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14th Meeting of the Compliance Committee of the Barcelona Convention and its Protocols

Athens, Greece, 27-29 June 2018

Agenda item 5: Status of Reporting and Examination of Reports Received under Article 26 of the Barcelona Convention

Key Findings of the Updated Synthesis Analysis and Updated General Status of Progress as regards the Barcelona Convention and the Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean

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UNEP/MAP
Athens, 2018

Note by the Secretariat

Introduction

1. Following-up on the conclusions and recommendations of the 13th Meeting of the Compliance Committee on the most effective way to address the Synthesis Analysis of the information provided in the national implementation reports submitted by Contracting Parties for the biennium 2014-2015, as well as the General Status of Progress in the Implementation of the Barcelona Convention and its Protocols (See the report of the meeting: UNEP(DEPI)/MED CC. 13/12, paragraph 24, as presented in document UNEP/MED CC.14/Inf.3), the Secretariat, together with the relevant MAP components, updated both the Synthesis Analysis (UNEP/MED CC.14/5) and the General Status of Progress (UNEP/MED CC.14/Inf.5), by incorporating the information from the national implementation reports for the 2014-2015 biennium received after the 13th Compliance Committee Meeting, as of 10 May 2018.

2. Given the detailed nature of the Updated Synthesis Analysis and the Updated General Status of Progress, and in order to facilitate discussion at the meeting, intersessional arrangements were made for conducting an assessment of the information contained in both documents. The Member of the Compliance Committee Ms. Selma Osmanagić-Klico and Alternate Member Ms. Milena Batakovic have undertaken such assessment as regards the Barcelona Convention and the Protocol concerning Specially Protected Areas and Biological Diversity, respectively. The key findings of this exercise are presented in this document, supported by the underlying assessment presented in the information document UNEP/MED CC.14/Inf.4.

Action requested

3. The Compliance Committee is expected to examine the key findings presented in this document and provide guidance on how to progress work on this matter.

Key findings of the Updated Synthesis Analysis and Updated General Status of Progress as regards the Barcelona Convention and the Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean

Key findings for the Compliance Committee to examine are presented per instrument following the structure of the reporting format for the implementation of the Barcelona Convention and its Protocols, as adopted by COP 2008 Decision IG. 17/3.

Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention)

Key findings

Legal Measures

1. The precautionary principle has been incorporated into the domestic legislation of 15 out of 16 reporting Contracting Parties, with work reported to be on-going in the remaining reporting Contracting Party;
2. All reporting Contracting Parties have integrated the polluter pays principle into their domestic legislation;
3. All reporting Contracting Parties have put in place the legal framework whereby activities which are likely to cause a significant adverse impact on the marine environment are subject to an Environmental Impact Assessment (EIA);
4. Cooperation mechanisms among the concerned states in cases of transboundary EIA in place in 9 out of 16 reporting Contracting Parties;
5. Integrated Coastal Zone Management (ICZM) principles incorporated into domestic legislation by 13 out of 16 reporting Contracting Parties;
6. Marine pollution monitoring programmes established in all reporting Contracting Parties;
7. Mechanisms to ensure public appropriate access to environmental information set up in 15 out of 16 reporting Contracting Parties;
8. In 14 out of 16 reporting Contracting Parties, measures are in place to ensure public participation and consultation in environmental legislation decision-making processes;
9. Mechanisms to articulate public participation and consultation in EIA processes are in place in 15 out of 16 reporting Contracting Parties;
10. In 9 out of 16 reporting Contracting Parties, public participation is part of the process of authorization of proposed activities likely to cause damage to the marine environment and its coastal areas.

Policy Measures

1. Nine out of 15¹ reporting Contracting Parties have used ICZM in developing their physical plans for the coastal zone;
2. Economic instruments such as taxes, fees and funds for the protection of the marine environment and coastal zones, have been put in place by 9 out of 16 reporting Contracting Parties.

Allocation of Resources

1. In 11 out of 16 reporting Contracting Parties, institutional structures have been set up to conduct EIAs or implement the notification process in case of transboundary EIAs;
2. Institutional arrangements for marine pollution monitoring are in place in 12 out of 16 reporting Contracting Parties;
3. Institutional structures enabling public access to information in 15 out of 16 reporting Contracting Parties, and allowing for public participation in the decision-making process in 14 out of 16 reporting Contracting Parties.

Other Measures

1. In 12 out of 16 reporting Contracting Parties, monitoring programmes to assess the state of the marine environment and its coastal areas in compliance with domestic standards on releases and/or quality marine environment criteria have been established;
2. In 13 out of 16 reporting Contracting Parties, periodical assessment reports and data on the state of the marine environment and its coastal areas are published.

Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA/BD Protocol)

Key findings

Legal Measures

1. All reporting Contracting Parties have reported having put in the place the legal framework required in Article 3 of the SPA/BD Protocol to protect SPAs and the species and habitats listed in the annexes to the Protocol;
2. Specific measures regulating dumping activities in SPAs have been taken in 13 out of 16 reporting Contracting Parties and regulating the passage and anchoring of ships in 11 out of 16 reporting Contracting Parties;
3. Management measures concerning the species listed in Annex II and III to the SPA/BD Protocol taken in 15 out of 16 reporting Contracting Parties.

Specially Protected Areas ¹

1. A few reporting Contracting Parties, 5 out of 15, have developed management plans for all their SPAs;
2. Scientific monitoring programmes to track changes in the state of SPAs established in 10 out of 15 reporting Contracting Parties;
3. Measures are in place in 11 out of 15 reporting Contracting Parties to ensure the involvement of local communities in the management of SPAs,
4. Measures to compensate local inhabitants affected by the establishment of SPAs in 8 out of 15 reporting Contracting Parties;
5. In 12 out of 15 reporting Contracting Parties funding mechanisms for managing and promoting SPAs have been established and training is provided to SPAs staff, including managers;
6. Measures for ensuring an adequate response to incidents in SPAs incorporated into National Contingency Plans (NCP) by 10 out of 15 reporting Contracting Parties;
7. Integrated management of SPAs in 12 out of 15 reporting Contracting Parties.

Measures for the Protection and Conservation of Species

1. List of endangered or threatened species of flora and fauna in 12 out of 16 reporting Contracting Parties;
2. Multilateral cooperation for the protection of migrant species in 9 out of 16 reporting Contracting Parties;
3. Ex-situ reproduction programmes addressing the conservation of protected species developed by 5 out of 16 reporting Contracting Parties;
4. Measures to deal with the deliberate or accidental introduction of non-indigenous or genetically modified species into the wild adopted in 11 out of 16 reporting Contracting Parties.

Conservation of the Components of Marine and Coastal Diversity

1. Work is on-going in 7 out of 16 reporting Contracting Parties as regards the inventorying of the components of marine and coastal diversity;

¹ Not applicable to the EU

2. National strategies (on biodiversity/IZCM/ Invasive Alien Species) and action plans adopted in 12 out of 16 reporting Contracting Parties to protect the components of marine and coastal biodiversity.

Enforcement Measures

1. Very low level of reporting on enforcement measures with a very few Contracting Parties providing data on number of inspections conducted, non-compliance cases detected and fines issued.

Regional Action Plans

1. Cartilaginous Fishes have been granted legal protection by domestic legislation in 11 out of 16 reporting Contracting Parties;
2. Specific programmes in the context of the FAO International Plan of Action for Conservation and Management of Sharks developed by 5 out of 16 reporting Contracting Parties;
3. Measures to protect Cartilaginous Fishes from bycatch adopted in 11 out of 16 reporting Contracting Parties;
4. One reporting Contracting Party has developed training programmes on Cartilaginous Fishes;
5. Legislation is reported to be in place to control the introduction of non-indigenous species in 10 out of 16 reporting Contracting Parties;
6. Five out of 16 reporting Contracting Parties monitor and control ballast water discharges into their territorial waters;
7. National actions plans have not been developed to control the introduction of non-native marine species. However other instruments such as Guidelines have been put in place to that end;
8. Actions plans for the protection of the bird species listed in Annex II to the Protocol developed in 8 out of 16 reporting Contracting Parties;
9. National Actions Plans for the conservation of cetaceans developed in 3 out of 16 reporting Contracting Parties;
10. Eight out of 16 reporting Contracting Parties have designated MPAs or SPAMIs for the protection of cetaceans
11. MPAs have been established for protection of marine vegetation significant to the marine environment in 8 out of 16 reporting Contracting Parties;
12. Action Plans for the conservation of marine vegetation are in place in one reporting Contracting Party. However, actions for the protection and conservation of marine vegetation have been taken within the framework of national biodiversity strategies;
13. Protected areas for the conservation of monk seal populations are reported to be in place in 5 out of 16 reporting Contracting Parties. Three out of 16 reporting Contracting Parties have developed an action plan for the conservation of the monk seal;
14. Measures to reduce the incidental by-catch of marine turtles taken in 6 out of 16 reporting Contracting Parties; and
15. Action plans for the conservation of marine turtles have been adopted in 7 out of 16 reporting Contracting Parties.