the extent of co-operation for the implementation of the Plan in cases of emergency, between the responsible authorities, at the operational level;
- c) to define the areas of responsibility of the Parties to the Plan;
- d) to divide the responsibilities and to anticipate the transfer of responsibility from one State to another;
- e) to establish the principles of command and liaison, and to define the corresponding structures;
- f) to provide arrangements concerning the operation of ships and aircraft of one of the Parties, within the area of responsibility of the other Parties;
- g) to specify the type of assistance which might be provided and the conditions under which it will be provided;
- h) to determine in advance the financial conditions and administrative modalities related to co-operative actions in case of emergency.

In order to achieve these objectives, the Parties intend to take the following **actions** through the implementation of the Sub-regional Contingency Plan:

- develop adequate activities and take appropriate measures aimed at reducing the risks of incidents or the environmental consequences thereof;
- develop appropriate network(s) for the exchange of information concerning prevention of marine pollution incidents;
- develop appropriate preparedness measures and effective systems for detecting and reporting pollution incidents affecting or likely to affect the areas of responsibility of the Parties;
- promote and implement sub-regional co-operation in the fields of prevention of accidental oil pollution from ships, contingency planning, pollution control and clean-up operations;
- implement the necessary measures to restrict spreading and to minimize the hazard posed by marine pollution incidents;
- develop and implement a programme of training courses and practical exercises for different levels of personnel involved in oil pollution prevention and combating.
- develop procedures for increasing regional co-operation.

Nevertheless, the Parties agree that response operations in case of a marine pollution incident which occurs within the area of responsibility of one of the Parties will be conducted in accordance with provisions of the National Contingency Plan of the Party concerned.



1.3 SCOPE AND GEOGRAPHIC COVERAGE

Scope

The part of the Plan addressing the **prevention** of marine pollution incidents (Chapter 2) is applicable continually with a view to defining and implementing all practicable measures aimed at reducing as much as possible and eventually eliminating the risk of shipping incidents likely to cause pollution of the marine environment in the area of the Adriatic Sea covered by the Plan.

The part of the Plan addressing **preparedness and response** to marine pollution incidents (Chapters 3 - 8) is applicable whenever an incident causes or is likely to cause marine pollution that can possibly affect one or more Parties and which is of such magnitude that calling on the other Parties for assistance is justified. The incident might be a spill that occurs in the area of responsibility of one Party and threatens the area of responsibility of another Party, or a spill that does not threaten other countries, but requires countermeasures that are beyond the capacity of the resources available within the affected Party.

Geographic coverage

The Plan covers the area of the Adriatic Sea between the line connecting Bari (Italy) and Rt Ostro (Prevlaka) (Croatia) in the south, and the northern coast of the Gulf of Trieste in the north.

1.4 DEFINITIONS AND ABBREVIATIONS

For the purpose of this Plan:

Oil means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products.

Hazardous and noxious substance means any substance other than oil, which if introduced into marine environment is likely to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea and adjacent coastal areas.

Pollutant means polluting substances, including both oil and HNS.

Incident means a collision of ships, grounding, fire, explosion, structural failure, incident of navigation, or other occurrence on board a ship or external to it resulting in material damage or imminent threat of material damage to a ship or cargo.

Pollution incident means an occurrence or series of occurrences having the same origin, which results or may result in a discharge of oil and HNS and which poses or may pose a threat to the marine environment or to the related interests of one or more States, and which requires emergency action or other immediate response.

Related interests means, according to the Article 1 of the Prevention and Emergency Protocol, the interests of a coastal State directly affected or threatened and concerning, among others:

- a) maritime activities in coastal areas, in ports or estuaries, including fishing activities;
- b) the historical and tourist appeal of the area in question, including water sports and recreation;
- c) the health of the coastal population;
- d) the cultural, aesthetic, scientific and educational value of the area;
- e) the conservation of biological diversity and the sustainable use of marine and coastal biological resources.

Prevention and Emergency Protocol means the Protocol Concerning Co-operation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea, to the Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention), adopted at Malta on 25 January 2002.

The Plan means the Sub-regional Contingency Plan for prevention of, preparedness for and response to major pollution incidents concerning Croatia, Italy and Slovenia.

Parties means the Republic of Croatia, the Republic of Italy and the Republic of Slovenia.

Area of responsibility means territorial sea of the Republic of Croatia, the Republic of Italy and the Republic of Slovenia respectively, within the Adriatic Sea, as established in accordance with the international law.

Area of interest means waters not included in the areas of responsibility, in which occurrence of a pollution incident affects or is likely to affect the related interests of one or more of the Parties.

Lead State means the Party in whose area of responsibility or area of interest a pollution incident has occurred and who has activated the Plan or requested assistance within the framework of the Plan.

Governmental Authority means the designated competent Department having the *governmental* responsibility for dealing with pollution at sea.

Operational Authority (Prevention) means the designated competent Department having the responsibility for the prevention of pollution from ships.

Operational Authority (Response) means the designated competent Department having the *operational* responsibility for dealing with marine pollution incidents.

Pollution Prevention Co-ordination Centre (PPCC) means an office, on call 24 hours a day and equipped with appropriate communications equipment, which has the responsibility to receive, process and transmit all information and to take necessary actions concerning prevention activities.

Lead Authority means the Operational Authority of the Lead State.

Operational Command means overall co-ordination and control of Joint Response Operations, including both national resources and strike teams, equipment and other resources (aircraft, vessels) rendered as assistance by other Parties. It is exerted by the Operational Authority of the Lead State, through the Supreme On-Scene Commander (SOSC).

Operational Control means direct control over personnel, means and units taking part in the Joint Response Operations, including giving instructions and supplying information necessary for execution of response operations. It is exerted by National On-Scene Commanders (NOSCs) of the Parties taking part in the operations, or by officers designated by them.

Tactical Command means directing and supervising the execution of specific tasks by teams and/or units on the scene of operations. It is exerted by the leaders of such teams and/or commanders of units.

Supreme On-Scene Commander (SOSC) means a designated officer of the Lead State, having the overall operational command of all Joint Response Operations undertaken within the framework of the Plan.

National On-Scene Commander (NOSC) means an officer, designated by the Operational Authority, having operational control of all national pollution response resources which

might, if so requested, participate in Joint Response Operations. (Note: NOSC is preferably, but not necessarily, the same officer who performs the duty of On-Scene Commander under the National Contingency Plan).

Liaison Officer means an officer from the Party participating in the Joint Response Operations, who is integrated in the staff of the SOSC, with a view to providing necessary information on national resources rendered as assistance to the Lead State and facilitating communications with his/her respective NOSC.

Public Relations Officer (PRO) means an officer in charge of informing the media on the course of events and advising the SOSC on public reaction.

Emergency Response Centre means an office, manned 24 hours a day and equipped with appropriate communications equipment, which has been set up, for the purpose of the Plan, by each Party and which serves as the Operations Room of NOSC or SOSC respectively, whenever the Plan is activated.

Joint Emergency Response Centre (JERC) means the Emergency Response Centre of the Lead State.

Strike team means a group of personnel, sent as assistance from one Party to another in order to take part as an independent unit in response operations. It may include personnel on board vessels, aircraft or other self-contained units or personnel assisting in shore clean-up operations.

Operations at sea means any measures, including intervention on the source of pollution, aerial surveillance, containment of the pollutant, recovery of the pollutant, application of treatment agents from vessels and aircraft, or any other action taken at open sea (off shore) in order to respond to a pollution incident, to restrict spreading and facilitate removal of the pollutant, and to mitigate the consequences of the incident.

Operations on shore means any action taken on shore or in the sea immediately adjacent to it, in order to recover, remove or destroy the pollutant and to reduce its impact or effects.

Pollution Report (POLREP) means the incident report by which one Party warns the other Parties of a spill and through which it notifies the other Parties of the activation of the Plan.

Situation Report (SITREP) means the report by which the Lead State informs the other Parties concerned about the situation.

Regional Information System (RIS) means a set of written documents and computerized databanks, models and a decision-support system, which REMPEC compiles, prepares, updates, publishes and regularly disseminates to the Mediterranean coastal States, comprising necessary information on various aspects of preparedness for and response to incidental marine pollution by oil and other harmful substances.

The following are the main *Abbreviations* used in this document:

ERC Emergency Response Centre

HQ Headquarters

IMO International Maritime Organization

IOPC FUNDS International Oil Pollution Compensation Funds

JERC Joint Emergency Response Centre

NCP National Contingency Plan

NOSC National On-Scene Commander

OPRC International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990

POLREP Pollution Report

PPCC Pollution Prevention Co-ordination Centre

PSSA Particularly Sensitive Sea Area

REMPEC Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea

SITREP Situation Report

SOSC Supreme On-Scene Commander

SRCP Sub-regional Contingency Plan

UTC Universal Time Co-ordinated

VHF Very High Frequency

2. PREVENTION OF POLLUTION FROM SHIPS

2.1 JOINT POLICY FOR PREVENTION OF POLLUTION FROM SHIPS

The Parties consider prevention of marine pollution incidents from ships as an integral part of their policy for the protection of the marine environment in the Mediterranean Sea in general, and in the Adriatic Sea in particular.

The Parties agree to strengthen their efforts in prevention of pollution from ships in the Adriatic Sea primarily through closer co-operation in the implementation of international regulations adopted globally within the framework of the International Maritime Organization, and in the implementation of multilateral agreements adopted by the States bordering the Adriatic Sea.

All actions taken by the Parties with a view to reduce and, as much as possible, eliminate the risk of pollution incidents in the area covered by the Plan shall be taken in conformity with

the strategic orientations adopted within the Mediterranean Action Plan and with the provisions of the Prevention and Emergency Protocol to the Barcelona Convention.

The Parties agree in particular that all measures for prevention of accidents causing or likely to cause pollution of the sea in the area covered by the Plan, shall be taken in conformity with the provisions of the United Nations Convention on the Law of the Sea (UNCLOS).

2.2 NATIONAL AUTHORITIES RESPONSIBLE FOR PREVENTION OF POLLUTION FROM SHIPS AND DESIGNATION OF POLLUTION PREVENTION COORDINATION CENTRES (PPCCs)

Each Party shall designate an authority responsible for co-ordinating at the national level all activities related to prevention of pollution from ships, and in particular for the exchange of information between the Parties to the present Plan. For the purpose of the Plan such authority shall be called national Pollution Prevention Co-ordination Centre (PPCC).

Prevention activities mentioned in Article 2.1 may fall under the competence of different national authorities or agencies within the Parties, and consequently, several entities might be involved in such activities according to the internal organization of each individual State. However, for the purpose of the Plan each national PPCC shall be responsible for co-ordination of all such entities at the national level.

PPCC and other relevant national authorities or agencies responsible for prevention activities in each of the Parties shall be defined at the first meeting of the national authorities mentioned in Articles 2.3 and 3.5. Relevant information concerning these authorities shall be subsequently attached to the Plan in Annex 1.

Modalities of communication and the appropriate means of communication between national PPCCs and other relevant authorities or agencies of each Party shall also be presented in Annex 1.

PPCC shall have the following responsibilities:

- setting up and maintaining the communication network needed for the implementation of the part of the Plan related to prevention of pollution;
- co-ordinating, at the national level, participation of other national authorities and/or services in activities related to prevention of pollution;
- promoting and co-ordinating monitoring activities;
- co-ordinating activities related to management of PSSA;
- supervising and co-ordinating, at the national level and in co-operation with national Operational Authorities mentioned in paragraph 3.3.a), the updating of the Plan and activities related to its maintenance;

SRCP CONFIGURATION FLOW-CHART



2.3 MEETINGS OF NATIONAL POLLUTION PREVENTION CO-ORDINATION CENTRES (PPCC)

In order to discuss the implementation of the Plan and other relevant matters, the Parties shall organize once a year a joint meeting of national PCCSs and national Operational Authorities responsible for the implementation in case of emergency of the part of the Plan dedicated to preparedness and response (cf. Article 3.5).

Each Meeting shall have two Working Groups, one composed of national PPCCs, dedicated to prevention of pollution from ships, and the other composed of national Operational Authorities, dedicated to preparedness for and response to pollution incidents.

The Working Group dedicated to prevention shall discuss questions related to the implementation of the part of the Plan related to prevention of accidental pollution from ships, the results of preliminary activities listed in Article 2.4.1. and of preventive activities listed in Article 2.4.2, as well as other relevant matters.

The first Meeting shall adopt its own rules of procedure.

Regular annual Meetings shall be hosted by each Party consecutively, and following the alphabetical order.

PPCC and the national Operational Authority of the host Party shall jointly, in co-operation with the PPCCs of the other Parties and their respective national Operational Authorities, prepare the agenda and issue a final report of such annual Meetings.

The host country shall also provide secretarial services and other necessary logistic support for the smooth running of such Meetings.

2.4 PREVENTION PHASES

Activities aimed at prevention of pollution from ships shall be divided into two main phases:

- i. Preliminary activities
- ii. Preventive measures.

2.4.1 Preliminary activities

Preliminary activities shall be the activities that will enable the Parties to effectively protect the marine environment within the area covered by the Plan, from the threat posed by pollution from ships. These shall include:

- i. Monitoring of the state of the sea
- ii. Designation and management of PSSA

- iii. Providing appropriate system(s) for control of maritime traffic
- iv. Providing necessary facilities and service for the implementation of preventive measures
- v. Planning of preventive activities.

2.4.2 Preventive measures

Preventive measures shall comprise all activities considered necessary by the Parties aimed at reducing and, as much as possible, eliminating the risk of marine pollution.

2.5 PRELIMINARY ACTIVITIES

2.5.1 Monitoring the sea

In order to better protect the biological diversity and the ecosystem of the water body in the area covered by the Plan the Parties recognize the need for constantly monitoring the state of the sea and the activities taking place both at sea and on shore.

Monitoring shall be achieved by the following tools:

- regular coordinated patrolling of the area covered by the Plan by naval means, aircraft or satellites, in order to prevent any violations of the international law in the field of prevention of pollution from ships.
- sampling the sea waters in the area concerned by the Plan.

In order to ensure the relevance of data concerning the state of the sea the Parties shall:

- promote and coordinate sampling campaigns, analysis, elaboration and subsequent publication of data;
- follow standard guidelines and directives established by central administrations of the Parties concerned, taking also into consideration those agreed upon within the framework of the MEDPOL programme of the Mediterranean Action Plan; and
- endeavour to render useful for other requirements or purposes the results of analyses.

The results of such monitoring activities shall be presented as much as practical in the cartographic form, with a view to facilitating the risk assessment and decision making process.

The Parties shall endeavour to create a central database of parameters defining the state of the sea within the area covered by the Plan, by integrating as appropriate their respective datasets.

The periodicity of monitoring activities shall be decided by the Parties during their regular annual meetings.

2.5.2 Particularly Sensitive Sea Areas (PSSA)

The Parties recognize the importance of designating certain zones in the area covered by the Plan as PSSAs in accordance with the relevant decisions and guidelines of IMO, and agree to:

- collaborate in designating PSSAs in the area covered by the Plan;
- jointly propose to IMO PSSAs in the area covered by the Plan, as well as Associated Protective Measures;
- control the traffic in PSSAs (providing that such traffic is permitted) or in their vicinity.

2.5.3 Traffic control systems

The Parties to the Plan recognize the importance of the work already carried out by the competent national authorities of the three countries concerned in the establishment of the «Mandatory Ship Reporting System – Adriatic Traffic».

In order to reduce the risk of incidents that may cause the pollution of the sea in the area covered by the Plan the Parties agree to utilize, within the scope and for the purposes of the Plan, the information acquired through these two systems.

2.5.4 Facilities and services

With a view to rendering possible the effective implementation of envisaged preventive measures, the Parties agree to put in place and to maintain at least the following facilities and services:

- Communication networks including in particular radio-communication networks;
- Meteorological services;
- SAR units
- Vessel Traffic Management Information Systems (VTMIS);
- Vessels able to render assistance and support ships in distress;
- Pollution response equipment;
- Personnel trained in pollution response activities; and
- Port reception facilities for ship generated wastes.

1.5.1 Planning

The Parties recognize the importance of constant updating and, as necessary, modifying and amending the Plan in accordance with the development of relevant international regulations and of technology, as well as with possible changes in the organizational structure and planning activities at national level of one or more Parties.

In order to keep the Plan always up-to-date, the Parties agree to utilize for planning improvements of preventive measures adopted within the present Plan: the information collected through monitoring activities, the information concerning PSSAs, the development of traffic control systems in the area covered by the Plan, as well as changes in available facilities and services.

Planning activities shall address the improvement of general provisions and operational procedures aimed at prevention of accidental pollution from ships, but also the levels of preparedness and efficiency of response to pollution incidents.

Among planning activities, the Parties shall pay particular attention to training of personnel and to maintenance of the relevant resource.

2.6 PREVENTIVE MEASURES

The Parties shall make necessary arrangements for transmitting to their respective national PPCCs all reports received through the «Mandatory Ship Reporting System – Adriatic Traffic» or through any other existing or future reporting systems, which concern:

- (a) ships carrying cargoes of oil and/or of any other hazardous and noxious substances; and
- (b) ships that present a pollution threat for any other reason.

After receiving a report on any such ship the PPCC shall take the following precautionary measures, aimed at preventing pollution and/or at reducing the risk of pollution of the marine environment in the area covered by the Plan:

- i. establish and maintain permanent radio contact with the ship, using dedicated frequencies^[1]*;
- ii. if deemed necessary, put on stand by a tug boat or boats having sufficient towing capacity for assisting the reported ship;
- iii. if deemed necessary, put on stand by appropriate pollution response equipment and personnel; and
- iv. take any other measures commensurate with the perceived threat of pollution

Should the ship reported in accordance with paragraph (a) above fall into category of vessels that do not require assistance for mooring and manoeuvring according to the applicable international and national rules and regulations, PPCC may nevertheless require such ship to use the appropriate assistance in order to reduce the risk of pollution incident.

PPCC shall request the appropriate maritime authorities to conduct a Port State Control inspection on board all ships reported to present threat of marine pollution.

Should any deficiencies, that may cause pollution during normal port operations, be found during inspections mentioned above the PPCC shall require the appropriate port authorities to put in place adequate preventive measures.

Should the ship be found to have on board excessive quantities of waste that are considered to present a potential threat for the marine environment, PPCC shall require the ship to discharge such waste in accordance with the standard procedures in place.

In case when the port in which such excessive quantities of wastes have been found does not have appropriate facilities for receiving it, the PPCC may permit the ship to discharge such waste in the next port of call having adequate reception facilities, within the area covered by the Plan.

All structural deficiencies, as well as those relating to ship's documents or her crew, that PPCC considers to present a threat for the marine environment in the area covered by the Plan, shall be either permanently or temporarily rectified to the satisfaction of the competent national authorities, in the port where these had been detected.

3. POLICY AND RESPONSIBILITIES IN THE FIELD OF PREPAREDNESS AND RESPONSE

3.1 JOINT PREPAREDNESS AND RESPONSE POLICY

With a view to organizing co-operation in responding to marine pollution incidents and to effectively assisting each other in case of emergency, the Parties shall, within the framework of this Plan:

- designate competent national Authorities responsible for marine pollution preparedness and response, at governmental and operational levels respectively, who will co-operate in order to respond promptly and effectively to a pollution incident;
- maintain in a permanently operational state an appropriate communications network for the exchange of information relevant to the Plan;
- report to each other pollution incidents occurring in their area of responsibility or pollution incidents occurring in the area of interest which may affect another Party.
- set up and maintain in good working order, appropriate stockpiles of pollution response equipment and products.
- endeavour to have available strike teams composed of persons properly trained and experienced in response to marine pollution incidents. These resources shall be made available to a Party who so requests within the framework of this Plan for use in Joint Response Operations, taking always into consideration that the assisting Party/ies should not deplete its/their national resources beyond a reasonable level of preparedness;
- define and apply in case of activation of the Plan, a common policy regarding pollution response methods and techniques, including elimination of the source of pollution, containment and recovery of floating oil at sea, use of dispersants, protection of sensitive areas, and shore clean-up;
- define a mechanism for financing mutual assistance operations undertaken within the framework of the Plan;

– follow a common policy as regards delivering, receiving, using and returning to the country of origin, any equipment and other resources requested and/or rendered as assistance within the framework of the Plan.

3.2 RESPONSIBILITIES OF COMPETENT NATIONAL AUTHORITIES

The Parties recognize two levels of responsibility with respect to the implementation of the present Plan, namely governmental and operational levels respectively.

At the governmental level, responsibility for the implementation of the Plan rests with the following competent national Authorities, officially designated by their respective Governments:

Republic of Croatia: Ministry of Environmental Protection, Physical Planning and Construction

Republic of Italy: Ministry of Environment

Republic of Slovenia: Ministry of Defence, Administration for Civil Protection and Disaster Relief

Within the framework of the Plan, the responsibilities of these Authorities include:

- supervising the implementation of the Plan;
- revising and amending the Plan, and
- supervising the preparation and implementation of the National Contingency Plan (NCP) and ensuring compatibility between the NCP and the Plan.

3.3 DESIGNATION OF NATIONAL OPERATIONAL AUTHORITIES RESPONSIBLE FOR THE IMPLEMENTATION OF THE PLAN IN CASE OF EMERGENCY, AND OF NATIONAL OPERATIONS CENTRES

a) Operational Authorities

The responsibility for the implementation of the operational provisions of the Plan in case of emergency and for Joint Response Operations rests with the national Operational Authorities which shall be defined at the first meeting of the national authorities mentioned in Article 3.5. Relevant information concerning these authorities shall be subsequently attached to the Plan in Annex 1.

Within the framework of the Plan the responsibilities of the Operational Authorities include:

i) responsibilities related to the maintenance of the Plan:

- ensuring that the appropriate level of preparedness, including trained personnel, equipment and other means as stipulated by the Plan, is maintained at the national level;

- setting up and maintaining the communication network needed for the implementation of the Plan;

- supervising and co-ordinating, at the national level, all other activities indicated in the Plan;

ii) responsibilities related to the implementation of the Plan in case of emergency:

- activation of the Plan in cases defined in Article 3.4 and notification of other Parties;

- pollution reporting in accordance with the standard POLREP system;

- co-ordination, at the level of each country concerned, of response operations in case of activation of the NCP and Joint Response Operations in case of subsequent activation of the present Plan;

- co-ordination, at the national level, of the participation of other national Authorities and/or services in cases of Joint Response Operations;

- taking decisions concerning requesting and rendering assistance;

- co-ordination of sending, receiving, using and returning, as appropriate, of personnel, equipment and other resources rendered as assistance within the framework of the Plan.

The Operational Authorities shall be the same Authorities that have the overall operational command of marine pollution response measures taken within the framework of their respective NCPs.

b) Operations Centres

The responsibility for receiving reports on pollution incidents and for transmitting this information to their respective national Operational Authorities and other interested parties within the country shall rest with national Operations Centres. The names, addresses and contact numbers of these national Operations Centres shall be defined at the first meeting of the national authorities mentioned in Article 3.5 and subsequently attached to the Plan in Annex 1.

3.4 MECHANISM FOR ACTIVATING THE PLAN IN CASE OF EMERGENCY

The Plan shall be activated by the Operational Authority of one of the Parties in the following cases:

- occurrence, within the area of responsibility of the Party who activates the Plan, of an incident which threatens to affect or has already affected the area of responsibility of another Party;

- occurrence of an incident within the area of interest, but outside the area of responsibility of the Party who activates the Plan, if in the opinion of the Operational Authority of this Party, there is a reasonable threat for the territorial sea, coasts or other related interests of that Party;

- occurrence, within the area of responsibility of the Party who activates the Plan, of an incident whose severity surpasses the response capabilities of the Party concerned alone.

In the cases of emergency listed above, the Plan shall be activated after consultations with the other Parties concerned. However, when the situation does not permit such consultations, the Plan may be activated by the affected Party without prior consultations.

When in the opinion of the Authority of one of the Parties its interests are threatened by a pollution incident which has occurred just outside the area of responsibility of another Party, and when the other Party/ies have not taken appropriate actions to respond to it, that Party may, after consulting the other Party/ies concerned, activate the Plan.

The operational Authority of the Party who has activated the Plan shall immediately inform the Operational Authorities of the other Parties that the Plan has been activated. Notification, formulated in accordance with the provisions of Article 6.2, shall be transmitted to the Operational Authorities of the other Parties through the designated national Operations Centres.

The procedure to be followed in case of activation of the Plan is described in Article 5.1.

3.5 MEETINGS OF NATIONAL OPERATIONAL AUTHORITIES RESPONSIBLE FOR THE IMPLEMENTATION OF THE PLAN IN CASE OF EMERGENCY

The Meetings of national Operational Authorities responsible for the implementation of the Plan in case of emergency shall be held together with the Meetings of national PPCCs (cf. Article 2.3).

In these Meetings the national Operational Authorities, defined in Article 3.3, shall discuss in particular questions related to the implementation of the part of the Plan dedicated to preparedness and response, the organization of training courses and/or exercises, and other relevant matters related to the part of the Plan dealing with preparedness and response.

The first Meeting shall adopt its own rules of procedure.

Regular annual Meetings shall be hosted by each Party consecutively, and following the alphabetical order.

The national Operational Authority and the PPCC of the host Party shall, in co-operation with national Operational Authorities of the other Parties and their respective PPCCs, prepare the agenda and issue a final report of such annual Meetings.

The host country shall also provide secretarial services and other necessary logistic support for the smooth running of such Meetings.

3.6 EXCHANGE OF INFORMATION

The Parties shall keep each other correctly informed at all times on:

- a) competent national Authorities, responsible at the governmental level for the implementation of the Plan, and on the responsible officers within these Authorities;

- b) national Operational Authorities, responsible at the operational level for the implementation of the Plan in case of emergency and for exercising Operational Command in cases of Joint Response Operations, and on the responsible officers within these Authorities;
- c) national Operations Centres;
- d) designated national Emergency Response Centres;
- e) designated National On-Scene Commanders (NOSC);
- f) designated competent Customs Offices;
- g) at least those parts of their respective National Contingency Plans which might be relevant in case of conducting Joint Response Operations (cf. Article 3.7);
- h) inventories of pollution response equipment and products, as well as other means (e.g. vessels and aircraft) available in each country for use in Joint Response Operations;
- i) directories of experts, trained personnel and strike teams designated by each Party to take part in Joint Response Operation.

The information listed above shall be attached to the Plan in the Annexes that will be agreed upon at the first meeting of national authorities.

Parties shall inform each other on any changes in the information listed above as soon as these occur, using the routine communication channels.

Each national Operational Authority is responsible for the accuracy of all information pertinent to its Party and related to the part of the Plan dealing with preparedness and response.

Each national Operational Authority shall acknowledge receipt of any changes and/or modifications regarding the above information, and is responsible for updating its respective copy/copies of the Plan accordingly.

The English language shall be used in all communications related to the Plan.

3.7 JOINT TRAINING AND EXERCISES

The Parties shall periodically conduct joint training courses and/or joint exercises.

The main objectives of these training courses and exercises shall be:

- to improve the level of co-operation and co-ordination among operational personnel and, in particular, strike teams of different Parties;
- to test the command structure of the Plan;
- to achieve a satisfactory level of communication among personnel and, in particular, strike teams designated to take part in Joint Response Operations;

- to acquire experience in handling equipment, products and other means which might be used in Joint Response Operations;
- to enable the personnel from different Parties to gain experience in working together.

The Parties shall alternately host such training courses and exercises. The host country shall organize the training course or exercise, and shall provide the necessary logistic support; however, the expenses for the participants and the means deployed in joint exercises shall be borne by their respective Parties. Calendars, programmes, duration and other relevant details concerning such training and exercises shall be decided at regular annual meetings of the Parties.

The Parties may also agree to combine their joint training and exercises in a single programme.

4. RESPONSE ELEMENTS AND PLANNING

4.1 ASSUMPTION OF LEAD ROLE

The lead role in the implementation of the Plan in case of emergency shall be assumed by the Operational Authority of the Party whose area of responsibility or area of interest have been affected or are likely to be affected by a pollution incident and who has activated the Plan or requested assistance.

If a pollution incident which has occurred in the area of interest of one of the Parties directly (imminently) threatens the interests of another Party, the Parties may agree, in direct contacts between their Operational Authorities, that the threatened Party will assume the lead role.

The lead role shall be transferred from a Party to another one, when the major part of the pollutant has moved from the area of responsibility of the Party who had initially requested assistance, to the area of responsibility of another Party who is requesting assistance.

The transfer of the lead role in cases when the major part of the pollutant is moving from the area of interest of one Party to the area of responsibility of another Party shall be agreed upon after consultations between the Parties concerned.

The Lead State shall be responsible for:

- surveillance of the pollution
- assessment of the situation
- spill movement forecasting
- reporting
- exercising Operational Command over Joint Response Operations.

4.2 NATIONAL ON-SCENE COMMANDER (NOSC)/SUPREME ON-SCENE COMMANDER (SOSC)

For the purpose of the Plan, the Operational Authority of each Party shall nominate an officer who will exercise operational control over all response activities of that Party, including control over personnel (strike teams), equipment and self-contained units (vessels, aircraft). These officers shall be called National On-Scene Commanders (NOSC).

After the activation of the Plan in case of emergency and commencement of the Joint Response Operations, NOSC of the Lead State shall assume the role of the Supreme On-Scene Commander (SOSC). The SOSC shall have the overall responsibility for all decisions and actions taken in order to combat the pollution and to mitigate its consequences and for co-ordination of Joint Response Operations. The SOSC, working in liaison with his/her Lead Authority, exerts Operational Command over Joint Response Operations.

The NOSCs of the assisting Parties shall operate under the overall Operational Command of the SOSC, but shall nevertheless retain operational control over personnel, equipment and self-contained units of their respective Parties.

In order to relieve the SOSC of a part of his/her duties concerning operational control of national resources, the Lead Authority may, at the time of the activation of the Plan, designate another officer who will have direct operational control of the national resources taking part in the Joint Response Operations and who will act as the NOSC of the lead country.

In exercising his/her functions, the SOSC shall be assisted by a Support Team (cf. Article 3.4).

Relevant information concerning NOSC's shall be given in Annex 1. It is the responsibility of the Operational Authority of each Party to keep this information up-to-date at all times.

4.3 EMERGENCY RESPONSE CENTRES/JOINT EMERGENCY RESPONSE CENTRE

For the purpose of this Plan, each Party shall set up an Operations Centre or properly appoint an already "in place" structure, which will be manned 24 hours a day and which will be equipped with an appropriate communications system and have the necessary facilities to be used as the Emergency Response Centre (ERC) for the Operational Command during Joint Response Operations.

If deemed necessary, each Party may decide to establish more than one ERC.

In cases of activation of the Plan, the ERC of the Lead State shall assume the role of the Joint Emergency Response Centre (JERC). The JERC shall serve as the base of the Supreme On-Scene Commander (SOSC) and as the main communications centre for all communications related to the implementation of the Plan.

Alternate sites for JERC, closer to the scene of the incident, may be specified in lieu of the pre-selected sites at the discretion of the Lead State.

When the lead role is transferred from one Party to another, the ERC of the Party assuming the lead role shall automatically become JERC.

Relevant information concerning ERC(s) of each Party shall be given in Annex 1. It is the responsibility of the Operational Authority of each Party to keep this information up-to-date at all times.

4.4 SUPPORT TEAMS

With a view to assisting NOCS and/or SOCS, each Party shall set up its national Support Team, composed of the representatives of various relevant public authorities, national services and industry, including, in particular, the oil and shipping industries.

In case of the activation of the Plan, Support Teams shall operate from their respective national Emergency Response Centres.

The role of the Support Teams is advisory, and their functions include:

- a) providing assistance to NOSC/SOSC in case of the activation of the Plan;
- b) providing advice to NOSC/SOSC concerning, in particular, methods and techniques for combating marine pollution, safety of navigation and salvage, marine biology and fisheries, (radio) communications, public information and compensation for oil pollution damage;
- c) providing support and co-ordinating the activities of national public authorities, services and industry which might take part in Joint Response Operations, concerning in particular the provision of personnel, equipment and other resources, logistic support, immigration and customs formalities;
- d) monitoring incoming reports and assessing the situation;
- e) co-ordinating all reporting on the status of the pollution incident to their respective national Authorities.

After the termination of response operations, the Support Team shall, together with their respective NOSC:

- review post-incident reports from the NOSC/SOSC on the handling of the pollution incident for the purpose of analyzing and introducing recommendations and improvements needed in the Plan and in their respective National Contingency Plans;
- forward to their respective national Authorities relevant reports and recommendations, including NOSC/SOSC post-incident reports, Support Team debriefing reports and recommendations concerning amendments to the Plan or its Annexes.

4.5 COMMAND STRUCTURE

The Command Structure for Joint Response Operations is shown in Diagram 1.

The Plan distinguishes between:

- a) *Operational Command* which consists of taking decisions concerning response strategy, defining the tasks of various groups of teams and units and having overall command and co-

ordination over all resources taking part in the Joint Response Operations. Following the activation of the Plan, Operational Command over Joint Response Operations is exercised by the Operational Authority of the Lead State (Lead Authority) through its NOSC who, once the Plan has been activated, assumes the role of SOSC.

b) *Operational Control* which consists of giving orders to specific groups of teams and units, in accordance with the strategy and the tasks defined by the Operational Command. Operational Control over national resources is exercised by the NOSCs of the respective Parties. Operational Control over the resources of the Lead State is exercised by an officer designated to act as NOSC in lieu of the officer who has assumed the role of SOSC.

c) *Tactical Command* which consists of directing and supervising the actions of each team or unit. Tactical Command is exercised by the Leader of each team or the Commander of each unit taking part in the response operations.

Liaison between the Lead Authority and the assisting Parties shall be maintained, according to the circumstances and to the type and importance of the assistance rendered, in one of the following ways:

a) by direct telefax, telephone, e-mail and/or radio contacts between the Lead Authority (SOSC) and Operational Authorities (NOSCs) of the assisting Parties;

b) by a Liaison Officer, sent to the Lead State by the Operational Authority of the assisting Party with a view to being integrated in the staff of the SOSC. His/her duties shall be to provide the necessary information on the resources rendered as assistance and to facilitate communication with his/her respective NOSC, ERC and/or strike teams and self-contained units taking part in the operations; or

c) by the NOSC of the assisting Party who personally attends at the spill site and participates in the Joint Response Operations.

4.6 COMMUNICATIONS ARRANGEMENTS

The communications network established by the Parties in accordance with the provisions of Article 3.1 shall be used for all exchanges of information pertinent to the implementation of the Plan.

a) *Telefax or e-mail* shall be used for all communications between the Operational Authorities, SOSC, NOSCs and their respective Support Teams, particularly in case of emergency.

Telephone and radio communications could also be used; however, all decisions, information relevant to the situation at the site of operations and, in particular, *requests for assistance and replies to such requests shall be confirmed by either telefax or e-mail.*

b) *Operational communications* between JERC, SOSC, NOSCs, team and unit Leaders and other participants in the response operations shall be made by using the dedicated[2]* VHF channels (see **Annex 5**), cellular (portable) telephones and other appropriate means.

Lines of communication to be used in case of Joint Response Operations are shown in **Diagram 2**.

c) English language shall be used in all communications related to the implementation of the Plan.

4.7 RESPONSE PLANNING

Response to a pollution incident within the area of responsibility and/or area of interest of each Party shall be conducted in accordance with the provisions of the NCP of the Lead State, under the overall Operational Command of the Lead Authority exercised through the SOSC.

In order to help the Joint Response Operations to proceed smoothly, the Parties shall inform each other on the relevant parts of their NCPs and, in particular, those sections describing:

- national response organization;
- likely sources of marine pollution incidents, vulnerable resources and priorities for protection;
- resources available at the national level for responding to marine pollution incidents;
- rules concerning the use of dispersants;
- logistic support available within the country.

Copies of English translations of these sections of the NCPs or, preferably, the complete NCPs are attached to the Plan in **Annex 3**.

Maps showing possible sources of pollution, environmentally sensitive areas, priorities for protection and areas where the use of dispersants is allowed, restricted or forbidden, within the area of responsibility of each Party, should be part of each NCP.

Deciding upon the response strategy to be applied in each particular pollution incident and the planning of specific operations shall be the responsibility of SOSC. In taking such decisions, the SOSC shall follow the outline given in Article 4.8.

4.8 RESPONSE STRATEGY

The main outline of the strategy which shall be applied by the Operational Authorities of the Parties, in responding to marine pollution incidents within the framework of the Plan, shall be as follows:

– assessment of the severity of the incident, taking into consideration the following minimum criteria:

- position at which the incident occurred
- type of pollutant

- amount of pollutant which has been released and/or is likely to be released
 - movement of pollutant
 - degree of risk for human life and/or potential health hazard
 - fire/explosion hazard
 - potential to damage natural resources
 - potential to damage valuable property and/or to have serious economic consequences
- activation of the National Contingency Plan and notification of the other Parties;
 - selection of appropriate response methods;
 - evaluation of available and required response resources;
 - activation of the Plan and request for assistance;
 - implementation of selected response methods, making use of national resources and resources from assisting Parties;
 - re-assessment of the situation and modification, when necessary, of response actions;
 - termination of response operations;
 - de-activation of the Plan;
 - the return to the country of origin of personnel, equipment and other means rendered as assistance by the other Parties.

SUB-REGIONAL CONTINGENCY PLAN

Diagram 1: COMMAND STRUCTURE



Diagram 2: LINES OF COMMUNICATION



5. RESPONSE OPERATIONS

5.1 RESPONSE PHASES

For the purpose of the Plan, pollution response operations have been divided as follows:

Pre-activation of the Plan

Phase I – Evaluation

Phase II – Notification and consultation

Activation of the Plan

Phase III – Notification of activation

Phase IV – Request for assistance

Phase V – Joint response operations at sea

Phase VI – Joint response operations on shore

It is understood that, according to circumstances, entire phases or parts thereof may take place concurrently.

Pre-activation of the Plan

Phase I (Evaluation)

Notification and verification of the initial information concerning pollution incidents shall be done at the national level, in accordance with the provisions of the NCP.

The Operational Authority of the Party affected by an incident, or the Party likely to be affected first, shall assess and determine, taking into consideration the severity of the incident including its place of occurrence, the nature and quantity of the pollutant and other relevant elements, the level of response required and whether or not to activate the Plan.

Before activating the Plan, the Operational Authority of the Party concerned shall activate its NCP.

Phase II (Notification and consultations)

Regardless of the need for the activation of the Plan, the Operational Authority of the Party in whose area of responsibility or interest the pollution incident has occurred shall, after receiving and verifying the initial incident report, immediately inform the Operational Authorities of the other Parties (cf. Article 3.1 and 6.2) through their national Operations Centres.

If the Operational Authority of the Party concerned considers that it might be necessary to activate the Plan (cf. Article 3.4), it shall immediately consult the Operational Authorities of the other Parties, clearly indicating the extent of the planned response measures and of the assistance which might be required.

Prior to activating the Plan, the Operational Authority shall alert the other relevant authorities in its own country, including the NOS, in accordance with the provisions of its NCP. It shall also alert REMPEC.

Activation of the Plan

Phase III (Notification of activation)

The decision to activate the Plan shall be taken by the Operational Authority of the Party concerned, following consultations with the Operational Authorities of the other Parties.

After taking the decision to activate the Plan, the Operational Authority of the Party concerned, shall assume the role of Lead Authority and shall:

- a) notify the Operational Authorities of the other Parties, through their designated national Operations Centres and in accordance with the procedure described in Article 6.2, that the Plan has been activated;
- b) activate its own ERC which shall assume the role of JERC;
- c) activate its own Support Team;
- d) appoint the SOSC who shall, in liaison with the Lead Authority and his/her Support Team, formulate the strategy for dealing with the incident and evaluate the need for assistance from other Parties. The SOSC shall initiate phases IV, V and VI of the response respectively.

Phase IV (Request for assistance)

The request for assistance, on the basis of the SOSC's requirements and advice, shall be sent following the activation of the Plan, by the Lead Authority to the Operational Authorities of the other Parties in accordance with the procedure outlined in Annex 8 and taking into consideration the previous consultations with the Operational Authorities of the other Parties.

Phase V (Joint Response Operations at sea)

The main objectives of Joint Response Operations at sea are to stop the spillage of the pollutant from the source, to restrict its spreading and movement and to remove as much pollutant as possible from the sea surface before it reaches the shores of one of the Parties.

Joint Response Operations at sea shall be conducted in accordance with the procedures described in the NCP of the Lead State. Operational Command over the Joint Response Operations shall be exercised by the Lead Authority through the SOSC. The use shall primarily be made of the national resources of the Party concerned, which shall be supplemented as necessary by the personnel and means rendered as assistance by the other Parties upon the request of the Lead Authority. The personnel and means of the assisting Parties shall work under direct Operational Control and Tactical Command of their respective NOSCs and unit commanders or team leaders.

During the Joint Response Operations, the ERC of the Lead State, which has assumed the role of JERC, shall serve as the main communication centre and headquarters of the SOSC.

Phase VI (Joint Response Operations on shore)

The main objectives of Joint Response Operations on shore are to protect coastal areas and other vulnerable resources from the impact of the pollutant and to remove the pollutant which has reached the shore in order to prevent recontamination of other coastal areas.

This phase also includes the treatment and final disposal of any collected pollutant and/or contaminated beach material.

The operations on shore shall be conducted by the competent national authorities of the affected Party using its national resources. If the national resources of the affected Party are not sufficient, the Party may ask other Party/Parties to render any practicable assistance in terms of means and specialized personnel.

The Party shall address its request to the national Operational Authorities of the Party/Parties.

The principles of command outlined under Phase V shall also apply for the entire duration of Phase VI.

In order to increase the effectiveness of Joint Response Operations on shore, JERC may be transferred, at the discretion of the Lead Authority, to adequate alternative premises closer to the site of operations (cf. Article 4.3). In such cases, the Lead Authority shall duly inform the Operational Authorities of the assisting Parties of the move.

5.2 SPILL SURVEILLANCE

For the surveillance of spill movement and behaviour, priority shall be given to *aerial* surveillance, although any other suitable means (ships, vessels) might also be used if aircraft are not immediately available. Whenever appropriate the Parties shall also consider using *satellite* Earth Observation methods for the surveillance of spill movement.

The surveillance of the spill and its movement, and the transmission of relevant reports to the other Parties, prior to the activation of the Plan, is the responsibility of the Party in whose area of responsibility or area of interest the pollution incident has occurred. Following the activation of the Plan, this responsibility rests with the SOSC, who shall take all necessary measures to ensure regular surveillance of the spill and its movement and behaviour, in order to properly assess the situation and to decide on adequate response measures. For this purpose, the SOSC may request assistance from the other Parties.

Information concerning aircraft suitable for spill surveillance (including technical characteristics and specialized equipment), to which each Party has access, is given in **Annex 4**.

Reporting procedures, which shall be followed for the purpose of the Plan by the observers/pilots/crews of surveillance aircraft, are given in **Annex 6**.

5.3 REQUESTS FOR ASSISTANCE WITHIN THE FRAMEWORK OF THE PLAN

Following the activation of the Plan, the Lead Authority may request assistance from the other Parties, in any of the cases described in Article 3.4.

Assistance might be requested in the form of:

- a) trained response personnel and, in particular, strike teams;
- b) specialized pollution combating equipment;
- c) pollution treatment products;
- d) other means including in particular self-contained units such as vessels and aircraft, and/or
- e) any combination thereof.

The request for assistance shall be formulated in a clear and precise manner, using the standard form defined in **Annex 8**. It shall contain a detailed description of the kind of assistance required and the purpose for which personnel, equipment, products and/or other means will be used.

The Party receiving a request for assistance shall immediately acknowledge receipt.

The Party receiving a request for assistance shall endeavour to offer it to the requesting Party with the shortest possible delay, taking into consideration that it should not deplete its own national resources beyond a reasonable level of preparedness.

In order to facilitate a prompt response to requests for assistance, Parties shall have part of their national response equipment, products and other means ready for transportation, at short notice, to the other Parties.

Any response personnel and/or means rendered as assistance within the framework of the Plan will act under the overall Operational Command of the SOSOC and the Lead Authority; however their respective NOSCs shall retain operational control over them.

Following a decision to render assistance, liaison between the Lead State and the assisting Parties shall be maintained, according to the circumstances and to the type and importance of such assistance, in one of the ways described in Article 4.5.

5.4 JOINT RESPONSE OPERATIONS

For the purpose of the Plan, Joint Response Operations signify all pollution response operations in which personnel, equipment, products and/or other means, of at least two Parties are involved.

Joint Response Operations can be carried out at sea and on shore, and include specific operations described in Article 1.4 (cf. also Article 5.1).

The Lead State shall be in full charge of Joint Response Operations. The command structure of the Joint Response Operations is described in Article 4.5.

Personnel, equipment and other means rendered as assistance by the other Parties within the framework of the Plan shall execute their tasks and duties following the decisions of the SOSOC, under the direct operational control of their NOSCs and the tactical command of their respective team Leaders and unit Commanders (cf. Article 4.5). If strike teams or self-contained units are put at the disposal of the Lead State, the assisting Party will issue

instructions to their respective team Leaders and unit Commanders, who will then exercise tactical command over the details of the operations.

During Joint Response Operations, the SOSC shall, in addition to assuming overall Operational Command, be specifically responsible for co-ordinating the actions taken by national means (strike teams, vessels, aircraft) of the Lead State with those taken by the means of the assisting Parties.

Liaison between the assisting Party and the Lead State during the Joint Response Operations shall be maintained, according to circumstances, either through direct contacts, through the Liaison Officer of the assisting Party integrated in the staff of the SOSC or through NOSCs if these are personally taking part in the operations (cf. Article 4.5).

The Lead Authority shall appoint an officer responsible for receiving the personnel, equipment, products and/or other means from the assisting Parties and for facilitating their participation in the Joint Response Operations from the moment of their arrival in the country to the moment of their departure. This officer shall closely collaborate with the Liaison Officer of the assisting Party.

5.5 USE OF DISPERSANTS

Each Party shall define its policy regarding the use of dispersants in combating oil pollution and shall describe this policy in its NCP. For this purpose, the Parties shall follow the «Guidelines for the use of dispersants for combating oil pollution at sea in the Mediterranean region» adopted by the Eighth Ordinary Meeting of the Contracting Parties to the Barcelona Convention (Antalya, 12-15 October 1993).

Each Party shall inform the other Parties (cf. Article 4.7) on its policy regarding the use of dispersants. The information shall include a list of the dispersants approved for use in the territorial sea of the Party together with an indication of the zones where the use of dispersants is allowed, restricted or prohibited, as well as any other information deemed relevant.

In case of Joint Response Operations, the Parties shall observe the principle of prior authorization for the use of dispersants. This authorization can only be given by the national Operational Authority of the Party concerned through SOSC or by a person designated by him/her.

In the area of responsibility of each particular Party dispersants shall always be used in accordance with the provisions of the NCP of the Party concerned.

If not otherwise decided in direct contacts between the SOSC and NOSCs of the Parties taking part in Joint Response Operations, the same principle shall also apply in the areas of interest of the Parties.

If a Party has prohibited the use of dispersants in its territorial sea, the other Parties participating in Joint Response Operations shall observe this decision.

5.6 TERMINATION OF JOINT RESPONSE OPERATIONS AND DEACTIVATION OF THE PLAN

The SOSC shall terminate the Joint Response Operations when, according to his/her own judgment:

- a) pollution response measures have been finalized and the pollutant no longer threatens the interests of any of the Parties; or when
- b) the situation has reached a point where the response capabilities and resources of the Lead State are sufficient for successfully finalizing the response activities.

After taking the decision to terminate the Joint Response Operations, the SOSC shall immediately inform the NOSC's of the other Parties and their respective Operational Authorities of this decision and of the deactivation of the Plan.

Following the deactivation of the Plan, all personnel, equipment, unused products and other means which were involved in the Joint Response Operations shall return or be returned to their respective countries of origin.

The Party who requested assistance shall take the necessary measures for the prompt repatriation of the *personnel* of the assisting Parties, although the co-ordination and preparation of the necessary arrangements for their repatriation remains the responsibility of their respective Operational Authorities.

The Party who requested assistance shall be responsible for returning to the country of origin, unless otherwise agreed, all *equipment* rendered as assistance and all unused treatment *products*. All equipment and other means shall be returned *clean* and in *the best possible* working order.

The Operational Authorities of the Parties concerned may decide, in direct contacts between them that unused treatment products should remain in the country that requested the assistance.

Self-contained units (vessels, aircraft) shall return to their country of origin using their own power. The Party who requested assistance is responsible for facilitating the formalities related to leaving its territory/territorial sea/airspace, for all units rendered as assistance.

6. COMMUNICATIONS AND REPORTING

6.1 COMMUNICATION SYSTEM

The Parties shall establish and maintain an efficient communication system, operational 24 hours a day, which shall serve for:

- a) sending and receiving all information concerning prevention of pollution from ships, and in particular reports generated by the «Mandatory Ship Reporting System - Adriatic Traffic» and by any other existing or future reporting system;
- b) receiving reports on pollution incidents and transmitting these reports to the Operational Authorities and to other interested parties within the country;

c) activation of the Plan, requesting assistance and the exchange of operational messages during Joint Response Operations.

The system shall comprise national ERCs and national Operations Centres if these are different from ERCs.

Elements of this communication system, including for each Party telephone and telefax numbers, e-mail addresses and allocated radio frequencies and channels, are given in Annex 5.

6.2 POLLUTION REPORTING SYSTEM (POLREP)

For the exchange of information concerning pollution incidents, the Parties shall use the pollution reporting system (POLREP) which has been agreed for use within the framework of the Prevention and Emergency Protocol to the Barcelona Convention. The POLREP is divided into three parts:

Part I (POLWARN) – is an initial notice (the first information or a warning) of a pollution incident.

Part II (POLINF) – is a detailed supplementary report to Part I.

Part III (POLFAC) – is used for requesting assistance from other Parties and for defining operational matters related to this assistance.

A detailed description of the contents of all three Parts of the POLREP is given in Annex 7.

In situations where the type and extent of the required assistance have not yet been determined, the Party who takes the decision to activate the Plan shall utilize line 53 of the POLINF part of the POLREP message (cf. **Annex 7**) to inform the other Parties that the Plan has been activated.

For requesting assistance, the Parties shall follow procedure described in Article 5.3 and in **Annex 8**.

6.3 SITUATION REPORTS (SITREPs)

During the entire period between the activation of the Plan in case of emergency and its deactivation the Lead State shall keep the other Parties regularly informed on:

- a) the development of the situation regarding pollution incident;
- b) the actions taken to combat pollution;
- c) the progress of Joint Response Operations;
- d) any decisions concerning future response activities;

e) all other relevant information including, in particular, information concerning environmental impact, effects on marine and coastal resources and economic consequences of the pollution incident.

Such information shall be transmitted by the SOSC to the Operational Authorities of the Parties either in the form of POLINF (cf. **Annex 7**) or as a text, in the form of a specific situation report (SITREP).

The Lead State shall also transmit a copy of each report to REMPEC, who may use it for informing the other Contracting Parties to the Prevention and Emergency Protocol to the Barcelona Convention, international organizations, non-governmental organizations and specialized institutions with which it maintains contacts.

The Lead Authority shall endeavour to transmit situation reports at least once a day.

Before dissemination, each report shall be verified by the SOSC.

If pollution combating operations continue at the national level after the deactivation of the Plan, the Party affected by the incident shall continue to inform the other Parties and REMPEC of the situation until the final termination of all pollution response operations.

It is the responsibility of the Operational Authority of each Party to ensure that the situation reports are transmitted to all interested parties within its respective country.

6.4 POST INCIDENT REPORTS

Following the termination of pollution response operations taken at both national level and within the framework of the Plan, the NOSC and/or SOSC respectively shall prepare a post incident report, which shall include:

- a) a description of the pollution incident and of the development of the situation;
- b) a description of the response measures taken;
- c) a description of the assistance rendered by the other Parties;
- d) an assessment of the complete response operation;
- e) an assessment of the assistance rendered by the other Parties;
- f) an estimate of the environmental and economic damage caused by the incident;
- g) a description and analysis of the problems encountered in responding to the pollution incident;
- h) recommendations regarding the possible improvement of existing arrangements and, in particular, of the provisions of the Plan.

Operational Authority of the Lead country shall send copies of the post-incident reports to all Parties and to REMPEC.

The reports shall be analysed at the national level by the members of each Support Team and their respective NOSCs, who shall prepare recommendations concerning amendments and improvements of the Plan, and if necessary, of their NCPs (cf. Article 4.4).

Questions of common interest might be proposed for discussion during the regular annual Meetings of the Parties (cf. Article 2.3 and 3.5).

6.5 REPORTS TO AND COMMUNICATION WITH REMPEC

The Parties shall send to REMPEC:

- a) all POLREPS (including, in particular, information concerning the activation and deactivation of the Plan and all requests for assistance);
- b) all SITREPS;
- c) all post-incident reports.

In case of activation of the Plan, the Lead Authority shall maintain permanent contact with REMPEC.

Information concerning communications with REMPEC is given in **Annex 2**, and shall be regularly updated on the basis of the information received from the Centre.

The Parties shall inform REMPEC of any modifications in the Plan or its Annexes, as soon as these are made.

7. LOGISTICS, FUNDING AND ADMINISTRATION

7.1 LOGISTICS

The Lead Authority is responsible for providing all the logistic support necessary for conducting Joint Response Operations.

The Lead Authority shall, in particular:

- a) make the necessary arrangements for accommodation and transportation, within the country, of all assisting personnel;
- b) take the necessary measures to provide the following facilities for equipment and other means received from the assisting Parties:
 - safe storage space or parking places, as appropriate, including cranes, fork-lifts and other handling equipment, as necessary;
 - fuel, lubricants and basic repair and maintenance facilities.

As regards the stay in the territory of the Lead State, of vessels and aircraft rendered as assistance by other Parties, the Lead Authority shall take the necessary measures to ensure

assistance to the crews at airports and in ports, as appropriate, and to provide security services for ships, aircraft and related equipment, while these are in ports or at airports of the Lead State.

7.2 FINANCIAL PROCEDURES

In requesting and rendering assistance, the Parties shall observe the principles laid down in paragraphs 2(a), 3, 4 and 5 of Article 13 of the Prevention and Emergency Protocol to the Barcelona Convention.

Taking into consideration the provisions of Article 13 of the Prevention and Emergency Protocol, the Parties also agree to act according to the following principles concerning financial matters related to mutual assistance:

- a) The Parties shall inform each other in advance on the wages of personnel, the rental rates for equipment and other means and the cost of treatment products which might be rendered as assistance. The Parties shall agree upon the rates, including the terms of payment, and shall discuss all relevant questions during the regular annual meetings of the Operational Authorities (cf. Article 3.5). The relevant information shall be included in **Annex 4**.
- b) If the Party who requested assistance decides to withdraw the request for whatever reason, it shall nevertheless reimburse the assisting Party for all the expenses incurred up to the moment when the request was withdrawn or when the personnel and equipment return to their country of origin, as appropriate.
- c) The Parties shall resolve all questions related to financial matters after the termination of joint operations.

In case of Joint Response Operations, the Party which requested assistance shall directly cover the following expenses related to the stay in its territory of personnel, equipment and means (including vessels and aircraft) of the assisting Party:

- a) board and lodging and/or daily subsistence allowance, as appropriate, of all response personnel other than the crews of ships and vessels;
- b) any port dues for vessels and ships rendered as assistance;
- c) any airport dues for aircraft rendered as assistance;
- d) necessary fuel for all equipment and means including, in particular, vessels and aircraft, engaged in Joint Response Operations;
- e) medical services provided to injured and ill personnel of the assisting Party;
- f) costs related to repatriation of any personnel who died or who were injured or taken ill during Joint Response Operations;
- g) maintenance costs for any piece of equipment, vessel and aircraft engaged in Joint Response Operations;

h) repair costs for any piece of equipment, vessel or aircraft damaged in its territory during and due to the Joint Response Operations, if such repair needs to be made prior to returning to the country of origin of such equipment and means;

i) costs of communications related to the Joint Response Operations that have been incurred by the personnel of the assisting Party in the territory of the Lead State.

The assisting Party shall directly cover the following expenses related to the sending to the country which requested the assistance of its personnel, equipment, products or other means including, in particular, vessels and aircraft:

a) mobilization of personnel, equipment, products or other means;

b) costs of transport, of personnel, equipment and products, to and from the country where Joint Response Operations are taking place;

c) fuel for self-contained units (vessels, aircraft) which shall travel to the site of Joint Response Operations using its own power;

d) costs of communications related to Joint Response Operations that are originating from the territory of the assisting Party;

e) insurance of the personnel of the strike team;

f) medical services rendered, following their return to their country of origin, to response personnel who were injured or taken ill during Joint Response Operations;

g) maintenance and repair costs for equipment and means engaged in Joint Response Operations which were incurred after the return of such equipment and means to the country of origin.

Following the termination of the Joint Response Operations and the return of all personnel, equipment and other means which were engaged in the Joint Response Operations, each assisting Party shall prepare a detailed invoice including the costs of assistance rendered to the Lead State and other expenses related to this assistance. The following items shall be included in the invoice:

a) wages of personnel engaged in the Joint Response Operations, calculated on the basis of the price list given in **Annex 4** and the daily work logs approved by the SOSC or another responsible officer of the Lead State;

b) costs of rental of equipment and means calculated on the basis of the price list given in **Annex 4** and the daily work logs approved by the SOSC or another responsible officer of the Lead State;

c) cost of treatment products used during the Joint Response Operations calculated on the basis of the price list given in Annex 4 and the daily work logs approved by the SOSC or another responsible officer of the Lead State;

d) all expenses incurred by the assisting Party as listed above;

e) costs for replacement of equipment damaged beyond repair during the Joint Response Operations.

Upon receipt of such an invoice, the Party who had requested assistance in accordance with **Annex 8** shall directly reimburse the expenses incurred by the assisting Parties in relation to the pollution response measures undertaken by these Parties following the activation of the Plan. It shall subsequently include such invoices in its own claim for reimbursement of pollution response related costs, submitted to the party liable for the pollution incident, its insurers or an international system for compensation of pollution damages, as appropriate.

7.3 TRANSBOUNDARY MOVEMENT OF RESPONSE PERSONNEL, EQUIPMENT, PRODUCTS AND SELF-CONTAINED UNITS

In order to facilitate the movement of response personnel, equipment and other means including self-contained units such as vessels and aircraft, to the place where the assistance is required, the Parties shall act in conformity with the principles laid down in paragraph 3 of Article 12 of the Prevention and Emergency Protocol and shall follow the «Guidelines for Co-operation in Combating Marine Oil Pollution in the Mediterranean» adopted by the Fifth Ordinary Meeting of the Contracting Parties to the Barcelona Convention in Athens on 11 September 1987 (UNEP/IG.74/5), and in particular the following paragraphs:

«The requesting Party will: (...)

– make arrangements for the rapid entry of equipment, products and personnel prior to their arrival and ensure that customs formalities are facilitated to the maximum extent. Equipment should be admitted on a temporary basis and products should be admitted free of excise and duties.

– ensure that, should ships and aircraft be provided, ships are granted all necessary authorizations and aircraft cleared to fly in the national air space. A flight plan or a flight notification will be filled and accepted as an authorization for aircraft to take off, land ashore or at sea outside regular customs airfields.»

Immigration and customs formalities

Each Party shall endeavour to make, at the national level, special arrangements applicable in emergency situations, concerning provisions for the rapid granting of entry visas and work permits for personnel, as well as permits necessary for the transit or temporary importation of the requested equipment and material.

Details of such arrangements shall be included in the National Contingency Plan of each Party, and reproduced in **Annex 3** to the Plan. This refers, in particular, to information which the assisting Party should provide to the appropriate national Authorities of the requesting Party in order to facilitate the implementation of these special arrangements.

The Parties shall designate *competent Customs Authorities*, responsible for the prompt clearing of customs formalities related to the transboundary movement of response personnel and means in cases of activation of the Plan. The Parties shall keep each other permanently informed on such Customs Authorities, and this information, also comprising addresses, telephone and telefax numbers, and e-mail addresses shall be included in **Annex 1**.

Prior to sending assistance to a Party who so requests, the competent Customs Authority of the assisting Party shall establish direct contact with the competent Customs Authority of the requesting Party, in order to obtain the necessary clearance for the entry of equipment, products and other means into the country.

Overflight procedures

Within the framework of the Plan and upon a specific request of the Lead State, aircraft of the other Parties might be allowed to enter and operate in the airspace of the Lead State for one of the following purposes:

- search and rescue;
- surveillance flights;
- transportation of response personnel, equipment and products;
- spraying of dispersants or other treatment products;

Each Party shall make, in advance, the necessary arrangements concerning the rapid granting of permits and clearances for *civilian aircraft* (fixed wing or helicopters) of the other Parties who might be requested to take part in response operations within its airspace. Similar arrangements shall be made for the use of airport facilities by civilian fixed wing aircraft and helicopters engaged in Joint Response Operations.

Overflight for the above mentioned purposes, of the national territory or territorial sea of one of the Parties by *military aircraft* of the other Parties shall be decided on a case-by-case basis by the Parties concerned.

Navigation procedures

Within the framework of the Plan and upon the request of the Lead State, vessels of the other Parties might enter and operate in the territorial sea of the Lead State for one of the following purposes:

- search and rescue;
- salvage operations;
- pollution response operations, including containment and recovery of spilled products, spraying of dispersants or other treatment products, storage and transportation of recovered pollutant;
- transportation of response personnel, equipment and products;
- any other voyage related to pollution response operations.

Each Party shall make, in advance, the necessary arrangements concerning the rapid granting of permits and clearances for the navigation of civilian vessels (ships, boats, specialized anti-pollution vessels) of the other Parties who might be requested to take part in response

operations within its internal and territorial sea. Similar arrangements shall be made for the use of port facilities by civilian vessels engaged in Joint Response Operations.

Navigation, for the above mentioned purposes, in the internal or territorial sea of one of the Parties by naval vessels of the other Parties shall be decided on a case-by-case basis by the Parties concerned.

In all cases, the provisions of the International Convention on Facilitation of International Maritime Traffic, as amended, shall be taken into account by the Parties concerned.

7.4 MEDICAL INSURANCE AND MEDICAL ASSISTANCE

Each Party shall take the necessary measures to insure against death, illness and injury, its personnel who might participate in Joint Response Operations, Joint Exercises and Joint Training Courses.

The Lead State shall endeavour to offer the best possible initial medical care and services to any person from another Party who is injured or taken ill during his/her participation in Joint Response Operations.

The Lead State shall facilitate the repatriation of assisting personnel who are injured or taken ill during Joint Response Operations.

The costs of hospitalization and medical assistance rendered within the Lead State to injured or ill personnel of the assisting Party shall be borne by the Lead State. The Lead State might decide to claim the reimbursement of all such costs from the party responsible for the pollution incident, its insurer or an international system for compensation of pollution damages, as appropriate.

7.5 RESPONSIBILITY FOR INJURY AND DAMAGE

If the strike teams called upon to assist in the response operations cause, at the site of operations including the route for approaching and leaving the site of operations, any damages to third parties, and these damages are related to the response operations, such damages shall be the responsibility of the Party who had requested assistance, except in cases of ill intent, grave fault or gross negligence.

7.6 DOCUMENTATION OF RESPONSE OPERATIONS AND RELATED COSTS

The SOSOC shall take the necessary measures to ensure that detailed records of all actions taken in order to respond to a pollution incident, within the framework of the Plan, are accurately kept. For this purpose, the SOSOC might include a record keeping officer/financial controller in his/her Support Team.

As a minimum, the following records shall be regularly kept:

- a) Description of the situation, decisions taken and response measures implemented;
- b) Daily work log, giving details of:

- operations in progress (place, time, purpose);
 - equipment and other means in use (place, time, purpose);
 - personnel employed (number, time);
 - response products and any other material consumed (type, quantity, purpose).
- c) Records of all expenditure made in relation to the pollution response operations.

Following the termination of the response operations, these records shall be made available to the national Authority responsible for the submission of claims for compensation.

8. PUBLIC INFORMATION

8.1 PUBLIC RELATIONS OFFICER (PRO)

After the activation of the Plan in case of emergency, the Lead Authority shall designate a Public Relations Officer who shall be seconded to the SOSOC's Support Team.

The PRO shall be responsible for:

- a) maintaining contacts with the press;
- b) preparing press releases on behalf of the SOSOC and the Lead Authority;
- c) following the information released by the press and clarifying any possible misunderstandings.

8.2 PRESS RELEASES

During the entire period between the activation and the deactivation of the Plan, press releases shall be prepared and distributed to the press by the PRO on the basis of confirmed information cleared by the SOSOC. These press releases shall contain information concerning:

- pollution incident and the development of the situation;
- injuries of personnel and damage to vessels, equipment, etc.
- technical data on vessels involved, type of characteristics of the pollutant, etc.
- measures taken to combat pollution;
- progress of the response measures.

The following guidelines shall be observed when preparing press releases:

- prepare titles/headlines;
- give priority to the most recent and important information;

- use simple sentences and give only one idea per sentence;
- avoid quoting estimates, conjectures and suppositions;
- avoid giving opinions on environmental or other unquantifiable damages;
- draft final wordings very carefully.

Maps showing the area of the incident, the evolution of the spill and the sites of the response operations should accompany press releases whenever possible.

8.3 PRESS CONFERENCES

After the activation of the Plan in case of emergency, the Lead Authority may decide, in consultation with the SOSC, to organize one or more press conferences for briefing the media.

The following persons may take part in such press conferences:

- SOSC
- specially designated expert members of the Support Team
- PRO
- representative(s) of the Lead Authority
- representatives of the other Parties (e.g. Liaison Officers or NOSCs)
- representatives of ship and cargo owners and/or their insurers

Written information on the main facts concerning the pollution incident and the Joint Response Operations, maps and photographs may be prepared in advance by the PRO and approved by the SOSC for use during the press conference.

Guidelines concerning the preparation of press releases (cf. Article 8.2) shall also be observed by participants in press conferences.

8.4 PUBLIC INFORMATION THROUGH REMPEC

REMPEC may use the information provided in conformity with Article 6.5 by the SOSC and the Lead Authority, for informing the other Contracting Parties to the Prevention and Emergency Protocol, international organizations, non-governmental organizations and specialized institutions with which it maintains contact.

If deemed useful, the SOSC may also provide REMPEC with his/her regular press releases, for further distribution to the press whose representatives might contact REMPEC.

[1]* The Parties agree to use for the purpose of the Plan radio frequencies defined and agreed upon under the «Mandatory Ship Reporting System - Adriatic Traffic».

[2]*The Parties agree to use for the purpose of the Plan radio frequencies defined and agreed upon under the «Mandatory Ship Reporting System - Adriatic Traffic».