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**United Nations  
Environment  
Programme**



UNEP(OCA)/MED WG.91/6  
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**MEDITERRANEAN ACTION PLAN**

Meeting of Legal and Technical Experts  
to examine amendments to the Barcelona  
Convention, the Dumping Protocol and the  
Specially Protected Areas Protocol

Barcelona, 7-11 February 1995

**ADDITIONAL PROPOSED AMENDMENTS TO  
THE BARCELONA CONVENTION, THE DUMPING PROTOCOL  
AND THE SPECIALLY PROTECTED AREAS PROTOCOL**

## INTRODUCTION

The present document contains additional proposed amendments to the Barcelona Convention and its related protocols which were received by the Secretariat on 25 January 1995, i.e. after the three working documents (UNEP(OCA)/MED WG.91/3, UNEP(OCA)/MED WG.91/4, and UNEP(OCA)/MED WG.91/5) had been finalised.

The document is divided in three parts: 1. Amendments to the Barcelona Convention, 2. Amendments to the Dumping Protocol, and 3. Amendments to the Specially Protected Areas Protocol.

The contents of this document should therefore be examined together with the three above mentioned working documents.

# 1. AMENDMENTS TO THE CONVENTION FOR THE PROTECTION OF THE MEDITERRANEAN SEA AGAINST POLLUTION

## *Article 3*

### GENERAL PROVISIONS

*Proposal by Turkey:*

Under paragraph (2), remove brackets.

## *Article 6*

### POLLUTION FROM SHIPS

*Proposal by Turkey:*

Add the following paragraph:

**"The Contracting Parties shall take joint or individual initiatives through the relevant international organizations to ensure the implementation of the provisions of this Convention by all the vessels of non-parties."**

## 2. AMENDMENTS TO THE PROTOCOL FOR THE PREVENTION OF POLLUTION OF THE MEDITERRANEAN SEA BY DUMPING FROM SHIPS AND AIRCRAFT

### Preamble

*Proposal by Turkey:*

Add the following paragraph:

**"Considering the vitality of the Mediterranean Sea for the present and future generations, the Contracting Parties shall take joint or individual initiatives, through the relevant international organizations to ensure the implementation of the provisions of this Protocol by non-parties."**

### Article 11

*Proposal by Turkey:*

Replace paragraph 2 by the following text:

**"The provisions of this Protocol shall not apply to any warship, naval auxiliary, other vessels or aircraft owned or operated by a State Party and used, for the time being, only on government non-commercial service. However, each State shall ensure, by adoption of appropriate measures not impairing operations or operational capabilities of such vessels or aircraft owned or operated by it, that such vessels or aircraft act in a manner consistent, as far as is reasonable and practicable with this Protocol."**

### 3. AMENDMENTS TO THE PROTOCOL CONCERNING MEDITERRANEAN SPECIALLY PROTECTED AREAS

#### *Article 2*

##### Territorial application

*Proposal by Turkey:*

Replace paragraph 2 with the following:

**"The provisions of this Protocol shall not apply to any warship, naval auxiliary, other vessels or aircraft owned or operated by a State Party and used, for the time being, only on government non-commercial service. However, each State shall ensure, by adoption of appropriate measures not impairing operations or operational capabilities of such vessels or aircraft owned or operated by it, that such vessels or aircraft act in a manner consistent, as far as is reasonable and practicable with this Protocol."**

#### *Article 11*

##### Procedure for inclusion in the SPAMI list

*Proposal by Turkey:*

Add the following paragraphs:

**(a) Nominations for the inclusion in the SPAMI List of marine areas beyond the outer limit of the territorial sea where a delimitation agreement is not yet effected shall be made jointly by the concerned Parties.**

**(b) If an area beyond the outer limit of the territorial sea is included in the SPAMI List by joint nomination of the concerned Parties, the implementation of the Articles of this Protocol in that area shall be administered jointly by those Parties unless they agree otherwise.**

**(c) Administration of area of SPAMI List beyond the outer limit of territorial sea shall not constitute a basis for any claim of sovereignty or sovereign rights.**

*Article 24*

Mutual Assistance

*Proposal by Turkey:*

In paragraph (1) delete the word "developing" in the third line.

*Proposal by Turkey:*

Delete Article 26 and Article 27.