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EXTERNAL RELATIONS

(a) Relations with the United Nations and the specialized agencies

Submitted by Cyprus, France, Greece, Italy, Malta, Morocco and Spain

SUMMARY

Executive summary: This document proposes, as a temporary measure, to authorize the Secretary-General to draw from the TC Fund, if necessary, in order to assist the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) which is facing financial difficulties

Strategic direction: 7

High-level action: 7.2.3

Planned output: 7.2.3.2

Action to be taken: Paragraph 14

Related documents: C 108/15(a)/3

1 This submission provides comments and makes a proposal in relation to the document of the Secretary-General informing the Council of the current financial situation at the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC).

Background

2 As recalled by the Secretary General in document C 108/15(a)/3, REMPEC was established in 1976 as a United Nations inter-agency project between the UNEP Secretariat for the Barcelona Convention, based in Athens, and IMO, which are the two organizations responsible for the administration of the Centre, located in Malta.

3 All the funding for the operation of the Centre and the delivery of its programme of work is provided through the Mediterranean Trust Fund (MTF) which supports the Mediterranean Action Plan (MAP) and contributions to the MTF are paid by the 22 Contracting Parties. Based on a project document signed between UNEP and IMO, the Organization receives advance payments from the MTF on a quarterly basis for the Centre's operational and capacity-building expenditure.

4 IMO has made extensive use of REMPEC in order to deliver its own Integrated Technical Co-operation Programme (ITCP) in the Mediterranean region, including activities financed through the Technical Co-operation (TC) Fund and donors (e.g. the SAFEMED

projects funded by the European Commission). Activities undertaken by REMPEC are regularly reported to the Marine Environment Protection Committee (MEPC) and the Technical Co-operation Committee (TCC). This cooperation has been mutually beneficial with a substantial proportion of the programme of work of the Centre being composed of activities financed by IMO.

Current financial status at REMPEC and action taken

5 In the period 2010-2011, UNEP discovered that a significant shortfall existed in MAP funding and the MAP components were requested to cut expenditure as much as possible (approximately 25% for 2012-2013 biennium). At a Conference of the Parties held in Paris in February 2012, the Contracting Parties to the Barcelona Convention approved a budget and a work programme for 2012-2013, pledging their corresponding MTF contributions. Pending that approval, UNEP had authorized an interim project document for REMPEC covering the period from January to March 2012.

6 UNEP is now limiting the provision of funds to REMPEC to the rate of collection of contributions to the MTF from the Contracting Parties (45% only at this stage), which creates a serious cash-flow problem, with respect to the continued funding and renewal of contracts of REMPEC staff. Funding for REMPEC staff – the costs funded through MTF are largely staff related – is guaranteed only until the end of June 2012. This situation is highly unsatisfactory for REMPEC staff (contracts renewed on a monthly basis) and affects negatively the delivery of the Centre's work programme, including the activities funded by IMO and donors.

7 The Secretary-General, concerned with this difficult situation, has expressed his concern to the Executive Director of UNEP and to the Contracting Parties of the Barcelona Convention, through their relevant Permanent representatives to IMO, (letter dated 15 May 2012). He has submitted document C 108/15(a)/3 in order to inform the Council of this current financial situation.

Activities delivered by REMPEC relevant to IMO's High-Level Action Plan (HLAP)

8 REMPEC is an example of an inter-agency cooperation which is among the priorities of IMO (1.1.2 and 3.1.1 of HLAP). Since 1976, the Centre has been assisting the Mediterranean coastal States in ratifying, transposing into their national legislation, implementing and enforcing international maritime conventions related to the prevention, preparedness for and response to marine pollution from ships. Within its terms of reference, the Centre has been supporting IMO as a regional implementation centre for activities of the Organization's ITCP in the Mediterranean and REMPEC and ITCP respective programmes are developed in close cooperation with a view to avoiding duplication and ensuring consistency of action.

.1 Preparedness and response to the marine pollution:

(7.2.3 HLAP) – As an emergency response centre, REMPEC facilitates the coordination of regional assistance in case of a marine pollution emergency in the Mediterranean and provides technical assistance, remotely or on site, directly or through the mobilization of the Mediterranean Assistance Unit (MAU) – a team of highly specialized experts in pollution response (a capacity used, in particular, to assist the Lebanese authorities in dealing with the oil spill which affected its coastline in 2006 and to gather data on available response means in the Mediterranean region in the context of the "Deepwater Horizon" spill in 2010).

(7.1.2 and 7.1.3 of HLAP) – REMPEC assisted 15 countries in the region in setting up their national marine pollution contingency plan and delivered extensive training in the field of preparedness and response. The Centre also implemented several externally funded projects in the Mediterranean region with a view to strengthening preparedness and response capacities of Mediterranean coastal States. The experience of the Centre in this field was used when developing IMO model courses for the OPRC Convention. Through its relationship with Arab speaking Mediterranean countries, the Centre was able to provide IMO with Arabic translations of both OPRC and OPRC-HNS model courses for their use in other regions.

(4.0.2, 7.1.2 of HLAP) – REMPEC develops new tools to assist countries in enhancing their response capacities and has recently published a number of manuals, guidelines and electronic tools, some of which are now available to the wider community as they have been endorsed or are currently under consideration by the OPRC-HNS Technical Group, for example:

- .1 "Mediterranean oiled shoreline assessment guidelines" (2009): used by the Regional Organization for the Conservation of the Environment in the Red Sea and Gulf of Aden (PERSGA) as a basis for the development of guidelines adapted to that particular regional sea area and is now available in the Arabic language (English and French versions are already available, whilst a Spanish revision will be available shortly);
 - .2 "Mediterranean oil spill waste management guidelines", subsequently adapted and approved by IMO as international guidelines, which will be soon published by the Organization in English and French languages (both versions provided by the Centre);
 - .3 "Guidelines for the use of dispersants for combating oil pollution at sea in the Mediterranean region (2011)" are currently being used as one of the main reference material for the revision of the IMO/UNEP Guidelines on oil spill dispersant application (French translation has been provided for future publication of the IMO Guidelines);
 - .4 the Centre, in cooperation with countries outside the Mediterranean area and other relevant international organizations, have recently released an upgraded version of MIDSIS-TROCS, a decision support tool, to assist response to pollution from HNS. This is a unique tool available at international level recognized for its data variety and richness.
- .2 Prevention of pollution from ships
- .1 (7.2.1 and 2.0.2 HLAP) - Directly or through the implementation of various externally funded projects, such as the SAFEMED Projects and the GloBallast Partnerships Project, REMPEC is actively involved in promoting safer and cleaner shipping in the Mediterranean area. In particular, the Centre has developed regional guidelines on the issue of places of refuge and has actively promoted the VIMSAS amongst non-EU Member States in the Mediterranean Sea. As the Regional Coordination Organization (RCO), the Centre led the implementation of the GloBallast Partnerships Project in the Mediterranean including

the development of a regional strategy on ballast water management which was adopted by the Contracting Parties to the Barcelona Convention at their 17th Ordinary Meeting in 2012.

9 REMPEC is also currently the implementing body of the SAFEMED II Project, the implementation of which is due to end by December 2012. However, the administrative closure of the Project will continue into the first quarter of 2013 as a minimum. The Centre is also implementing two new projects partly financed by EU funds or grants which have commenced in the beginning of 2012. Depending on the decision of the IMO Council, the Centre will have to consider withdrawing from these two projects which are running concurrently and will end in 2013 and 2014.

Proposal

10 Temporary financial support could be provided to REMPEC through the use of the TC Fund. As the Secretary-General stated in his document submitted to the Council, the MAP system is currently facing a cash flow problem. This situation should be viewed as a temporary cash flow difficulty. Under the REMPEC project document for the biennium 2012-2013, recently signed by UNEP and IMO:

- .1 IMO is responsible for the administration of the Centre and the delivery of its work programme; and
- .2 UNEP is liable to pay IMO for the costs of the Centre and approved activities for the whole biennium period and for the Project Support Costs (PSC) that IMO is entitled to for project implementation, as per current United Nations' practice.

11 Any financial support that could be granted to the Centre by the Organization constitutes a valid claim against UNEP which is contractually bound to pay for the costs of REMPEC.

12 In order to avoid disruption to the Centre's operations, there is a need to make a contingency financial provision for temporary support to the Centre for the biennium 2012-2013, with the understanding that any temporary financial support by IMO to the Centre will be reimbursed to the Organization. Bearing in mind that national budgets are usually approved by the end of the calendar year, but funds for the following year are committed before the beginning of the new fiscal year, which in most of the cases occurs during the first or second quarter of the following year, it would be advisable to provide the proposed temporary financing facility up to the end of the biennium 2012-2013, with the understanding that funds will be utilized only in case of a shortage of cash flow.

13 Such a temporary financing facility (estimated to a maximum amount of £250,000) could be made available to REMPEC through the use of IMO's Technical Co-operation (TC) Fund – the Rules of Operation of which provide that its resources "may be drawn upon to fund temporarily approved programme expenditure pending receipt of agreed donor contributions" (confer TC/Circ.63, paragraph 11). The Secretary-General could be authorized to make advances, up to a total amount of £250,000, on the understanding that any funds received from UNEP in the meantime will be immediately utilized to replenish the TC Fund.

Action requested of the Council

14 The Council is invited to consider the proposal in paragraph 13 above and take action, as it may deem appropriate.