



SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



Transparency Brought to Ship-Source Pollution in Europe

European law makers have moved to address ship-source pollution, by bringing greater transparency to both pollution offences in Europe's seas and the penalties imposed.

In February, the European Parliament and European Council agreed an amendment of Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for pollution offences.

Furthermore, the co-legislators agreed to align the Directive with the International Convention for the Prevention of Pollution from Ships (MARPOL) and to extend its scope to such sea-polluting discharges as sewage and garbage, stated the European Commission (EC).

"The new rules will improve transparency by making information available online regarding the pollution offences in European seas and the penalties imposed," advised an EC media statement.

"Additionally, information on how coastal authorities verified a potential spill after an alert by satellite surveillance will be available online."

The EC observed that the amendment had clarified the application of administrative penalties to "make them more effective".

"For example, the size of the illegal discharge, its impact on the environment or the financial capacity of the responsible entity will be considered when the member states impose penalties.

"There will be stronger tools and platforms for the exchange of information and experience for member state authorities. For example, satellite surveillance for ship-source pollution (CleanSeaNet – [the European Maritime Safety Agency's] surveillance and information sharing database) will be improved and will have better resolution.

"All the new measures make the deterrent effect stronger and contribute to pollution prevention in European seas."

The legislation forms part of the [maritime safety package](#), put forward by the EC in June 2023.

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