

North Sea Network of Investigators and Prosecutors (NSN)

The North Sea Network of Investigators and Prosecutors, NSN for short, was set up in 2002 to help enforce international regulations preventing pollution from ships in the North Sea. NSN is associated with the OSPAR Commission and cooperates with the Bonn Agreement.



Members of NSN:



Brief history of NSN

In 2002, at the Fifth North Sea Conference, the North Sea Ministers took the initiative to establish the NSN, fulfilling their commitment to “greater cooperation between North Sea States and at the European Union level to enforce internationally agreed rules and standards for the prevention, control and reduction of pollution from ships ... to increase detection of illegal discharges and ... improve the investigation and prosecution of offenders”. The NSN initially met in 2002, since then, it has been providing its members with a strong regional platform whereby investigators and prosecutors in all North Sea States work together with a view to identifying features which lead to effective enforcement and ways of handling pollution offences from ships in a transboundary context.

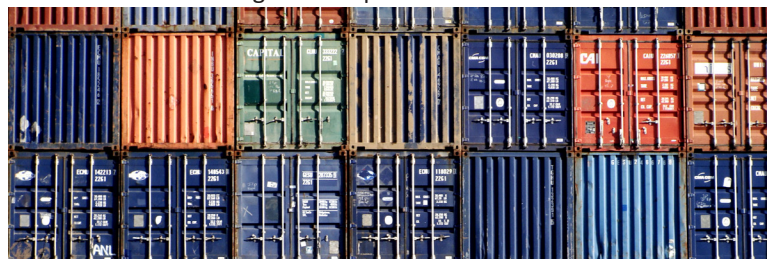
A word from the chair, Ewald Brandt (2016 -)

“It goes without saying that I was delighted to have been appointed Chair of the NSN in May 2016. I have been following with great interest, and promoting as best as I can, the activities of NSN of which I have been a permanent member since its very beginning in the year 2002.” Dr Ewald Brandt is the third Chair of NSN since 2002.



NSN meetings: a strong network of experts

NSN has built a robust network of experts to facilitate the flow of information vital for pursuing offenders. NSN annual meetings provide an active and flexible platform for investigators and prosecutors from North Sea States to discuss pollution cases; and to share knowledge and experience and learn from each other.



Sulphur Content of Marine Fuels

The annual meeting of North Sea Network of Investigators and Prosecutors in May 2016 discussed the implementation of Directive 2012/33/EU of the European Parliament and of the Council concerning the Sulphur Content of Marine Fuels, which represents a particularly challenging issue. The countries bordering the North Sea have instigated a number of projects that are geared towards the implementation of the EU Directive, and an initial exchange has taken place; identifying results that have been achieved to date; it is absolutely vital that this exchange be further intensified and continued into the future. The NSN has set itself the goal of making a substantial contribution to ensuring that the EU Directive is implemented with lasting effect.

An interest for the wider OSPAR regions in regards to sulphur content in marine fuels is the compliance and enforcement of the MARPOL Annex VI (Regulations for the Prevention of Air Pollution from Ships), which covers emissions of sulphur and particulate matter from ships. Emission control areas established under MARPOL Annex VI for SO_x are: the Baltic Sea area; the North Sea area with a content of 0.10% from 1 January 2015.

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International cooperation: sharing expertise with others

NSN has intensified efforts to contribute to the enforcement of regulations preventing pollution from ships within the international community. NSN members have been actively involved in the development of the European Marine Safety Agency (EMSA) Manual on Combatting Illegal Discharges in the Marine Environment. This initial collaboration has led to a fruitful relationship between EMSA and NSN, in the form of regular information exchange, reciprocal representation and participation in training courses, seminars and workshops.

NSN is also actively seeking opportunities for closer co-operation with peers in other regional seas with the aim of facilitating assistance between regions. With Environmental Crime in the Baltic Sea Region (ENPRO), NSN has strengthened communication through mutual updates, participation in meetings and consultations. With the Mediterranean Network of Investigators and Prosecutors, NSN has reinforced the sharing of information, reciprocal briefings and involvement in meetings through their national delegates. NSN is assiduously seeking opportunities to work closer with the International Maritime Organisation and their Legal Affairs and External Relations Division to exchange views and experience in lessons learned with the implementation of the MARPOL Convention.

NSN is also increasing its outreach by actively liaising with organisations such as EUROJUST and INTERPOL. Representatives of these organizations regularly attend NSN meetings.

NSN database on pollution offences: a systematic set of information

In an effort to improve the quality of information available for prosecutions, NSN has created a purpose-built database to log sea pollution offences cases. The restricted access database covers cases submitted to NSN since its establishment and includes details such as the type of pollution, sanctions imposed and the penalty finally awarded, and facilitates a more uniform approach to prosecutions and penalties. The case-material that has been accumulated over time represents a valuable asset. In the practical sense it provides useful material for reflection and further training in connection with successfully prosecuting those involved in the perpetration of crimes against the environment on an international scale. However, it also provides both national and international authorities with a basis upon which to further advance our legal systems and combat strategies. Our declared objective is the creation of an instrument that will facilitate an application of existing international laws in a manner that is as uniform and effective as conceivably possible.

North Sea Manual on Oil Pollution Offences: a key reference to national enforcement authorities

Given the comparatively small size of the North Sea, the transient nature of shipping, the number of coastal States and the density of the shipping traffic, it is likely that some of the evidence needed to prove a case will be gathered in a jurisdiction other than that in which the prosecution, offence or harm takes place. The North Sea Manual on Oil Pollution Offences, which is upgraded and extended on an annual basis by the members of the network, has made a significant contribution in practice to our overall understanding of the different national and prosecutorial systems. The Manual is a platform for exchange of experiences, interpretations of international agreements - some of which differ widely from one another in their content.

The MARPOL Convention serving as one example of such agreements is discussed on the basis of concrete and specific cases, and the feedback that is generated in these discussion sessions is passed back to the national authorities.



Sources of data and information:

North Sea Manual on Oil Pollution Offences:
http://www.ospar.org/content/content.asp?menu=01430623870000_000000_000000

EMSA: <http://www.emsa.europa.eu/>

EUROJUST: <http://www.eurojust.europa.eu/>

INTERPOL: <http://www.interpol.int/>