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Intergovernmental Review Meeting of
the Mediterranean Coastal States and
First Meeting of the Contracting parties
to the Convention for the Protection of
the Mediterranean Sea against Pollution
and its related protocols

Geneva, 5 - 10 February 1979

REPORT OF THE
INTERGOVERNMENTAL REVIEW MEETING OF MEDITERRANEAN
COASTAL STATES AND FIRST MEETING OF THE CONTRACTING PARTIES
TO THE CONVENTION FOR THE PROTECTION OF THE MEDITERRANEAN SEA
AGAINST POLLUTION AND ITS RELATED PROTOCOLS

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Introduction

1. At the Intergovernmental Review Meeting of Mediterranean Coastal States on the Mediterranean Action Plan, hosted by the Government of Monaco from 9 to 14 January 1978, UNEP was requested, as the organization responsible for the secretariat functions under article 13 of the 1976 Barcelona Convention for the Protection of the Mediterranean Sea against Pollution, to convene the first meeting of the Contracting Parties to the Convention and its related protocols within one year of the entry into force of the Convention. By this time, it was hoped that the number of Contracting Parties would include a large majority of the Mediterranean coastal States (UNEP/IG.11/4, annex IV, page 5, recommendation 31).
2. The Convention and its related protocols entered into force on 12 February 1978. In accordance with the terms of article 13 of the Convention, and recommendation 31 of the 1978 Intergovernmental Review Meeting, and in consideration of the fact that those Mediterranean coastal States which had not yet ratified the Convention were (a) in the process of undergoing the necessary national formalities towards eventual ratification, and (b) actively participating in the Mediterranean Action Plan as a whole, the Executive Director of UNEP convened an Intergovernmental Review Meeting of Mediterranean Coastal States and First Meeting of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related protocols in Geneva from 5 to 10 February 1979.

Attendance

3. Delegations from seventeen Mediterranean coastal States and the European Economic Community participated in the Meeting.
4. Representatives from two United Nations States Members, one observer State to the United Nations, three United Nations bodies, seven specialized agencies and the International Atomic Energy Agency, and five intergovernmental and non-governmental organizations attended the Meeting as observers. A complete list of participants is attached as annex I to this report.

Agenda item 1 : Opening of the Meeting

5. Dr. M. K. Tolba, Executive Director of UNEP, welcomed the participants and declared the Meeting opened.

Agenda item 2 : Rules of procedure

6. The Meeting adopted mutatis mutandis the rules of procedure for the UNEP Governing Council as contained in document UNFP/GC/3/Rev.1.

Agenda item 3 : Election of officers

7. The Meeting unanimously elected the following officers:

Chairman: His Excellency
Mr. Ridha BACH BAQUAB (Tunisia)
Director of International
Organizations and Conferences
Ministry of Foreign Affairs

First Vice-Chairman: Mr. Daniel DE LINOS (Spain)
Director General of Environment
Ministry of Public Works and Town
Planning

Second Vice-Chairman: Mr. Marinós YEROULANOS (Greece)
Director General
Environment Secretariat
Ministry of Co-ordination

Rapporteur: Dr. Louis J. SALIBA (Malta)
Secretary
Malta Human Environment Council
Ministry of Health and Environment

Agenda item 4 : Adoption of the agenda

8. The Meeting adopted the agenda contained in annex III to this report.

Agenda item 5 : Organization of work

9. The Meeting agreed to the establishment of two working committees: one to consider agenda items 6.1 (Environmental Assessment) and 6.3(b) (matters arising from the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft), and the other to consider agenda items 6.2 (Environmental Management) and 6.3(a), (c) and (d) (Environmental Legislation). The Meeting agreed that the two committees should be chaired by the Vice-Chairmen of the Plenary: Mr. Daniel de Linos, Committee I and Mr. Marinós Yercoulanos, Committee II. It was further decided that each committee would elect its own vice-chairman and rapporteur.
10. The Meeting agreed that agenda item 6.4 (Institutional and Financial Matters) should be considered in Plenary, in accordance with the suggested time-table in document UNEP/IG.14/2 (which was similarly agreed to), and that the Rules of Procedure for Meetings and Conferences of the Contracting Parties to the Convention would be initially considered by Committee II. In view of the importance of

commencing discussion on financial matters as early as possible, the Meeting agreed that regular sessions of heads of delegation should be held throughout, avoiding, as far as feasible, overlaps with the committee sessions.

11. At their first meetings, Committees I and II unanimously elected the following officers:

Committee I

Vice-Chairman:

Dr. Ljubomir JEFTIC (Yugoslavia)
Centre for Marine Research
"Rudjer Boskovic" Institute
Rovinj

Rapporteur:

Dr. Pierre NOUNGU (France)
Head of Marine Environment
Protection Service
CNEXO
Paris

Committee II

Vice-Chairman:

Dr. Najib EL SHEIBANI (Libyan Arab Jamahiriya)
Secretariat of Foreign Affairs
Tripoli

Rapporteur:

Dr. Gianni BONATI (Italy)
Confindustria
Milan

Agenda item 6 : Report of the Executive Director on the implementation of the Mediterranean Action Plan and recommendations for activities to be undertaken during the 1979/1980 biennium

12. Dr. M. K. Tolba introduced his report on the progress made in the implementation of the Mediterranean Action Plan for the period 1975 until December 1978, and his recommendations for activities during the 1979-1980 biennium. The text of the Executive Director's statement is attached as annex IV to this report. Dr. Tolba briefly reviewed the main aspects of the work that had been accomplished by the Mediterranean States in co-operation with the United Nations system since the Action Plan was originally adopted in February 1975. In particular he pointed out that the 1976 Barcelona Convention, and the two protocols, on dumping and on co-operation in pollution emergencies, entered into force on 12 February 1978, just two years after their adoption, and that at present, twelve States and the European Economic Community had completed the process of ratification of the Convention and at least one protocol.

13. Dr. Tolba noted that at the request of the Governments of the Mediterranean region, the implementation of the Action Plan had been overseen by UNEP, which had attempted to assume this responsibility fully and effectively. However, recognizing UNEP's catalytic role and its limited resources, he again stressed the need to shift more substantive and financial responsibility to Governments. He reminded delegations that the main task of the Meeting was to reach agreement on the future Mediterranean work programme, and on the means of sharing the costs of financing this programme. Dr. Tolba reviewed the preparatory work carried out in order to assist delegations to reach agreement on these important issues, and requested that the Meeting conclude with a report setting forth specific concrete decisions on the work programme to be carried out during 1979 and 1980. He had placed before the Meeting, in documents UNEP/IG.14/4, UNEP/IG.14/7, and UNEP/IG.14/8, various recommendations, considerations and alternatives on both general and specific issues which he hoped would assist the Meeting in reaching a decision, as well as the suggested mechanism for the establishment of a Regional Trust Fund and detailed budget proposals for the biennium.
14. Finally, Dr. Tolba stressed that among the essential factors concerned were:
- (a) that the small co-ordinating staff required would be used most profitably if centralized in one suitable place;
 - (b) that the programme should be regionally self-sufficient, with a just apportioning of substantive and financial responsibility between States; and
 - (c) that UNEP, while continuing to assume its role as secretariat of the Convention and co-ordinator of the Action Plan's implementation, should decrease its financial participation towards the secretariat costs as called for in decision 6/7B of the sixth session of the Governing Council.
15. Thereafter, a general discussion was held on the Executive Director's report, in which a number of representatives of Mediterranean States participated. In general, the speakers expressed satisfaction with the work that had been accomplished in the past, although it was recognized that circumstances had led to some components of the programme proceeding at a slower rate than others. Several delegations expressed the opinion that the Mediterranean Action Plan was the most successful programme UNEP had conducted so far. In addition, pleas were made for the continuation of the integrated approach to the Action Plan to preserve its unity, and for United Nations organizations (apart from UNEP) to participate in the trust fund. In addition, several delegations raised detailed points on various aspects of the Executive Director's recommendations, but it was agreed that these would be discussed in more detail under the appropriate agenda items.

16. The representative of UNESCO made a statement on behalf of the United Nations specialized agencies, stressing the interest of these agencies in the Mediterranean Action Plan and the essential role they were playing and were willing to continue to play in its implementation. He indicated that they were active in all components of the Action Plan and that many additional ongoing activities concerned with development, some of them with UNDP participation, were in fact closely related to the integrated planning component of the Action Plan. He explained that the specialized agencies could not provide cash contributions to the Action Plan since there was no provision for this in their regular programme budgets as approved by their respective governing bodies. However, he assured the Meeting that contributions in kind or services would continue to be substantial in their respective fields of competence.

Agenda item 6.1: Progress report concerning the environmental assessment of the Mediterranean Action Plan

17. For its consideration of the agenda item, the Meeting had before it document UNEP/IG.14/4, annex I, which reviewed the progress made within the environmental assessment component of the Action Plan and contained specific recommendations for possible future activities. Supporting information was provided in documents UNEP/IG.14/INF.3, UNEP/IG.14/INF.4, UNEP/IG.14/INF.6, UNEP/IG.14/INF.7, and UNEP/IG.14/INF.8, as well as several supplementary documents circulated to participants in the Meeting.
18. Introducing the agenda item, the representative of UNEP briefly reviewed the contents of annex I to document UNEP/IG.14/4 and drew attention to the recommendations made therein. He noted, in particular, the assistance provided to participants in MED POL in the form of training and equipment as well as the common maintenance service operating from the IAEA Monaco Laboratory to provide regular services and emergency repairs for the equipment used by the participants in MED POL. He also referred to the permanent intercalibration of analytical techniques, mandatory for all participants in the MED POL pilot projects, which was organized to achieve the comparability of data obtained through participants in MED POL. Finally, he informed the Meeting of the financial estimates made with regard to the future activities proposed for the biennium 1979/1980 indicated in document UNEP/IG.14/8.
19. In the general discussion that followed, delegations expressed their satisfaction with the progress made since the adoption of the Action Plan early in 1975 in implementing the pilot projects for the Co-ordinated Mediterranean Pollution Monitoring and Research Programme (MED POL) and other projects relating to the assessment of the environmental quality of the Mediterranean, considered as a whole. Delegations were of the opinion, however, that, owing to practical difficulties, the development of activities in certain fields and in some parts of the Mediterranean had been slower than expected.

20. In order to assist each Government and the EEC in defining its position with regard to further work on pilot projects and their future financing, delegations addressed the following requests to the UNEP secretariat, pending its first progress report promised for 1979:
- (i) to sum up work done under each project separately;
 - (ii) to transmit information on the financing and actual expenses incurred for each pilot project, current or planned (operation, equipment, personnel, training, missions);
 - (iii) to transmit information on technical and other difficulties encountered within each project;
 - (iv) to transmit information on the resources allocated to each laboratory and RAC;
 - (v) to assure regular communication to all Governments and the EEC of the results obtained by RACs, as well as interpretations of those results.
21. Replying to those requests, the representative of UNEP referred to the difficulties encountered in project execution in certain countries and in synthesizing the results so far achieved. As the views of all Governments on the establishment of a Mediterranean monitoring network had not been finalized, UNEP would convene a meeting in preparation for the long-term monitoring and research programme and arrange for its implementation.
22. The representatives of IOC, FAO, WHO and IAEA then commented on the work which had been carried out under the projects for whose execution those organizations were responsible. They confirmed the opinion of delegates that great progress had been achieved since the adoption of the Action Plan. However, they underlined some of the difficulties such as lack of laboratory facilities and trained staff which had inevitably resulted in many delays, and the substantial time that had been spent in establishing the network of participating institutions, and in introducing harmonized procedures. In general, the time had been inadequate to collate and systematically evaluate the data, but very substantial acceleration of this process had been achieved during the last twelve months.

It was suggested that further efforts should be made to improve the following particular points:

- (i) standardization of methods of measurement and comparison of results which were very difficult since many laboratories did not participate in intercalibration exercises;
- (ii) statistical evaluation of certain findings was still inadequate; therefore, new standardized methods should be developed and applied by the participating laboratories;

(iii) synthesize the results that had been achieved in a limited number of areas in order to help to provide a more coherent picture of the condition of Mediterranean coastal waters and, so far as possible, offshore waters.

23. During the general debate the delegations expressed their views on the information provided by the representatives of the international organizations. Each project was examined and subsequently the recommendations regarding the environmental assessment as set forth in annex V to this report were adopted.

Agenda item 6.2 : Environmental management

24. The deliberations relevant to the agenda item were based mainly on document UNEP/IG.14/4, paragraphs 35-45 and annex IV to the same document, which summarize the progress achieved in the implementation of the environmental management component of the Action Plan and contain specific recommendations concerning follow-up and possible future activities. In support of the follow-up and possible future activities the Meeting had before it several information and background documents.

Agenda item 6.2(a) : The Blue Plan

25. Deliberations on the Blue Plan project were based on document UNEP/IG.14/INF.25 "Information on the meeting of the Blue Plan Focal Points", Geneva, 1-2 February 1979. The document was introduced by the chairman of that meeting who stressed the points on which the meeting had agreed and commented on the issues on which a consensus could not be reached. He also expressed views on the reasons which had led to this situation. Several delegations confirmed the views which had been expressed during the meeting of the Blue Plan Focal Points as they are recorded in document UNEP/IG.14/INF.25.
26. During the general debate, numerous suggestions were made with the purpose of expediting the initiation of the first phase of the Blue Plan, and its implementation. These suggestions were harmonized and are reflected in the recommendations concerning the Blue Plan adopted by the Meeting as contained in annex V.

Agenda item 6.2(b) : The Priority Actions Programme

27. In introducing the agenda item, the representative of UNEP pointed out the progress that had been achieved in several areas of the PAP. Progress was particularly remarkable in areas such as mariculture, renewable sources of energy and fresh water resources management. He drew the attention of participants to the detailed description of the progress already achieved, and the activities envisaged in these fields, set out in documents UNEP/IG.14/4; UNEP/IG.14/INF.9; UNEP/IG.14/INF.10; UNEP/IG.14/INF.11 and UNEP/IG.14/INF.26. as well as other documents put at the disposal of the participants during the

Meeting. The UNEP representative recalled that while those PAP areas had been identified by the Intergovernmental Meeting of Mediterranean Coastal States, Split, 1977, specific countries such as Greece, Malta and France had contributed substantially and hosted the expert meetings which had advised on the activities to be initiated in the areas. The representative of UNEP pointed out that in the fields of mariculture and renewable sources of energy some preparatory work for the possible implementation of regional programmes was already under way with the support of UNDP.

28. In the discussions that followed, general support was expressed for the continuation of the PAP as regional co-operative programmes which promoted development activities on an environmentally sound basis.
29. Turning to specific points, several delegations indicated that while not neglecting the areas of human settlements and tourism, they felt that priority should be given to soil protection, and in particular soil erosion and desertification, and water resources management.
30. The representatives of Malta and Turkey reconfirmed the offers of their countries to host specific regional co-operative programmes in the field of renewable sources of energy. One delegation expressed the view that the ongoing preparatory activities should be accelerated with the aim of implementing the recommendations of the Meeting of Governments Experts for developing a Co-operative Programme on the Practical Applications of Renewable Sources of Energy in the Mediterranean Region (Malta, 9-13 October 1978).
31. Referring to the follow-up activities in the field of renewable sources of energy, the representative of Italy offered the co-operation of his country through the Overseas Agronomic Institute which had research programmes in the production and utilization of biogas.
32. The representative of Yugoslavia confirmed the offer of his Government to initiate concrete activities in the field of comprehensive planning such as those referred to in annex II, paragraph 34 of document UNEP/IG.14/4. One delegation expressed the view that when those activities were considered for possible action, due account should be taken of the experiences already achieved in co-operation with the Urbino Centre.
33. Views were expressed that PAP should concentrate on concrete, practical activities. Interested Governments should respond promptly and become directly involved in the proposed activities.
34. The UNDP delegation outlined the structural, administrative and financial factors which determined the UNDP approach to the Priority Actions Programme (PAP). UNDP was participating in a systematic assessment of the potential for regional co-operative programmes in the six sectors identified at Split 1977. It was however indicated

that UNDP was currently half-way through the second programme cycle which would be completed in December 1981, and that substantial commitments of regional funds had already been made. That being said, UNDP supported the work currently being undertaken in certain sectors of PAP.

35. The UNDP delegation informed the Meeting that some subjects for possible regional co-operation could go beyond countries bordering the Mediterranean. UNDP saw no administrative or technical difficulty about such an expansion of programme activities. In addition, UNDP's main criteria for PAP activities were that they should be regional and action-oriented in character, and that they should lead to early and measurable impact for participating countries.
36. Following that presentation, the Co-ordinator of the Joint UNDP/UNEP Unit based in Geneva for the programming of PAP activities in the Mediterranean gave an outline of the mandate which had been given to the Unit. Its function was to press forward the work already being undertaken in mariculture, renewable energy and water resources management, and to undertake a systematic assessment of the possibilities for regional collaborative programmes in the three remaining sectors of soil protection, human settlements and tourism. All six sectors would involve continued consultations with interested Governments, as well as with the technical support of the appropriate specialized agencies and regional commissions of the United Nations system. In view of the complexity of formulating soundly-based regional programmes it was inevitable that the establishment of the programmes was a relatively lengthy process. As to the PAP Centre established in Split by the Yugoslav Government, the Co-ordinator said that the work of this Centre could be a useful addition to the overall PAP programming activities being undertaken centrally by the joint UNDP/UNEP Unit based in Geneva. At the end of the discussions on the agenda item, the Meeting adopted a certain number of recommendations concerning the pursuance of PAP's activities. These recommendations are contained in annex V to this report.

Agenda item 6.2(c) : Other matters

37. The Meeting then considered the questions of specially protected areas, the preparation of a model code of practice for the management of wastes, environmental experiences gained through large-scale and complex projects and finally training.
38. It was felt that enough preparatory work had already been undertaken in the field of specially protected areas to allow an intergovernmental meeting to decide on the follow-up activities to be undertaken. Recommendations to that effect as well as steps to be followed regarding the other sub-items were formulated by the Meeting and are reflected in annex V to this report.

Agenda item 6.3(a) : Matters arising from the Convention for the Protection of the Mediterranean Sea against Pollution

39. The Meeting began its discussions with the consideration of agenda item 6.3(a). The Meeting noted that currently eleven States and the European Economic Community had become Party to the Convention and at least one protocol and that two additional States had deposited their instruments of ratification and would shortly become Parties to the Convention. In that regard, the Meeting proposed the recommendation contained in paragraph 29 of annex V to this report urging those Governments which had not yet ratified the Barcelona Convention and its related protocols to do so with the shortest delay.
40. The Meeting then began its consideration of document UNEP/IG.14/3. "Draft rules of procedure for Meetings and Conferences of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related Protocols". After a preliminary debate, the Meeting agreed to establish an ad hoc working group to review and revise the draft rules of procedure. Delegates from France, Israel, Italy, Morocco, Spain, Tunisia, Yugoslavia and the European Economic Community and the representative from FAO participated in the working group.
41. The report of the working group is contained in annex VI to this report. The revised draft rules of procedure, as prepared by the working group, were submitted for consideration to a meeting of the Contracting Parties on 10 February 1979. The meeting of the Contracting Parties adopted the final text of the rules of procedure as set forth in annex VII to this report. It was agreed that the rules of procedure would enter into force immediately for meetings and conferences of the Contracting Parties.
42. In adopting the rules of procedure, and with reference to the provisions of article 19 of the Convention, it was agreed that, when a State Member of the European Economic Community was more than twenty-four months in arrears with its contribution and that, simultaneously, new powers had been transferred from States Members to the EEC on matters covered by the Convention, the latter should be entitled to vote with regard to those new powers within the limits of the number of votes corresponding to those of its States Members having paid their contributions, without prejudice to the provisions of article 42, paragraph 2, sub-paragraph 2A.
43. The Meeting also noted that rule 43, which concerned voting, had been adopted taking into account the specific nature of the meetings and conferences of the Contracting Parties and in no way should it be considered as establishing a precedent for other organizations.
44. Furthermore, with regard to paragraph 2 of rule 43, one delegation expressed the reservation of its Government to the paragraph and confirmed that the secretariat would be notified of the Government's final position once the rules of procedure had been more carefully analysed.

45. Another delegation raised the question of the establishment of an enlarged Bureau and its competence. It was considered that the question should be examined at the next ordinary meeting of the Contracting Parties.

Agenda item 6.3(b) : Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft

46. The special attention required for the protocol and the examination of the extensive documentation provided (UNEP/IG.14/5 and 6) was felt to be beyond the scope and time-schedule of the Committee. It was therefore decided that UNEP should convene, within the next few months, a special meeting of governmental experts to study the matter in depth. The week of 2 to 6 July was suggested for that purpose.

Agenda item 6.3(c) : Matters arising from the Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency, including the Regional Oil Combating Centre

47. The progress report on the Regional Oil Combating Centre (UNEP/IG.14/INF.12) and the report of the Workshop on Oil Pollution Contingency Planning for the Mediterranean Sea (UNEP/IG.14/INF.13) were introduced to the Meeting by the Director of the Centre. In addition, the delegate of Malta introduced a note on the Regional Oil Combating Centre submitted to the Meeting by his delegation (UNEP/IG.14/INF.29).
48. During the discussions on the Centre, all delegations expressed their support for, and appreciation of, the work carried out by it. Many delegations confirmed that the functions of the Centre should be focused on communication between States in the event of an emergency, the facilitation of information exchange, assistance in the development of national, bilateral and multilateral contingency plans, and training as agreed at the 1976 Barcelona Conference of Plenipotentiaries. The viewpoint that the Centre should not undertake an operational role in combating pollution emergencies was strongly reiterated.
49. With regard to training, one delegation called the Committee's attention to article 11, paragraph 3, of the Barcelona Convention in which the Parties agreed "to co-operate in the provision of technical and other possible assistance in fields relating to marine pollution, with priority to be given to the special needs of developing countries in the Mediterranean region", and recommended that the Centre should give priority to the training needs of the developing States, taking into account experience already gained by the Regional Oil Combating Centre in that domain through IMCO, and the seminars convened in Urbino, Italy, and by INFOPOL in France.

50. It was agreed that the budget for the Centre should closely reflect its functions and tasks and that more detailed information regarding the work programme in 1979 and 1980 and past expenditures should be made available to the Contracting Parties.
51. The Meeting agreed to the recommendation concerning the Regional Oil Combating Centre set forth in paragraph 30 of annex V to this report.

Agenda item 6.3(d) : Environmental legislation - Other matters

Pollution from Land-Based Sources

52. In introducing the Executive Director's proposals concerning future activities aimed at the adoption of a protocol on pollution from land-based sources, the secretariat informed the Meeting that the following documentation was under preparation by UNEP, with the assistance of UNEP's International Register for Potentially Toxic Chemicals (IRPTC) and WHO, with a view to assisting Governments and the EEC in their negotiations:
- (i) Data Profiles for Chemicals for the Evaluation of their Hazards to the Environment of the Mediterranean Sea (1,000 page text: introductory thesis in English and French: data profiles in English only);
 - (ii) Principles and Guidelines for Discharges of Waste into the Marine Environment (300 page text in English and French);
 - (iii) Commentary on the Inventory of Areas of Disagreement and of Points requiring Clarification (30 page text in English and French).
53. The secretariat informed the Meeting that the documentation would be circulated to all Governments and the EEC in March 1979 and recommended that two parallel meetings - one for juridical experts and one for technical experts - should be convened from 25 to 29 June 1979 to review the afore-mentioned documentation with a view to preparing a revised preliminary draft protocol.
54. All delegations supported the Executive Director's proposal to convene two parallel meetings of experts to revise the draft protocol. Furthermore, many delegations expressed the view that an additional meeting of experts would probably need to be held later in 1979 if Governments and the EEC were to reach an appropriate stage in their negotiations for the convening of a diplomatic conference at which the final protocol would be adopted. Consequently, it was recommended that appropriate provisions should be made in the 1979 budget for an additional meeting of experts concerning the draft protocol on land-based sources of pollution.

Pollution from ships in the Mediterranean Sea area

55. The Meeting noted that priority should be given to the application of measures aimed at the prevention of shipping accidents, such as traffic separation schemes and ship standards. In that respect, the Meeting adopted the recommendation set forth in paragraph 32 of annex V to this report.
56. With regard to section III.B of the Mediterranean Action Plan concerning pollution due to the operation of ships, and in particular the 1973 International Convention on the Prevention of Pollution from Ships, and recommendation 36 of the 1978 Monaco Intergovernmental Review Meeting, the representative of the Inter-Governmental Maritime Consultative Organization (IMCO) presented a note submitted by IMCO on the Possible Designation of the Mediterranean Sea as a Special Area for Purposes of Annex II of the International Convention for the Protection of Pollution from Ships, 1973 (UNEP/IG.14/INF.15). The Meeting noted its appreciation of the document prepared by IMCO and the importance of the prevention and control of pollution from ships through the relevant international agreements.

Specially protected areas

57. In introducing the Executive Director's proposals concerning the legal aspects of specially protected areas, the secretariat noted that although no background material on existing legislation and regional legal alternatives for the protection of marine and coastal areas had been prepared as requested in recommendation 34 of the Monaco Intergovernmental Review Meeting, progress had been achieved in other related, technical aspects of protected areas which would be discussed under agenda item 6.2. In the light of the technical background documentation which had been prepared for earlier meetings, or was under preparation, the Executive Director proposed that an intergovernmental meeting should be convened to advise on the feasibility of developing a protocol on specially protected marine and coastal areas and on related environmental management activities.
58. The Meeting gave general support to the proposal, and in that connection, the recommendation set forth in paragraph 33 of annex V was approved.
59. One delegation expressed concern at the proliferation of meetings and suggested that the question of legal aspects of specially protected areas could usefully be discussed by the meeting of experts to be convened in June 1979 with regard to the draft protocol on land-based sources of pollution. However, a large majority of delegations were of the opinion that the two issues should be discussed at separate meetings.

Pollution resulting from exploration and exploitation of the continental shelf and its subsoil

60. In accordance with recommendation 35 of the Monaco Intergovernmental Review Meeting, the representative of the International Juridical Organization (IJO) presented the report of the IJO/UNEP Meeting of Experts on Pollution of the Mediterranean Sea resulting from Exploration and Exploitation of the Seabed (UNEP/IG.14/INF.17). In introducing the report, the representative of the IJO stated that the results of the meeting of experts should have provided sufficient background on which to proceed with the preparations of guidelines for a protocol concerning that source of pollution. He informed the Meeting that, in the context of the meeting of experts, studies regarding civil liability, compensation for damages and the feasibility of establishing interstate guarantee funds had also been prepared and discussed by a working group of experts and that the work could serve as a useful input into future studies in related matters.
61. Several delegations pointed out that the IJO/UNEP meeting of technical and legal experts had produced concrete results and positive recommendations. Some delegations felt it was necessary to take immediate and specific action towards the drafting of guidelines for a protocol in that regard and particularly noted that the extent of offshore exploration and exploitation activities in the Mediterranean were increasing, while in most coastal States current control of safety standards and practices resided exclusively with the operators engaged in those activities. The Meeting expressed its appreciation of the work carried out by IJO and recognized its usefulness. In view of the importance and complexities of the problems in that area relative to the integrity of the Mediterranean Action Plan, it called upon the Executive Director of UNEP to explore the possibilities for advancement of the work during the biennium 1979-1980. The Meeting considered in that context the importance of developing information on the technical aspects, particularly safety measures, of exploration and exploitation of the marine subsoil and made particular reference to appropriate studies actually being carried out by the North Sea Coastal States.
62. In that connection, the Meeting adopted the recommendation set forth in paragraph 34 of annex V.

Mediterranean Inter-State Guarantee Fund and liability and compensation for damage resulting from the pollution of the marine environment

63. A study, which had been jointly prepared at the secretariat's request by two consultants, concerning a Mediterranean Inter-State Guarantee Fund and liability and compensation for damage resulting from the pollution of the marine environment (UNEP/IG.14/INF.16) was presented by one of the consultants. In presenting the study, the consultant

noted that existing international conventions did not seem to satisfy the specific needs of the Mediterranean States in that domain, and he recommended that a mechanism should be created which would ensure speedy and equitable compensation for damage from pollution of the marine environment. Consequently, he proposed that the Mediterranean States should consider adopting a separate protocol concerning liability and compensation and that the feasibility of creating an inter-state guarantee fund, or funds, should be studied by a committee of experts in co-operation with IJO, taking into account the work done by the UNEP consultants and the studies and results of the IJO/UNEP meeting of experts mentioned in paragraph 60.

64. The Meeting expressed its appreciation for the very comprehensive and extremely competent work that had been carried out by the UNEP consultants and noted the importance of the study and its conclusions to the future work of the Mediterranean States and the EEC concerning liability and compensation and a Mediterranean Inter-State Guarantee Fund.
65. The Meeting noted that while the issues raised in document UNEP/IG.14/INF.18 were very complex and difficult, they were nevertheless very important and merited further study by a committee of experts from the Mediterranean coastal States and the EEC. Therefore, it was recommended that such a committee should be established with the mandate set forth in recommendation 37 of the Monaco Intergovernmental Review Meeting, and that the Executive Director should be requested to convene the committee of experts in late 1979, if possible, or early 1980. In that regard, the Meeting adopted the recommendation set forth in paragraph 35 of annex V and expressed interest in having both the UNEP and IJC studies before the committee of experts to assist the committee in its work. The progress achieved by the committee of experts should be reported to the second meeting of the Contracting Parties in 1981.
66. One delegation noted that its Government retained its reservation in regard to resolution 4 of the Barcelona Conference of Plenipotentiaries, but expressed its Government's willingness to nominate an expert to participate in the committee. Another delegation again expressed its concern over the proliferation of expert groups and meetings.

Agenda item 6.4 : Institutional and financial arrangements

67. The Meeting took note of the activities undertaken by the Executive Director of UNEP with regard to institutional and financial arrangements based on the recommendations of the Intergovernmental Meetings in Barcelona (1975 and 1976), Split (1977) and Monaco (1978). It was noted that those activities were outlined in annex IV to the Executive Director's Report (UNEP/IG.14/4), the report regarding the

Establishment of a Mediterranean Trust Fund (UNEP/IG.14/7), and the budget proposals for the 1979-1980 biennium concerning the cost of activities of the Mediterranean Action Plan (UNEP/IG.14/8). On the basis of that material, and of the conclusions of informal consultations among heads of delegations, the Chairman submitted to the Meeting, for consideration, recommendations regarding the overall budget of the Action Plan for the 1979 - 1980 biennium, and the apportioning of the costs involved between Governments and the EEC, UNEP and other United Nations organizations.

68. During the discussion on the proposed Mediterranean Trust Fund, it became evident that if such a Trust Fund were to be administered by the Executive Director of UNEP, the Fund would be subject, to a certain degree, to the policies and rules of procedure as set out in the United Nations Secretary-General's Bulletin of 19 October 1978 (UNEP/IG.14/7, annex I). The two alternatives before the Meeting were therefore:

- (i) to establish the Trust Fund and request the Executive Director of UNEP to administer it in accordance with United Nations procedures; or
- (ii) to establish it under the responsibility of the Mediterranean States and the EEC themselves, in which case a specific mechanism, both for the actual establishment and for the practical co-ordination with UNEP as the secretariat, would have to be adopted by the Mediterranean States and the EEC.

69. In response to requests from various delegations for clarification on the issues involved, the representative of UNEP explained that:

- (i) UNEP could only agree to administer the Mediterranean Trust Fund in accordance with relevant financial rules and taking into account the Secretary-General's Bulletin;
- (ii) the Executive Director would do his best to keep the programme support costs indicated in the Bulletin at a minimum;
- (iii) UNEP's contribution to the secretariat costs would have to be reduced gradually to zero no later than the end of 1983, but that the reduction would not necessarily apply to UNEP's contribution to the programme costs.

70. The Meeting discussed the various alternatives involved which included:

- (i) the management of the Trust Fund by the Executive Director of UNEP either on a permanent or on a provisional basis;
- (ii) the management of the Trust Fund by an individual State, institution, international organization, or bank.

71. Following statements by several delegations as to the need for flexibility, economy, and overall efficiency in the administration of the Trust Fund, the Meeting agreed that:

- (i) a Mediterranean Regional Trust Fund for the Protection of the Mediterranean Sea against Pollution should be established. The contributions pledged by each Government to the Trust Fund for the 1979-1980 biennium and the scale according to which these contributions were pledged, are set forth in annex VIII to this report;
- (ii) the Contracting Parties should temporarily entrust the Executive Director of UNEP with the administration of the Mediterranean Trust Fund, on the understanding that he would utilize all possible means available to him to achieve maximum economy in such administration;
- (iii) the Executive Director of UNEP should thoroughly investigate, by means of suitable studies, the feasibility of the administration of the Trust Fund by organizations or bodies other than UNEP; and
- (iv) the mechanism would be reviewed at the next meeting of the Contracting Parties, at which time a decision could possibly be reached in the light of experience gained during the 1979-1980 biennium.

One delegation proposed that the Executive Director of UNEP should call upon all Governments that could afford to do so, to contribute voluntarily to the Trust Fund sums greater than those they had already pledged. The delegation said that its Government would immediately give serious consideration to contributing additional funds to the Trust Fund.

72. The Meeting discussed the Draft Terms of Reference for the administration of the Mediterranean Trust Fund, as proposed by the Executive Director in annex II to document UNEP/IG.14/7. In the light of oral and written amendments made by several delegations, an amended text was agreed on. The agreed text is reproduced as annex IX to this report. The delegation of Lebanon specified that it approved the financial terms of reference and the rules of procedure provided that it was well understood that financial matters would fall solely within the competence of the ordinary or extraordinary sessions of the Contracting Parties.

73. The Meeting discussed the future location of the Co-ordinating Unit for the Mediterranean Action Plan. The representatives of Greece, Lebanon, Monaco and Spain all confirmed their previous offers to host the Unit, and amplified, both by written and/or oral statements, on their previous statements regarding facilities and related contributions. During the debate, most delegations expressed the viewpoint that they were not currently in a position to express a definite preference for any particular locality and the Meeting finally agreed that:

- (i) the permanent Co-ordinating Unit for the Mediterranean Action Plan should eventually be located in a Mediterranean State;
- (ii) at their next ordinary meeting, the Contracting Parties should take a final decision with respect to the city in which the Co-ordinating Unit would be located, and in case of no consensus being reached, then the location would need to be decided by vote;
- (iii) as a provisional measure, the Co-ordinating Unit should remain in Geneva.

74. It was also agreed that until the next meeting of the Contracting Parties, any other State wishing to make an offer to host the Co-ordinating Unit would be welcome to do so. This should by no means defer the final decision to be taken at the next ordinary meeting of the Contracting Parties.
75. The Meeting also considered the future need for the office of the interim secretariat that had been established in Madrid to assist liaison between the Government of Spain, UNEP, and the Governments of the Region on matters related to the ratification and entry into force of the Barcelona Convention. The delegation of Spain suggested that the office was no longer necessary as it had fulfilled its role. The Meeting agreed that the office should be closed. In so doing, delegations and the secretariat expressed their deep gratitude to the Government of Spain for its generosity and support in hosting the office for the preceding three years.
76. In considering the budget for the 1979-1980 biennium, the Meeting took note of the facts that the overall programme of activities would have to be reduced to conform with the differences in the financial resources currently available, and that those financial resources would also have to cover the costs of the Mediterranean Trust Fund's administration. It was agreed that levels of reduction in the various parts of the programme should be decided on by the Meeting, rather than request the secretariat of UNEP to effect reductions in line with the various trends and remarks made during the Meeting both in Plenary and in the Committees.
77. During the general debate on the budget, various methods of effecting the necessary reductions were proposed by delegations. They included:
- (i) effecting reductions in, including in some cases the elimination of, specific projects;
 - (ii) continuing with the Action Plan on the level of activities already under way and not introducing proposed new projects; and
 - (iii) effecting percentage reductions at sectional rather than specific project level, and then distributing such reductions in the most rational manner between the projects in question.

78. Throughout the debate, the importance of keeping administrative costs to a minimum was stressed by all delegations. In that context, the representative of UNEP assured the Meeting that all possible efforts to achieve that would be made.
79. It was agreed that in order to present the secretariat with clear and concrete indications as to where reductions should be made, the various items should be discussed and agreed on specifically. After reviewing all possible items where reductions should be effected in order to cover the shortfall of approximately 1.15 million dollars vis-à-vis the budget originally proposed, the Meeting had an extensive debate during which various opinions were expressed by delegations both on the particular items they considered could be reduced, and on the quantum of reduction. In some cases, opposition to certain projects was of a substantial as well as of a financial nature. It was agreed that substantial savings on section I could be effected by suppression of MED POL VIII, XII and XIII, by a reduction in chapter X (environmental quality criteria), and by a reduction in chapter IX (Regional Oil Combating Centre). In section II, a substantial reduction could be effected in chapter I (the Blue Plan). It was similarly agreed that no significant reductions could be made in the other parts of the programme. A revised budget as finally agreed to by the Meeting is attached as annex X to this report. A breakdown of proposed cash expenditures is attached as annex XI. It was agreed by the Meeting that though the budget still represented a shortfall, it could be made good by economies effected throughout the programme by the timing of its implementation.
80. In discussing the budget of the Regional Oil Combating Centre, several delegations suggested that the reduction effected could be offset by the provision of expert services by IMCO as the co-operating agency entrusted with the operation of the Centre. In that context, the representative of UNEP reminded the Meeting that according to resolution 7 of the 1976 Barcelona Conference, it was understood that the exercise of functions and responsibilities by IMCO in connection with the Centre should not lead to an increase in IMCO's budget.
81. With regard to UNEP's contribution to the budget, and in particular to the secretariat costs (co-ordination and meeting costs), one delegation suggested that the Executive Director should, by giving a broad interpretation to decision 6/7B adopted by the Governing Council at its sixth session, reduce UNEP's contribution to the secretariat costs according to the following scheme:
- 25% of the secretariat costs in 1979-1980
 - 20% of the secretariat costs in 1981
 - 15% of the secretariat costs in 1982
 - 10% of the secretariat costs in 1983
 - 0% of the secretariat costs in 1984

The scheme was offered as an alternative to that proposed by the Executive Director in paragraph 96 of UNEP/IG.14/8.

82. As to UNEP's contribution to the programme costs of the Mediterranean Action Plan, the Meeting adopted the resolution attached as annex XII to this report, inviting the Executive Director to maintain UNEP's contribution in the future at the same level as that foreseen in 1979.
83. The representative of UNEP welcomed the adoption of the resolution. In so doing, he drew the attention of the Meeting to the fact that the level of support pledged by UNEP was in direct correlation to the funds to be committed by Governments as outlined in annex X. Currently, that sum differed from the amount already committed by UNEP in 1979. The representative of UNEP stressed that any funds forthcoming from UNEP in excess of 25 per cent of the total budget should be seen as an advance made towards the costs of the Mediterranean Action Plan which would need to be refunded to the Fund of UNEP once the Mediterranean Trust Fund was approved by the UNEP Governing Council at its next session in April. With regard to UNEP's future contribution to the programme costs after 1979, the representative of UNEP pointed out that the level of funding would be dependent upon the financial resources made available to the Environment Fund of UNEP.
84. The Meeting then discussed two draft resolutions, one presented by the delegations of France, Italy and Spain (UNEP/IG.14/CRP.9) to create an expanded bureau, and the other by the delegations of Algeria, Cyprus, Libyan Arab Jamahiriya, Malta, Morocco, Tunisia, Turkey and Yugoslavia (UNEP/IG.14/CRP.12) for the convening of one short (2-3 day) intergovernmental meeting to review the progress of the Mediterranean Action Plan, including its budgetary implications. After discussion, the latter resolution, which is attached in its finally agreed form as annex XIII to this report, was adopted. The delegation of Spain's offer to host the intergovernmental meeting in Barcelona was accepted with appreciation by the Meeting. It was agreed that the resolution concerning an expanded bureau would be considered further at the intergovernmental meeting.
85. The Meeting accepted with appreciation the formal offer made by the delegate of Greece to host the Diplomatic Conference of Mediterranean States concerning the Protocol on Land-Based Sources of Pollution, scheduled for 1980, and likewise noted the generous offer, also by the delegate of Greece, to host the intergovernmental meeting on Mediterranean Specially Protected Areas, scheduled for October 1979. The Meeting also welcomed the confirmation of its offer by the delegate of France to host the second meeting of the Contracting Parties to the Barcelona Convention and its related protocols in 1981.

Agenda item 7 : Other business

86. Mr. P. C. Terenzio, Secretary-General of the Inter-Parliamentary Union (IPU) informed the Meeting of the activities of his organization with regard to protection of the Mediterranean environment. In particular,

he drew the Meeting's attention to the conclusions of IPU's "Sub-Committee for the Study of the Means to Control the Pollution of the Mediterranean Sea" which met in Athens from 9 to 10 October 1979 and to the many recommendations of the sub-committee which were directly related to the Mediterranean Action Plan. Mr. Terenzio offered the Meeting IPU's full support in assisting the attainment of the objectives of the Mediterranean Action Plan through the work of its sub-committee on the control of pollution of the Mediterranean Sea.

87. Under the same agenda item, several delegations put forward suggestions concerned with the staffing of the co-ordination unit responsible within UNEP for the Mediterranean Action Plan. Among other things, one delegation expressed the wish that the international personnel located at present in Madrid should be integrated into the co-ordination unit to be located on an interim basis in Geneva.
88. The representative of UNEP drew the Meeting's attention to paragraphs 34 and 35 of document UNEP/IG.14/8 which elaborated upon the personnel requirements of the unit in 1979 while it was to be located in Geneva. He noted that those requirements would need to be reviewed in 1980 in the light of the overall staff requirements of UNEP. One delegation requested that the staffing of the co-ordination unit for the Mediterranean Action Plan should be discussed at the intergovernmental meeting in 1980. The Meeting agreed that flexibility should be maintained in all aspects of the programme, and it called upon the Executive Director to economize on administrative costs.
89. Furthermore, the Meeting agreed that in order to increase the participation of the Mediterranean coastal States in the programme, experts should be sought, to the extent possible, from the Mediterranean States themselves. Also, the secretariat was requested to put at the disposal of Governments a list of experts employed, the work undertaken by each expert, and the costs of their services.

Agenda item 8 : Adoption of the report

90. The Meeting adopted its report on agenda item 6.4 and the recommendations of the Committees on agenda items 6.1, 6.2 and 6.3 for inclusion in the final report. It was agreed that delegations were invited to submit comments and suggestions on the report to the secretariat by 24 February 1979. The Meeting agreed that thereafter the report should be approved by the Bureau before being issued in its final form.

Agenda item 9 : Closure of the Meeting

91. The Meeting was closed by the President on 10 February 1979 at 18.30 hours.

ANNEX I

LIST OF DOCUMENTS BEFORE THE MEETING

A. Working Documents (available in Arabic, English, French and Spanish)

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| UNEP/IG.14/1 | Agenda |
| UNEP/IG.14/2 | Annotated Agenda |
| UNEP/IG.14/3 | Draft Rules of Procedure |
| UNEP/IG.14/4,
UNEP/IG.14/4/Corr.1 | Report of the Executive Director on the Implementation of the Mediterranean Action Plan for the period 1975 until December 1978 and recommendations for activities during the 1979-1980 biennium |
| UNEP/IG.14/5 | Proposal for procedures to be followed and definitions required for implementation of the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft |
| UNEP/IG.14/6 | Note on Incineration at Sea in relation to the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft |
| UNEP/IG.14/7 | Executive Director's report on the establishment of a Mediterranean Regional Trust Fund for the Protection of the Mediterranean Sea against Pollution |
| UNEP/IG.14/8,
UNEP/IG.14/8/Corr.1,
UNEP/IG.14/8/Add.1
UNEP/IG.14/8/Add.2 | Executive Director's budget proposals for 1979-1980 biennium concerning the costs of activities of the Mediterranean Action Plan |

B. Information Documents

- UNEP/IG.14/INF.1/Rev.1 List of documents (Arabic, English, French and Spanish)
- UNEP/IG.14/INF.2 List of participants (Trilingual)
- UNEP/IG.14/INF.3 Co-ordinated Mediterranean Pollution Monitoring and Research Programme (MED POL). Programme description (English and French)
- UNEP/IG.14/INF.4 Co-ordinated Mediterranean Pollution Monitoring and Research Programme (MED POL). Administrative report: February 1975 - September 1978 (English and French)
- UNEP/IG.14/INF.5 Not issued
- UNEP/IG.14/INF.6 Co-ordinated Mediterranean Pollution Monitoring and Research Programme (MED POL). Reference methods for pollution studies (English only)
- UNEP/IG.14/INF.7 Proceedings of ICSM/UNEP Joint Workshop on Pollution of the Mediterranean (Antalya, 24 - 27 November 1978) (Bilingual: One copy per delegation)
- UNEP/IG.14/INF.8 Selected bibliography on the pollution of the Mediterranean Sea (Bilingual)
- UNEP/IG.14/INF.9 Report of the Expert Consultation on Aquaculture Development in the Mediterranean Region (Athens, 14 - 18 March 1978) (English and French)
- UNEP/IG.14/INF.10 Report of the Meeting of Experts on Fresh Water Resources Management in the Mediterranean Region (Cannes, 25 - 29 April 1978) (English and French)
- UNEP/IG.14/INF.11 Report of the Meeting of Government Experts for Developing a Co-operative Programme on the Practical Applications of Renewable Sources of Energy in the Mediterranean Region (Malta, 9 - 13 October 1978) (English and French)
- UNEP/IG.14/INF.12 Report on the activities of the Regional Oil Combating Centre in Malta (English and French)
- UNEP/IG.14/INF.13 Report of the Workshop on Oil Pollution Contingency Planning for the Mediterranean Sea (Malta, 4 - 7 September 1978) (English and French)
- UNEP/IG.14/INF.14 Not issued

- UNEP/IG.14/INF.15 Note on the Possible Designation of the Mediterranean Sea as a Special Area for the Purposes of Annex II of the International Convention for the Protection of Pollution from Ships, 1973 (English and French)
- UNEP/IG.14/INF.16 Report of the Meeting of Experts on a Mediterranean Regional Trust Fund and other Institutional and Financial Matters (Geneva, 18 - 22 September 1978) (English and French)
- UNEP/IG.14/INF.17 Report of IJO/UNEP Meeting of Experts on Pollution of the Mediterranean Sea resulting from Exploration and Exploitation of the Seabed (English and French)
- UNEP/IG.14/INF.18 Study concerning Mediterranean Inter-state Guarantee Fund and Liability and Compensation for damage resulting from the pollution of the marine environment (English and French)
- UNEP/IG.14/INF.19 List of UNEP publications and documents concerning the Mediterranean Action Plan (Arabic, English, French and Spanish)
- UNEP/IG.14/INF.20 Proposals for the Development of Co-operative Regional Activities in the Field of Human Settlements and Tourism and for Soil Protection (English only)
- UNEP/IG.14/INF.21 IAFA Revised Definition and Recommendations concerning Radioactive Wastes and other Radioactive Matter relevant to the Barcelona Protocol on Dumping (English, French and Spanish)
- UNEP/IG.14/INF.22 Comments submitted by United Nations Office of Legal Affairs concerning Draft Rules of Procedure for Meetings and Conferences of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution (English only)
- UNEP/IG.14/INF.23 Preliminary draft Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources: Comments on the inventory of areas of disagreement (English and French)
- UNEP/IG.14/INF.24 Data Profiles for Chemicals for the Evaluation of their Hazards to the Environment of the Mediterranean Sea (English only: One copy per delegation)
- UNEP/IG.14/INF.25 Report on Meeting of the Blue Plan Focal Points (Geneva, 1 - 2 February 1979) (English and French)
- UNEP/IG.14/INF.26 Information concerning the Priority Actions Programme (English only)

- UNEP/IG.14/INF.27 Some precedents concerning participation of United Nations bodies and Specialized Agencies (Note by the Food and Agriculture Organization of the United Nations) (English and French)
- UNEP/IG.14/INF.28 Dissolved and Dispersed Hydrocarbons in the Eastern Mediterranean Sea (English only)
- UNEP/IG.14/INF.29 The Role of the Regional Oil Combating Centre for the Mediterranean Sea (English and French)
- UNEP/IG.14/INF.30 Draft project proposal for the functioning of Marmaris Solar Energy Research Centre as a specific regional R + D centre for the practical utilization of solar energy in the Mediterranean region (English only)

ANNEX II

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ANNEX III

A G E N D A

1. Opening of the meeting
2. Rules of procedure
3. Election of officers
4. Adoption of the agenda
5. Organization of work
6. Report of the Executive Director on the implementation of the Mediterranean Action Plan and recommendations for activities to be undertaken during 1979/1980 biennium
 - 6.1 Environmental assessment
 - (a) Co-ordinated Mediterranean Pollution Monitoring and Research Programme (MED POL)
 - (b) Development of environmental quality criteria
 - (c) Modelling
 - 6.2 Environmental management
 - (a) Blue Plan
 - (b) Priority Actions Programme
 - (c) Other matters

6.3 Environmental legislation

- (a) Matters arising from the Convention for the Protection of the Mediterranean Sea against Pollution
- (b) Matters arising from the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft
- (c) Matters arising from the Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency, including the Regional Oil Combating Centre
- (d) Other matters

6.4 Institutional and financial arrangements

- (a) Budget of the Mediterranean Action Plan for the 1979/1980 biennium
- (b) Establishment of the Mediterranean Regional Trust Fund

7. Other business

8. Adoption of the report

9. Closure of the meeting

ANNEX IV

ADDRESS OF DR. M. K. TOLBA, EXECUTIVE DIRECTOR OF UNEP TO
THE INTERGOVERNMENTAL REVIEW MEETING OF MEDITERRANEAN
COASTAL STATES AND FIRST MEETING OF THE CONTRACTING PARTIES
TO THE CONVENTION FOR THE PROTECTION OF THE MEDITERRANEAN
SEA AGAINST POLLUTION AND ITS RELATED PROTOCOLS, GENEVA.
5-10 FEBRUARY 1979, AS INTRODUCTION TO AGENDA ITEM 6,
"REPORT OF THE EXECUTIVE DIRECTOR ON THE IMPLEMENTATION OF
THE MEDITERRANEAN ACTION PLAN AND RECOMMENDATIONS FOR
ACTIVITIES TO BE UNDERTAKEN DURING 1979/1980 BIENNIUM".

GENEVA, 5 - 10 FEBRUARY 1979

Mr. Chairman, Distinguished Delegates and observers, ladies and gentlemen:

It gives me great pleasure to introduce to you my report on the progress achieved since the Mediterranean Action Plan was adopted by the first Intergovernmental Meeting of Mediterranean Coastal States in Barcelona in February 1975. The report is presented to you in Document UNEP/IG.14/4.

May I first say, Mr. Chairman, how much we in UNEP, and I am sure in all our sister agencies of the United Nations system, are all indebted to you for assuming the important responsibilities of presiding over this Meeting. We have every confidence that your leadership will lead to successful and constructive deliberations in this Meeting. I would also like to congratulate the members of your Bureau on their election to their important offices. I am confident that they will be of great help to you in your task of leading the meeting.

Mr. Chairman. In document UNEP/IG.14/4 I have tried to present you with a comprehensive overview of the progress achieved in the different components of the Action Plan and recommendations for activities to be initiated, continued or completed in the 1979/1980 biennium.

In addition to the main body of my report, which sets forth a general review of the entire programme and a limited number of general recommendations. I would like to draw your attention to the four annexes which contain a more detailed presentation of the work implemented and specific proposals for future action under each chapter of the Action Plan. These annexes will have to be discussed in the two Committees that you have earlier agreed to convene, and I sincerely hope that they will provide a satisfactory basis for the recommendations to be proposed by the Committees.

Since you first met to discuss the Mediterranean's environment in 1975, a great deal of work has been undertaken in all the substantive components of the Action Plan: scientific; legal; and integrated planning. I would like briefly to highlight the main achievements made in each sector.

In the scientific area which was essentially geared to environmental assessment, the seven pilot projects which were identified at Barcelona in 1975 have been initiated. Eighty-three institutions from sixteen Mediterranean States and the European Economic Community are at present collaborating with UNEP, the Food and Agriculture Organization, the Intergovernmental Oceanographic Commission of UNESCO, the World Health Organization, the World Meteorological Organization and the International Atomic Energy Agency in executing the seven projects. In order to ensure the full participation of all nominated institutions, UNEP has provided for training and equipment, where needed, and a common maintenance service for analytical instruments, and has organized a permanent intercalibration of analytical techniques.

As the seven pilot projects were developed, it became clear that it was possible, and would be beneficial, to increase the scope of the work undertaken as part of the environmental assessment chapter of the Action Plan. Thus, with the assistance of UNESCO, WHO, IAEA, UNIDO, FAO and ECE, other projects were carried out, including:

- study of the role of sedimentation in pollution of the Mediterranean;
- monitoring of pollution in Mediterranean open waters; and
- assessment of pollutants from land-based sources.

Initial results of these projects were reviewed at a mid-term meeting convened in Monaco in July 1977. The recommendations for future activities that you adopted last year at the Monaco Intergovernmental Review Meeting in January 1978 were based on the advice put forth by Mediterranean scientists at that mid-term review meeting.

Most recently, scientists gathered again at a Workshop jointly sponsored by UNEP and the International Commission for Scientific Exploration of the Mediterranean, this time in Antalya, Turkey, in November 1978, to review the wealth of scientific results that have emerged from their collaboration in these projects, commonly known as the Co-ordinated Mediterranean Pollution Monitoring and Research Programme (MED POL). The proceedings of this meeting are before you in document UNEP/IG.14/INF.7.

The results from all these activities are serving as the basis for the preparation of a comprehensive document on the State of the Environment in the Mediterranean. The complete report should be available by the end of 1979 or early 1980.

The results obtained up to now show that the most important sources of pollution are located in the north-western part of the European coast and along the big rivers flowing into the Mediterranean, although significant point-sources can be found in many other parts of the Mediterranean too. The amounts of pollutants reaching the sea are very considerable, exceeding

in many cases the "natural input" of these substances into the sea. Their concentration in the sea-water, sediments and marine life is often significantly increased. The coastline of the Mediterranean Sea is evidently quite polluted by oil and its derivatives. Eutrophication is evident in some coastal zones and recreational use of previously safe areas is becoming a risky venture. Levels of pesticides and metals in marine organisms have risen. Scientific evidence is available that demonstrates that the sea is polluted; its pollution affects those who use it, and urgent action is needed to stop further damage. The Convention and its protocols should provide the legal framework for this action.

Within the legal section of the Action Plan, an outstanding event was marked by the Conference of Plenipotentiaries, hosted by the Government of Spain, in Barcelona in February 1976. As you are all aware, that Conference adopted a framework Convention for the Protection of the Mediterranean Sea and two protocols: one on dumping and one on co-operation in pollution emergencies.

I am sure that you will allow me to share in your sense of pride that these legal instruments entered into force on 12 February 1978, just two years after they were adopted, and that at present twelve States and the European Economic Community have completed the process of ratification to the Convention and at least one protocol.

As requested by the Barcelona Conference of Plenipotentiaries, work has continued on the development of a protocol to control pollution from land-based sources. Nearly all of your Governments have participated in the first and second intergovernmental consultations, hosted by the Governments of Greece and Italy respectively, in 1977 and in negotiations held during the Monaco meeting last year.

During the deliberations of the Monaco meeting, it became clear that many questions still needed to be resolved before a consensus could be reached on the text of a final protocol. As an attempt to assist you in your future work on the protocol, we have undertaken with WHO to prepare additional legal and technical background material concerning land-based sources of pollution in the Mediterranean. You may wish to consider that this new documentation be reviewed by your experts at two parallel meetings - one for technical experts and the other for juridical experts - in an effort to make significant progress in your negotiations. I am certain that all Governments share our hope that a final text of a protocol on this subject be adopted in the near future.

Some preliminary legal work has also been carried out with regard to exploration and exploitation of the continental shelf and the seabed and its subsoil in the Mediterranean by the International Juridical Organization (IJO) with the support of UNEP. The IJO convened a meeting of experts in Rome in December 1978 to define the environmental problems which

may arise from offshore exploration and exploitation activities and to propose possible legal actions - both national and regional - to prevent and remedy these problems. The report, including recommendations, of the experts meeting is before you as document UNEP/IG.14/INF.17 and should assist you in deciding what future work may be carried out in this field.

The Secretariat has also had prepared, in accordance with Resolution 4 of the Barcelona Conference of Plenipotentiaries and the Recommendations of last year's Monaco meeting, a study examining the various issues concerned with an Inter-State Guarantee Fund and liability and compensation for damage resulting from pollution of the Mediterranean. This study could provide a useful basis for the work of a committee of experts on an Inter-State Guarantee Fund as foreseen in Resolution 4 of the Barcelona Conference of Plenipotentiaries if you decide during this week to go ahead with the establishment of such a committee.

The integrated planning component of the Action Plan has also been elaborated in close harmony with the legal and scientific aspects. Under this component, activities aimed at achieving environmentally-sound socio-economic development throughout the region were initiated or supported. At the intergovernmental meeting hosted by the Government of Yugoslavia in Split in 1977, you approved the development of two major programmes within the socio-economic field: the Blue Plan and the Priority Actions Programme. Progress achieved in their implementation is presented in detail in Annex II of my report.

As to the Blue Plan, just last Thursday and Friday a meeting of its focal points was convened here in Geneva to discuss the content of, and mechanism for, the implementation of the first phase of the Blue Plan and the relationship of this activity with other components of the Action Plan. I am sure the deliberations of this meeting will be reported to you when discussing the Blue Plan later this week.

The Priority Actions Programme (PAP) addresses itself to the concrete implementation of sound environmental management practices in selected sectors using knowledge and experience available in the region. At the Split meeting, six priority areas requiring immediate action were identified. Several specific projects have already been defined and steps taken towards their implementation. These include expert meetings concerned with marine living resources, freshwater resources and alternative sources of energy in Athens, Cannes, and Malta, respectively, and the development of potential co-operative programmes in these fields. You will be discussing in detail these programmes, as well as proposals to launch additional PAP activities, during the course of this meeting.

In addition, a co-operative framework has been created through which UNDP and UNEP may give coherent support to those activities of the PAP of mutual interest to both organizations. This framework consists of a small programme unit, working alongside my staff, which is responsible for overseeing activities in areas wherein UNDP is, or may be, prepared to

support financially specific, goal-oriented co-operative activities among the Mediterranean coastal States. We are all indebted to UNDP for the strong support they have provided to date, and we look forward to their future collaboration.

It is also important to note that the Regional Oil Combating Centre was inaugurated in December 1976 in Malta with the Intergovernmental Maritime Consultative Organization assuming responsibility for its technical operation. This centre has successfully established links with the relevant national authorities, and the first national contingency plans are being developed. Last September, the centre convened a workshop on contingency planning, and both the report of the workshop and a progress report of the work carried out by the Centre are before you.

I began by stating that I was pleased to be able to report to this important meeting on the progress achieved under the Mediterranean Action Plan. I believe that this quick review will show that I have a sound basis on which to derive this satisfaction. A great deal of important and exemplary work has been done in the last four years. I must congratulate you, the Mediterranean Governments, for these achievements since ultimately all activities rest on your guidance, co-operation, and active participation in the programme. I must also thank again the United Nations Specialized Agencies and other bodies who have so competently worked with us to serve you.

At Barcelona in 1975, when you first agreed upon this programme, you also expressed your wish as to how the institutional and financial infrastructure for these activities should be shaped. As Executive Director of UNEP, I was called upon to allocate minimal amounts of available funds for staffing and other administrative costs, and to establish simple co-ordinating mechanisms which use existing international organizations and co-ordinating bodies and which would deal with national institutions through the appropriate national authorities. This has been done to the best of our abilities. National institutions have been called upon to participate fully in the programme, and training and support have been provided where necessary to increase their ability to act effectively.

Further to organizing and reinforcing national institutions, I have initiated several other institutional arrangements. Thus, in addition to the Oil Combating Centre in Malta which I have mentioned earlier, a small unit within UNEP was named responsible for co-ordinating the entire programme, and, until now, this unit has been located in Geneva. An office of the interim Secretariat for the Barcelona Convention was opened in Madrid, through the generous support and participation of the Spanish Government, to serve as a liaison between the Government of Spain as Depositary and UNEP in matters related to ratification and entry into force of the Convention. Within the framework of the environmental assessment activities, seven national institutions have been selected to assist UNEP and the relevant co-operating Specialized Agencies to co-ordinate the work of the seven pilot projects as MED POL Regional Activity Centres. The IAEA

Laboratory in Monaco has played a regional role in carrying out intercalibration exercises and in providing common maintenance services for the analytical instruments used by national institutions. Regional Activity Centres have also been named for the Blue Plan and the PAP in Cannes and Split, respectively.

The Action Plan was adopted by the Governments of the Mediterranean region, and at the request of these Governments, its implementation has been overseen by UNEP. Until now, UNEP has attempted to assume this responsibility fully and effectively. However, recognizing UNEP's catalytic role and its limited resources, I must again stress the need to shift more substantive and financial responsibility to Governments.

As was discussed a year ago in Monaco, it has always been my intention that this meeting agree upon the future Mediterranean work programme and the means for sharing the costs of financing this programme.

Document IG.14/4 contains detailed recommendations for the work programme that I am proposing for consideration for the 1979/1980 biennium. In addition, document IG.14/8 sets forth the budgetary implications of each proposed activity. The first task before you this week will be to decide upon which of these activities you, the Governments, would like to see carried out in the next two years, in which priority, and according to what timetable.

Your second major task will be to agree upon the mechanism to be adopted for financing the agreed programme. In order to assist you in reaching agreement on this admittedly difficult issue, I convened a meeting of Government-nominated experts in Geneva last September to advise me on the various financial aspects of the Mediterranean Action Plan. The report of this meeting is before you as document UNEP/IG.14/INF.16. After reviewing the advice of the experts, and in close consultation with the UN Headquarters in New York, we have prepared document UNEP/IG.14/7 concerning the establishment of a Mediterranean Regional Trust Fund.

In this respect, it is essential for you and for us to know the financial level at which the programme should proceed. A multidisciplinary programme in an area such as the Mediterranean can not be done at a low cost. Table 5 of document 8 clearly shows that over nine and one half million dollars have been spent or committed to the programme so far. The costs proposed in document 8 represent, from our point of view in UNEP, the estimated essential costs which cannot be compressed much further without upsetting the programme balance.

Regarding the financial arrangements, there are two separate issues: how are the costs to be allocated? and how are they to be collected and administered?

Previously, there was agreement on the overall apportionment of the budget as 50% to Governments, 25% to UNEP, and 25% to other international organizations. As for these other organizations, it is important that you recognize that with the exception of UNDP, the co-operating organizations

have made it clear that they are not in a position to make cash commitments to the Mediterranean programme. However, they stand ready to continue to provide support in services and kind on a level at least equivalent to their past contributions. The monetary value of these past contributions has been estimated in Table 5 of document 8, and I am sure that you will all agree with me that these contributions have provided a very substantial input into the programme.

For UNEP's part, as I informed your Governments by a letter dated 7 November, I am prepared to contribute as close as possible to the proposed twenty-five per cent of the budget that you will approve here this week for 1979. This contribution will be roughly divided into two parts:

- (i) 25 per cent of the co-ordinating and meeting costs:
and
- (ii) 25 per cent of the programme costs.

For the years following 1979 it will be necessary to reduce gradually UNEP's contribution to the secretariat costs as called for by the Governing Council in decision 6/7B. This would apply to UNEP's contribution to the co-ordinating and meeting costs. My proposal as to how to fulfil the Governing Council's wishes is before you in paragraph 96 of document 8.

As to UNEP's contribution to the programme costs beyond 1979, this will depend on the availability of resources to the Fund of UNEP and decisions of the Governing Council at its next session in April on the apportionment of the Fund Programme.

With regard to the sharing among Governments of their cash contribution to the programme, the experts who met last September reviewed numerous formulas, but in the end could not agree on any single alternative. Two of the possibilities reviewed by the experts have been reproduced in document 7, with a view towards providing a basis for your search for a solution this week.

The second main issue which needs to be addressed under what I called the financial arrangements - is, how is the budget going to be approved and administered? Who will have the authority to commit funds?

At Monaco you endorsed last year the principle of a separate trust fund to ensure the harmonious development and effective co-ordination of jointly-agreed activities.

In my view, there are two possible ways of setting up such a separate trust fund.

One would be to establish a fund outside the framework of UNEP, as a joint initiative of Governments, with perhaps one Government entrusted with the custody and disbursement of funds. These funds could then become

Government counterpart contributions to specific projects of the Mediterranean programme as foreseen by Article IV of the Financial Rules of the Fund of UNEP.

The other possibility would be the establishment of a Mediterranean regional trust fund within the framework of the Fund of UNEP. In that case the United Nations Financial Rules and Regulations will have to be applied. As part of its secretariat responsibilities, UNEP may be responsible for administering and accounting for your fund. Under a new instruction issued by the Secretary-General of the United Nations last October, reproduced as Annex 1 to document 7, this arrangement would involve the payment of Programme Support Costs. However, I hope to have these costs reduced in the light of administrative costs already being borne by the Fund of UNEP. If you were to decide to adopt this possibility, I would transmit your decision to the Governing Council of UNEP at its seventh session in April for their approval and then to the Secretary-General of the United Nations for appropriate action.

It is my firm expectation that delegations will commit their Governments to a collective trust fund this week and that respective national budgetary processes will be immediately triggered in time for resources to be forthcoming in 1979.

In short, with regard to financial arrangements, I am requesting you to decide (i) on the programme budget; (ii) on the apportionment of costs; and (iii) on the type of trust fund mechanism you wish to establish.

Directly linked to the financial question is the issue of the institutional arrangements that should be made in the future. At Monaco, you decided that, and here I quote recommendation 42 of the Monaco meeting:

"For reasons of administrative and operational efficiency, and taking into account the use of the Mediterranean programme as a model for UNEP's work in the global regional seas programme, the Executive Director will maintain the staff responsible for all main components of the Mediterranean Action Plan in a single secretariat at Geneva on an interim basis. Since the Governments (and I am still quoting recommendation 42 of the Monaco meeting) convened in Monaco were not able to take a decision on the future location of the final headquarters of this co-ordination centre of the Mediterranean Action Plan, the Governments of Greece, Lebanon, Monaco and Spain repeated their offers to host this co-ordination centre on their territories; it being considered, inter alia, that the centre may most appropriately be situated in one of the countries of the Mediterranean Basin. Any other Governments wishing to make proposals to host the centre were invited to submit their offers to UNEP".

Details concerning the various offers to host the co-ordinating unit are contained in document UNEP/IG.14/8. I wish to take this opportunity to express our deep gratitude to the delegations of Greece, Lebanon, Monaco and Spain, and through them to their Governments, for their generosity. I believe that you will wish to take a final decision on this matter at this meeting.

Mr. Chairman, distinguished delegates, to sum up, let me clearly state that I would like the meeting to conclude with a report which sets forth specific, concrete decisions on the work programme that you wish to see carried out in 1979 and 1980 and on the future financial and institutional arrangements. These recommendations may be divided into five parts.

Part I could contain General Policy principles and my own suggestions of what these should include are contained in paragraphs 66 to 72 of the progress report. I would like your views on these paragraphs during the course of the general debate on item 6, since the work of the Committees will be closely linked to your views on the general policy principles.

The second part of the recommendations should deal with agenda item 6.1. environmental assessment, and my proposals are contained in paragraphs 24 to 33 of Annex I.

Integrated planning should be addressed by the third section of the recommendations, and delegates are invited to refer to paragraphs 37 through 48 of Annex II to find my ideas on this subject.

The fourth part of the meeting's conclusions could deal with the legal aspects of the future programme. My proposals in this regard can be found in paragraphs 64 to 70 of Annex III.

After the recommendations concerning the future work programme have been agreed to, I would suggest that you then proceed to the clear formulation of your joint proposals for the institutional and financial means by which these activities should be carried out. This can obviously only be done after you have completed your debate on the substantive aspects of the future programme in the Committees. I have placed before you in Annex IV of document 4 and in documents 7 and 8 various considerations and alternatives which I sincerely hope will help you in reaching your decisions. However, I would like to stress several factors that I would suggest are essential:

- (i) the small staff responsible for the co-ordination of all main components of the Action Plan would be most profitably used if centralized in a single unit, located in one suitable place;
- (ii) the programme should be regionally self-sufficient with each coastal State assuming a just share of the substantive and financial responsibility; and

- (iii) UNEP, while continuing to assume its role as Secretariat of the Convention and in the implementation of the Action Plan, should decrease its financial participation in Secretariat functions to the level outlined in document 7, and which is formulated in line with the decision of the Governing Council at its Sixth Session.

In every major human undertaking there are two essential ingredients: imagination and determination, and one without the other is of no consequence. At Barcelona and subsequent meetings you have shown great vision and imagination and you have been widely praised for it. Now is the time to show that determination is not lacking to place the programme on a solid footing and ensure that its benefits will be achieved.

I wish you the fullest success in your deliberations, and I pledge you UNEP's total commitment to the goals and purposes which have brought us together here.

ANNEX V

RECOMMENDATIONS

CONCERNING THE MEDITERRANEAN ACTION PLAN FOR ACTIVITIES

TO BE DEVELOPED IN THE 1979-1980 BIENNIUM

Environmental Assessment

1. The seven pilot projects on pollution monitoring and research (MED I - MED VII) are designated to lead to the establishment of a long-term pollution monitoring and research programme. During the 1979 - 1980 biennium, such a programme should be formulated in consultation with the Governments and the EEC and with the assistance and participation of the relevant specialized organizations of the United Nations system. This programme should ensure systematic and regular information on the sources, amounts, levels, pathways and effects of pollutants in the Mediterranean basin. The methodology of the long-term programme should be based on experience gained during the 1975 - 1980 pilot phase, with modifications, as appropriate, and on the participation of research institutions to be designated by their Governments and the EEC.
2. The seven ongoing pilot projects on pollution monitoring and research projects (MED I - MED VII) should be extended until the second meeting of the Contracting Parties (1981) in order to strengthen the basis for national marine pollution monitoring and research activities geared to satisfying the needs and requirements of the individual States and of an international co-operative programme for continuous monitoring of, and research on, the state of pollution of the Mediterranean, as envisaged by the Barcelona Convention.
3. In order to ensure the smooth continuation of the work and the highest degree of data comparability over the period 1975 - 1980, no substantial changes should be introduced in the methodology used at present in MED I - MED VII projects, except when the results obtained until now indicate a need for it. The mandatory intercalibration of analytical techniques and the common maintenance services (MED XI) should also continue. In the future, the interlaboratory comparison exercises conducted through the IAEA should be reinforced and the services improved. Relevant findings should be communicated to the Governments and the EEC.

4. Based upon the methodology used during the pilot phase and taking into account already existing standard methods, a consolidated set of Reference Methods for Pollution Studies in the Mediterranean should be prepared by the end of 1979.
5. In order to assist the work of marine scientists in the Mediterranean, a Selected Bibliography on the Pollution of the Mediterranean Sea should be published by the end of 1979.
6. The Report on the State of Pollution of the Mediterranean Sea should be finalized by the end of 1979 making full use of data obtained through the MED POL pilot projects and other relevant sources. The final form of this report should be prepared and released in consultation with the Mediterranean Governments and the EEC.
7. The results obtained through MED POL should be systematically collected, analysed and published annually as:
 - (i) consolidated reports on each of the MED POL pilot projects;
 - (ii) collated reports of individual research centres participating in MED POL; and
 - (iii) a report assessing the operational capabilities of the national centres in terms of equipment and specialists, with an indication of the assistance that has been provided within the framework of MED POL.
8. Assistance should be provided to national research centres designated as participants in the MED I - MED VII projects within the budgetary framework of each pilot project, in order to strengthen those centres that do not have either sufficiently trained personnel or the equipment needed for their effective participation in the programme.
9. To prepare for the launching of the long-term pollution monitoring and research programme, currently available methods for data recording, archiving and statistical analysis should be tested and elaborated using the facilities of the Geneva-based United Nations International Computing Centre (ICC), taking account of existing standard practices and making full use of the existing mechanisms for data collection, handling, exchange and dissemination.
10. The work of the seven MED POL Regional Activity Centres in the pilot phase of the monitoring and research programme should be evaluated.
11. The pilot project MED X on the evaluation of land-based sources of pollution should be pursued in a way which allows for the collection of data from countries that could not participate in the first part of this project. During the first phase the assessment of river inputs was undertaken under MED IX and X jointly. It was decided that during the biennium 1979-1980 this assessment should be pursued under MED IX.

12. Interest was expressed, although for several delegations this interest was purely scientific, in:

- (i) monitoring of pollution levels of the open waters and the biogeocycle of the most important pollutant (MED VIII);
- (ii) assessment of input of airborne pollutants in the Mediterranean (MED XII);
- (iii) development of conceptual and predictive models of biogeochemical cycles and water mass movement (MED XIII).

Taking into account, however, the present state of the art for some of the projects and the difficulties in initiating or implementing them, also in view of the limited availability of resources for the MED POL programme, the following priorities are suggested:

1st Priority - MED POL I - VII, IX, X and XI

2nd Priority - MED POL VIII, XII and XIII.

The results of pilot projects within the MED POL programme should be subjected to a review by a meeting of experts on the Mediterranean long-term pollution monitoring and research programme which should be asked to make recommendations concerning project revisions or continuance.

13. Work should be continued on the development of the scientific rationale for the criteria applicable to the quality of recreational waters, shellfish-growing areas, waters used for aquaculture, and seafood. Based on this rationale and taking into account existing national provisions and international arrangements and agreements, the criteria should be formulated on a scientific basis and submitted to the Governments and the EEC for their consideration.

Environmental Management

14. In order to enable an early implementation of the first phase of the Blue Plan along the lines agreed at the 1977 Intergovernmental Meeting in Split, the Mediterranean Governments and the EEC:

- (i) should give strong support to all actions regarding the implementation of the Blue Plan as an important and integral part of the Mediterranean Action Plan;
- (ii) invite the Executive Director of UNEP, in his general co-ordinating role, to convene and organize a meeting of the National Blue Plan Focal Points as soon as feasible, preferably within the next three months;

- (iii) with regard to the aforesaid meeting, should designate National Focal Points for the Blue Plan if they have not yet done so.
15. UNEP, in its general co-ordinating role should present to the Meeting of the Focal Points the necessary operational documents. These documents should take into consideration related documentation which has already been prepared and, in particular, the documents on the subject issued during the First Meeting of the Blue Plan Focal Points and the subsequent Intergovernmental Review Meeting of Mediterranean Coastal States and First Meeting of the Contracting Parties to the Barcelona Convention. These documents should include:
- (i) descriptions of surveys within the framework of the first phase of the Blue Plan;
 - (ii) the methodology to be followed, taking into consideration existing bodies of data available from the specialized agencies of the United Nations system, from national governments and their agencies, and from other national or international organizations;
 - (iii) a definition of the role of UNEP and of the other specialized agencies of the United Nations system, of the Blue Plan Regional Activity Centre (BP/RAC), and of the national focal points, as representatives of their respective governments in organizing, supervising and co-ordinating the initial phase of the Blue Plan;
 - (iv) proposals concerned with certain financial and institutional arrangements, linked to the implementation of the Blue Plan, including contributions in kind and services from the Governments, the EFC and United Nations specialized agencies.
16. The Meeting of the Blue Plan focal points mentioned under paragraph 14(ii) will be empowered to adopt, complete or modify the proposals which will be submitted to it in order to facilitate the initiation of the first phase of the Blue Plan. The meeting should also serve the purpose of orientating and supervising the activities of the Blue Plan.
17. In order to ensure the harmonious development of the complementary Blue Plan and Priority Actions Programme activities, and to avoid unnecessary repetition and overlapping, a close and direct working relationship should be established between the Regional Activity Centres for the Blue Plan and for the Priority Actions Programme.
18. Taking into account the decision to convene a meeting of the Blue Plan Focal Points, the Blue Plan Regional Activity Centre should put itself at the disposal of UNEP to assist in the preparations for the meeting.

19. In view of the importance of local parameters for the optimal management of certain renewable natural resources, especially as the present state of knowledge and technology places the utilization of these resources in the marginal economic fringe, it is of the utmost importance that the PAP includes financial and expert assistance which would allow the Mediterranean countries who ask for them, to establish a precise inventory of their resources and the conditions in which they can be utilized.
20. The Governments which have not yet done so and the EEC should designate their focal points for the Priority Actions Programme, and to the extent possible, should endeavour to nominate, for the purposes of the PAP, the same focal point as for the Blue Plan.
21. UNDP and UNEP, in co-operation with FAO (GFCM) and the interested Governments of the Mediterranean States, the EEC, as well as the appropriate organs of the League of Arab States and other international organizations concerned, should continue the development of a regional co-operative project on mariculture, taking into consideration the recommendations of the 1978 Expert Consultation in Athens and the currently ongoing preparatory activities.
22. UNDP and UNEP, in co-operation with the interested Governments of the Mediterranean States, the EEC, as well as the appropriate organs of the League of Arab States and other relevant international organizations, should accelerate the development of regional co-operative programmes on renewable sources of energy in accordance with the recommendations of the 1978 meeting of experts in Malta and with the present ongoing preparatory activities, with the aim of implementing the said recommendations at the earliest possible date.
23. UNEP, in co-operation with the interested Governments of the Mediterranean States, the EEC, as well as the appropriate organs of the League of Arab States and relevant international organizations, and with the assistance of WHO, UNESCO and CEFIGRE, should accelerate the development of regional co-operative programmes on freshwater resources taking into consideration the recommendations of the 1978 meeting of experts in Cannes. The possible involvement of UNDP in this activity should be explored.
24. UNEP, in co-operation with the interested Governments of the Mediterranean States, the EEC and the appropriate bodies of the League of Arab States, with the assistance of the Town Planning Institute of Dalmatia acting as a Regional Activity Centre for the Priority Actions Programme, and with the assistance of UNESCO, FAO, WTO and other relevant specialized organizations of the United Nations system, should prepare a feasibility study on the need for the development of co-operative projects in the fields of soil protection with particular emphasis on soil erosion, desertification and coastal erosion, human

settlements and tourism. The results of these studies should be brought to the attention of the Governments and the EEC, and their views should be solicited on eventual future steps. The possible involvement of UNDP in this activity should be explored.

25. In the light of the significance of protected areas from the socio-economic, scientific and conservation points of view, Governments should support the protection and rational management of existing marine parks, wetlands and other protected areas. They should also promote the creation of new protected areas in the region. In particular:

(i) Governments should support the continued efforts of UNEP to create an Association of Specially Protected Mediterranean Areas;

(ii) UNEP should, in co-operation with UNESCO, FAO and IUCN, convene an intergovernmental meeting to consider, with a view to adoption, guidelines and technical principles for the selection, establishment and management of Mediterranean specially protected areas and other related matters. The meeting should also consider the development of a protocol concerning Mediterranean protected areas; and

(iii) a Directory of Mediterranean protected areas should be prepared by UNEP in co-operation with IUCN.

26. Data collected through the ongoing environmental assessment activities should be utilized by UNEP and the relevant specialized organizations of the United Nations system for the elaboration of principles and technical guidelines by a group of experts leading to a model code of practice for the management of wastes including sea disposal of wastes from land-based sources. The model code of practice should assist Governments in implementing measures concerning pollutants from land-based sources.

27. UNEP, in consultation with, and through the assistance of, the relevant organizations of the United Nations system, should explore the possible ways and means for the realization and acceptance of the offers made by the Governments of Yugoslavia and Greece to use the experience gained through their large-scale and complex projects which demonstrate integrated planning principles for the benefit of other Mediterranean States. Similar projects in other countries should be considered for the same purposes.

28. Continuing support should be provided by UNEP for the training of national administrators, experts and decision-makers in the field of environmental management through the various activities in the framework of the Action Plan, including the Blue Plan, and through seminars, workshops and meetings organized in specific subjects. In initiating these activities, priority should be given to the needs of developing countries. In this area a fundamental role should be played by the "Mediterranean Training Centre" in Urbino.

Legal Component

29. As an expression of their full support for the protection and harmonious development of the Mediterranean basin and the activities launched as part of the agreed Action Plan, the Governments of the Mediterranean States which have not yet done so are urged to ratify, or to accede to, with the shortest possible delay, the Barcelona Convention and its related protocols.

30. The coastal States of the Mediterranean region should provide the Regional Oil Combating Centre with the support and co-operation necessary to enable it to carry out effectively its activities as set forth in resolution 7 of the 1976 Barcelona Conference. In this connection, priority should be given to the Centre's function of gathering and disseminating information, in particular by ensuring continuity of the communications system, and to the provision by the Centre of assistance in the technical training of national officials responsible for combating accidental oil pollution. Each coastal State should pursue the efforts already being made to prepare plans of action for dealing with emergency situations, and steps should be taken to examine and, where appropriate, to elaborate methods of establishing bilateral or multilateral co-operation between neighbouring countries in particularly vulnerable areas, as provided in the Protocol concerning Co-operation in Combating Pollution. In particular, the Regional Centre should help in making available to the Mediterranean States concerned the methodological and technological experience and knowledge acquired by other countries or international bodies. The Executive Director is requested to submit to the next meeting of the Contracting Parties a report on the activities and organization of the Regional Centre, taking account of the lessons learnt from its activities since its establishment.

31. Recognizing that pollution from man's activities on land represents the most significant source of pollution in the Mediterranean Basin, the Governments of the Mediterranean States and the EEC should continue their consultations on the protocol for the protection of the Mediterranean Sea against pollution from land-based sources, leading to the adoption of the protocol at a diplomatic conference as early as possible. UNEP should assist the States in this task by providing appropriate background material on land-based pollutants. Parallel meetings of technical and legal experts should be convened in Geneva from 25 to 29 June 1979 to consider new material that has been developed by the secretariat, or provided by the Governments and the EEC, with a view to resolving the outstanding difficulties which prevent a consensus from being reached on the text of a draft protocol suitable for submission to a diplomatic conference with a view to its final adoption. If necessary, the Executive Director is requested to make arrangements for a second meeting of experts at a later date.

32. The Mediterranean coastal States, aware of the importance of preventing pollution from ships and implementing appropriate international instruments, especially with regard to the construction and operation of ships, recommend that States which have not yet done so should ratify as soon as possible the conventions concerning the prevention and control of marine pollution and safety at sea drafted by IMCO, and especially:
- (i) The 1974 International Convention for the Safety of Life at Sea.
 - (ii) The 1978 Protocol to the 1974 International Convention for the Safety of Life at Sea.
 - (iii) The 1973 International Convention for the Prevention of Pollution from Ships, and the 1978 Protocol to it.
 - (iv) The 1978 International Convention on Standards of Training Certification, and Watchkeeping for Seafarers.
 - (v) The 1969 International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties.
33. Recognizing the activities already under way within the Action Plan on specially protected areas, UNEP should, in co-operation with IUCN, FAO, and UNFSCO, prepare background material on existing legislation and regional legal alternatives for the protection of such marine and coastal areas. UNEP should convene an intergovernmental meeting in 1979 to review this material and other related matters, and to advise on the feasibility of developing a protocol on specially protected marine and coastal areas.
34. Taking note of the work already in progress within the UNEP Working Group of Experts on Environmental Law regarding corrective and preventive measures for pollution damage arising from offshore mining and drilling carried out in the areas within national jurisdiction and of the results of the IJO meeting of experts on Legal Aspects of Pollution Resulting from Exploration and Exploitation of the Continental Shelf, the Seabed and its Subsoil in the Mediterranean, UNEP is requested to bring to the attention of the Mediterranean Governments and the EEC the actions that have been taken and that should assist them to undertake steps for developing a protocol in this respect and to seek their comments and suggestions on this matter.
35. In accordance with resolution 4 of the 1976 Barcelona Conference of Plenipotentiaries and recommendation 37 of the 1978 Monaco Intergovernmental Review Meeting, a study should be made of the possibility of establishing an Inter-State Guarantee Fund for the Mediterranean Sea Area and of appropriate procedures for the determination of liability and compensation for damage resulting from pollution of the marine environment deriving from violations of the

provisions of the Barcelona Convention and applicable protocols. The study should be entrusted to a committee of experts from the Mediterranean coastal States and the EEC taking into account the work done by the consultants of UNEP and IJO. The committee of experts should report on the progress achieved to the second meeting of the Contracting Parties.

36. UNEP, as the organization responsible for the secretariat functions under article 13 of the Convention, should convene the second meeting of the Contracting Parties to the Convention and protocols in 1981. By that time it is hoped that all Mediterranean coastal States will have become Contracting Parties.

Institutional and Financial Arrangements

37. Recommendations concerning institutional and financial arrangements are to be found in paragraphs 71 - 75, 79, 81-82, and 84 - 85 of the main body of the report.

ANNEX VI

REPORT OF THE WORKING GROUP ON THE RULES OF PROCEDURE FOR THE MEETINGS AND CONFERENCES OF THE CONTRACTING PARTIES

1. According to its terms of reference, the Working Group established by the Meeting considered, during four working sessions:
 - the provisions remaining between brackets in the draft rules of procedure;
 - the provisions contained in article 41;
 - the comments and proposals presented by the United Nations Office of Legal Affairs.

Moreover, with a view to avoiding any discrepancy between articles and to improving their wording, it considered all the articles of the draft rules of procedure.

2. Represented in this Group were - France, Israel, Italy, Morocco, Spain, Tunisia, Yugoslavia, the European Economic Community and FAO.
3. The Working Group called the attention of the Meeting to the amendments to the draft rules as follows:
 - 3.1 Rules 6, 7 and 8: After a careful examination of these rules and taking into account the FAO representative's comments on rule 7, (made after consultations with other specialized agencies) the Working Group expressed agreement with the proposals of an ad hoc Working Group and adopted the principle of a tacit agreement of the Contracting Parties for the invitations provided for in rule 6, paragraph 1 and rule 8, paragraph 1, as well as for the right to participate in the deliberations (rule 6, paragraph 2; rule 7, paragraph 2 and rule 8, paragraph 2).

For the purposes of paragraph 1 of rules 6 and 8, it was stressed that the "tacit" agreement meant that the Executive Director should inform the Contracting Parties well in advance of any meeting or conference of the requests for participation he had received. He should give them reasonable time for sending him their reply. Any Contracting Party which had not replied within this time should be considered as having given its agreement.

The Working Group also decided to adopt separate provisions with regard to non-governmental international organizations (rule 8, paragraph 18).

- 3.2 Rules 10 and 13: The Group considered that it would be appropriate to associate the Bureau of the Meeting of the Contracting Parties with the preparation of the draft agenda (rule 10) and its possible supplements (rule 13).
- 3.3 Rules 20 and 21: The Group retained the wording proposed by the United Nations Office of Legal Affairs for paragraph 2 of rule 20. On the other hand, it abided by the text of rule 21 of the draft which dealt with a situation not covered by the provisions of new paragraph 2 of rule 20.
- 3.4 Rules 27 and 28: For both rules, the Group adopted the drafting proposed by the United Nations Office of Legal Affairs.
- 3.5 Rule 32 (new text): The Group adopted the new provisions as proposed by the United Nations Office of Legal Affairs.
- 3.6 Rule 41 (re-numbered 42): An ad hoc Group was set up with a view to resolving the difficulties raised by the drafting of paragraph 2 of the article. The ad hoc Group submitted a new text which met with the agreement of the Working Group. The new text called for the following observation:
- With reference to the provisions of article 19 of the Convention, it was agreed that, when a State Member of the European Economic Community was more than twenty-four months in arrears with its contribution and that, simultaneously, new powers had been transferred from States Members to the EEC on matters covered by the Convention, the latter should be entitled to vote with regard to those new powers within the limits of the number of votes corresponding to those of its States Members having paid their contributions, without prejudice to the provisions of article 42 paragraph 2, subparagraph 2A.

- 3.7 Rule 42 (re-numbered 43): As far as paragraph 1 was concerned, the view of the Working Group was that a unanimous decision or, failing that, a consensus should be sought before passing to vote. The Group considered that when the vote could not be avoided, a two-thirds majority should be required, but during the exchange of views, several delegations expressed their preference for a three-quarters majority.

With regard to paragraph 2, the proposal of the United Nations Office of Legal Affairs had been considered and adopted. However, the Working Group deemed it appropriate to leave it to the Committee to decide whether abstentions should be considered as votes or not. The last sentence of paragraph 2, the deletion of which had not been proposed by the United Nations Office of Legal Affairs, was retained.

- 3.8 Rule 44 (re-numbered 45): The Working Group decided to propose to the Committee the addition to the text of a provision concerning the secret ballot.

- 3.9 Rule 49 (re-numbered 50): The two-thirds majority chosen by the Working Group called for the same observations as those concerning article 42 (re-numbered 43), if recourse was made to the vote.

- 3.10 The question of the entry into force of the rules of procedure was raised following a draft text proposal. The Working Group considered that the Plenary should decide upon the date of application of the rules of procedure.

4. The question relating to the votes by Contracting Parties on a single protocol was raised following a draft text proposal. An exchange of views emphasized the complexity of that important question.

The Working Group was not in a position to find a solution in the time at its disposal.

The attention of the Meeting was drawn in particular to that sensitive item. It was felt that the question should be considered in detail during the next meeting of the Contracting Parties.

ANNEX VII

RULES OF PROCEDURE

for

Meetings and Conferences of the Contracting Parties to the
Convention for the Protection of the Mediterranean Sea against
Pollution and its related Protocols

Purposes

Rule 1

These rules of procedure shall apply to any meeting and conference of the Contracting Parties as provided in article 18 of the Convention for the Protection of the Mediterranean Sea against Pollution and in any appropriate article of its related Protocols.

Definitions

Rule 2

For the purposes of these rules:

1. the word "Convention" shall apply to the 1976 Convention for the Protection of the Mediterranean Sea against Pollution;
2. the term "Executive Director" shall apply to the Executive Director of the United Nations Environment Programme or his designated representative;
3. the term "secretariat" shall apply to the United Nations Environment Programme as provided in article 13 of the Convention;
4. the term "Mediterranean Action Plan" shall apply to the programmatic regional plan adopted by the Intergovernmental meeting on the Protection of the Mediterranean, Barcelona, 28 January - 4 February 1975, and as modified by subsequent intergovernmental meetings that reviewed this Action Plan;
5. the term "co-ordinating unit" shall apply to the unit within the United Nations Environment Programme designated by the Executive Director as responsible for the administration of the Mediterranean Action Plan;

6. the term "meeting" shall apply to any ordinary or extraordinary meeting of the Contracting Parties.

Place of meetings

Rule 3

Unless they decide otherwise, the Contracting Parties shall normally meet at the seat of the co-ordinating unit.

Dates of the meetings

Rule 4

1. As provided in article 14 of the Convention, the Contracting Parties shall hold ordinary meetings once every two years and extraordinary meetings on the conditions provided for in this article.
2. In accordance with article 13 of the Convention, the Executive Director shall convene any meetings and conferences of the Contracting Parties.
3. Any ordinary meeting shall fix the opening date and the duration of the next ordinary meeting.
4. Any extraordinary meeting shall be convened within ninety days following the date at which the request mentioned in article 14 of the Convention has been received or formulated by the Executive Director.
5. The opening date and the duration of any conference decided upon in accordance with articles 15 and 16 of the Convention shall be fixed by a joint agreement of the Contracting Parties which requested the convening of the conference.

Invitations

Rule 5

1. The Executive Director shall invite to send representatives to the meetings and conferences any coastal State of the Mediterranean Sea invited to participate in the 1976 Conference of Plenipotentiaries of the Coastal States of the Mediterranean Region for the Protection of the Mediterranean Sea, which is not a Contracting Party.
2. The representatives designated according to the provisions of paragraph 1 may participate without vote in the deliberations of the meeting or the conference.

Rule 6

1. The Executive Director shall, with the tacit agreement of two-thirds of the Contracting Parties, invite to send representatives to observe any meeting or conference, any other State Member of the United Nations Organization or member of its specialized agencies which makes a request and has a direct concern in the protection of the Mediterranean Sea against pollution.
2. Such observers, upon invitation of the president and with the tacit consent of the meeting or the conference, may participate without vote in the deliberations of the meeting or of the conference in matters of direct concern to them.

Rule 7

1. The Executive Director shall invite to send representatives to observe any meeting or conference, the United Nations Organization and its competent subsidiary bodies, the International Atomic Energy Agency and the specialized agencies if they participate in the activities of the Mediterranean Action Plan.
2. Such observers may, upon invitation of the president and with the tacit consent of the meeting or the conference participate without vote in the deliberations of any meeting or conference in matters related to the activities of the organization or body that they represent.

Rule 8

- 1.A) The Executive Director shall, with the tacit consent of two-thirds of the Contracting Parties, invite to send representatives to observe any meeting or conference, any intergovernmental organization other than the United Nations Organization, the specialized agencies and the International Atomic Energy Agency, which have a direct concern in the protection of the Mediterranean Sea against pollution.
- 1.B) The Executive Director shall, with the tacit consent of the Contracting Parties, invite to send representatives to observe any public sitting of any meeting or conference, any non-governmental international organization, which has a direct concern in the protection of the Mediterranean Sea against pollution.

2. Such observers may, upon the invitation of the president and with the tacit consent of the meeting or the conference, participate without vote in the deliberations of the meeting or conference dealing with matters of direct concern to them.

Publicity

Rule 9

Plenary sittings of the meetings and conferences shall be held in public unless the meeting or the conference decides otherwise. Sittings of subsidiary bodies of the meetings and conferences shall be held in private unless the meeting or the conference decides otherwise.

Agenda

Rule 10

In agreement with the Bureau, the Executive Director shall prepare the provisional agenda of each meeting and conference.

Rule 11

The provisional agenda of each ordinary meeting shall include:

1. all items mentioned in article 14, paragraph 2 of the Convention and in any appropriate article of its related protocols;
2. all items the inclusion of which have been requested at a previous meeting;
3. a report by the Executive Director on the work undertaken or achieved as part of the Mediterranean Action Plan since the last ordinary meeting and containing recommendations for activities to be undertaken in the forthcoming biennium;
4. any item proposed by a Contracting Party;
5. the provisional budget as well as all questions pertaining to the accounts and financial arrangements.

Rule 12

The provisional agenda, together with supporting documents for each ordinary meeting, shall be communicated by the Executive Director to the Contracting Parties at least two months before the opening of the meeting.

Rule 13

The Executive Director shall, in agreement with the Bureau include any question suitable for the agenda which may arise between the despatch of the provisional agenda and the opening of the meeting in a supplementary provisional agenda which the meeting shall examine together with the provisional agenda.

Adoption of
the agenda

Rule 14

At the opening of an ordinary meeting, the Contracting Parties, when adopting the agenda for the meeting, may add, delete, defer or amend items. Only items which are considered by the meeting to be urgent and important may be added to the agenda.

Rule 15

The provisional agenda for an extraordinary meeting or for any conference as provided in articles 15 and 16 of the Convention shall consist only of those items proposed for consideration in the request for the holding of the extraordinary meeting or the conference. It shall be transmitted to the Contracting Parties at the same time as the invitation to the extraordinary meeting or the conference.

Rule 16

The Executive Director shall report to the meeting on the administrative and financial implications of all substantive agenda items submitted to the meeting, before they are considered by it. Unless the meeting decides otherwise, no such item shall be considered until the meeting has received the Executive Director's report on administrative and financial implications at least forty-eight hours before.

Rule 17

Any item of the agenda of an ordinary meeting, consideration of which has not been completed at the meeting, shall be included automatically in the agenda of the next meeting, unless otherwise decided by the Contracting Parties.

Representation
and
credentials

Rule 18

Each Contracting Party shall be represented by an accredited representative, who may be accompanied by such alternates and advisers as may be required.

Rule 19

The credentials of representatives and the names of alternate representatives and advisers shall be submitted by the Contracting Parties to the Executive Director before the opening session of a meeting which the representatives are to attend. The Bureau of any meeting or conference shall examine the credentials and submit its report to the meeting or the conference.

Rule 20

1. At the commencement of the first session of each ordinary meeting or conference, a president, two vice-presidents and a rapporteur are to be elected from among the representatives of the Contracting Parties.
2. The president, two vice-presidents and rapporteur elected at an ordinary meeting shall remain in office until their successors are elected at the next ordinary meeting and shall serve in that capacity at any intervening extraordinary meetings. Exceptionally these officers may be re-elected for one further consecutive term.
3. The president, or a vice-president acting as a president, shall participate in the meeting or the conference in that capacity and shall not at the same time exercise the rights of a representative of a Contracting Party. In such a case, the Contracting Party concerned may designate another representative who shall be entitled to represent the Contracting Party in the meeting or the conference and to exercise the right to vote.

Rule 21

At the first sitting of each ordinary meeting, the president of the previous ordinary meeting, or in his absence, the representative of his country, shall preside until the meeting has elected a president for the meeting.

Acting
president

Rule 22

If the president is absent from a sitting or any part thereof, he shall appoint one of the vice-presidents to assume his duties.

Bureau

Rule 23

The Bureau of the meeting or of the conference shall consist of the president, the two vice-presidents and the rapporteur. The president, or in his absence one of the vice-presidents designated by him, shall serve as chairman of the Bureau.

Organization
of the
meeting

Rule 24

1. During the course of a meeting or of a conference, the Contracting Parties shall establish such committees and other working groups as may be required for the transaction of its business.
2. Unless otherwise decided, the meeting or the conference shall elect a chairman and vice-chairman for each such committee and working group. The meeting or the conference shall determine the matters to be considered by each such committee or working group and may authorize the Bureau, upon the request of the chairman of a committee or working group, to adjust the allocation of work.

Rule 25

The Executive Director shall act as secretary of any meeting or conference. He may delegate his functions to a member of the secretariat.

Rule 26

The secretariat shall arrange for interpretation of speeches made at meetings or conferences; receive, translate and circulate the documents of the meeting or conference and its committees and working groups; publish and circulate the resolutions, reports and relevant documentation of the meeting or the conference. It shall have custody of the documents in the archives of the meeting or conference and generally perform all other work that the meeting or the conference may require.

Languages

Rule 27

Arabic, English, French and Spanish are the official languages of the meetings or conferences of the Contracting Parties.

Rule 28

1. Speeches made in a language of the meeting or conference shall be interpreted into the other official languages.
2. A representative may speak in a language other than a language of the meeting or conference if he provides for interpretation into one such language.

Rule 29

All working documents of the meeting or conference and all reports, resolutions, recommendations and decisions of the meetings or conferences shall be drawn up in one of the official languages and translated into the other three official languages.

Conduct of
business

Rule 30

Two-thirds of the Contracting Parties shall constitute a quorum.

Rule 31

In addition to exercising the powers conferred upon him elsewhere by the rules, the president shall declare the opening and the closing of the meeting or of the conference. He shall direct the discussions, ensure the observance of these rules, accord the right to speak, put questions to the vote and announce decisions resulting from the votes.

Points of
order

Rule 32

Subject to the provisions of rule 47, a representative may at any time raise a point of order which shall be decided immediately by the president in accordance with these rules. A representative may appeal against the ruling of the president. The appeal shall be put to the vote immediately and the ruling shall stand unless overruled by a majority of the Contracting Parties present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 33

Proposals and amendments shall normally be introduced in writing by the Contracting Parties and handed to the secretariat which shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put

to the vote at any sitting unless copies of it have been circulated to delegations not later than the day preceding the sitting. The president may, however, permit the discussion and consideration of amendments or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 34

Subject to the provisions of rule 32 the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

1. to suspend a sitting;
2. to adjourn a sitting;
3. to adjourn the debate on the question under discussion; and
4. for the closure of the debate on the question under discussion.

Permission to speak on a motion falling within 1 to 4 above shall be granted only to the proposer and in addition, to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 35

If two or more proposals relate to the same question, the meeting or conference, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 36

Parts of a proposal or amendment thereto shall be voted on separately if the president, with the consent of the proposer, so decides, or if any representative of a Contracting Party requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to speak on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 37

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of a proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 38

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from, or revises parts of, that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 39

If two or more amendments are moved to a proposal, the meeting or conference shall first vote on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed therefrom, and so on, until all amendments have been put to the vote. The president shall determine the order of voting on the amendments under this rule.

Rule 40

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A proposal or motion withdrawn may be re-introduced by any other Contracting Party.

Rule 41

When a proposal has been adopted or rejected, it may not be reconsidered at the same sitting, unless the meeting or the conference, by a simple majority of the Contracting Parties present and voting, decides in favour of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter, after which it shall be put immediately to the vote.

Voting

Rule 42

1. Subject to the provisions of article 19 of the Convention, each Contracting Party shall have one vote.

- 2.A) A Contracting Party that is more than twenty-four months in arrears with its contribution shall not be entitled to vote. However, the meeting may authorize this Contracting Party to participate in the vote if it finds out that arrears are due to circumstances beyond its control.
- 2.B) Without prejudice to the provisions of paragraph A above, article 19 of the Convention shall apply with regard to the European Economic Community and its States Members.

Rule 43

1. Unless otherwise provided by the Convention, the protocols or the financial terms of reference, substantive decisions, recommendations and resolutions shall be made by a two-thirds majority of the Contracting Parties present and voting.
2. For the purpose of these rules, the phrase "Contracting Parties present and voting" means Contracting Parties present and casting an affirmative or negative vote. Contracting Parties which abstain from voting are also considered as voting. Contracting Parties participating at the meeting or the conference who are not present at the sitting at which voting takes place shall be considered as absent and not voting.

Rule 44

1. Procedural decisions are taken by a simple majority.
2. Any difference of opinion as to the question whether the matter is of a procedural or substantive nature is also decided by a simple majority.
3. If a vote is equally divided, a second vote shall be taken. If this vote also is equally divided, the proposal shall be regarded as rejected.

Rule 45

Voting shall normally be by show of hands. However, any Contracting Party may request a roll-call vote which shall be taken in the alphabetical order of the names of the Contracting Parties in French, beginning with the Contracting Party whose name is drawn by lot by the president. Any Contracting Party may also request a secret ballot.

Rule 46

The vote of each Contracting Party participating in a roll-call vote shall be recorded in the relevant documents of the meeting or of the conference.

Rule 47

After the president has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. The president may permit the Contracting Parties to explain their votes, either before or after the voting. The president may limit the time to be allowed for such explanations. The president shall not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment.

Sound records
of the
meeting

Rule 48

Sound records of the meeting or of the conference, and possibly of its committees and working groups, shall be kept by the secretariat in accordance with the practice of the United Nations.

Ad hoc
meetings

Rule 49

1. The Contracting Parties may recommend, taking duly into account financial implications, to the Executive Director the convening of ad hoc meetings, either of representatives of the Contracting Parties and of States referred to in rule 5 of the present rules, or of Governmental experts in order to study problems which, because of their specialized nature, could not fruitfully be discussed during the normal sittings.
2. The terms of reference of these ad hoc meetings and the questions to be discussed shall be determined by the Contracting Parties.
3. Unless otherwise decided each ad hoc meeting shall elect its own officers.
4. These rules of procedure shall apply mutatis mutandis to the subsidiary bodies and ad hoc meetings.

Amendments
of procedure

Rule 50

These rules of procedure may be amended by a decision of the meeting or conference taken by a two-thirds majority of the Contracting Parties present and voting.

Overriding
authority of
the Convention

Rule 51

In the event of any conflict between any provision of these rules and any provision of the Convention, the Convention shall prevail.

Pledged contributions of the Mediterranean coastal States and the EEC to the Mediterranean Regional Trust Fund for the Protection of the Mediterranean Sea against Pollution

State	Percentage of Total	Total ^{1/} (in US dollars)
ALBANIA	0.08	2,690
ALGERIA	0.80	26,920
CYPRUS	0.08	2,690
EGYPT	0.64	21,530
FRANCE	46.48	1,564,050
GREECE	2.80	94,220
ISRAEL	1.84	61,910
ITALY	27.04	744,610
LEBANON	0.24	8,070
LIBYA	1.28	43,070
MALTA	0.08	2,690
MONACO	0.08	2,690
MOROCCO	0.40	13,460
SPAIN	12.24	412,200
SYRIA	0.16	5,380
TUNISIA	0.16	5,380
TURKEY	2.40	80,760
YUGOSLAVIA	3.20	107,680
Sub-total Governments	100.00	3,200,000
European Economic Community		80,000
TOTAL		3,280,000

^{1/} It should be noted that although the cash contributions shown in the third column are based on the percentages of the total shown in the second column, there is not a direct correlation, since the accepted contributions were revised slightly by consensus of the Meeting.

ANNEX IX

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE
MEDITERRANEAN REGIONAL TRUST FUND FOR THE
PROTECTION OF THE MEDITERRANEAN SEA AGAINST POLLUTION

1. The Mediterranean Regional Trust Fund for the Protection of the Mediterranean Sea against Pollution (hereinafter referred to as the Trust Fund) is established for an initial period of two years to provide financial support for the Mediterranean Action Plan.
2. The administration of the Trust Fund shall be entrusted to the Secretary-General of the United Nations and, at his discretion, to the Executive Director of UNEP. The Executive Director may delegate the administration of the Trust Fund to the head of the unit responsible for the Mediterranean Action Plan.
3. This Trust Fund shall be composed of two sections to cover expenditures under the following categories:
 - (i) SECTION I - Activities directly derived from the Convention for the Protection of the Mediterranean Sea against Pollution and its related protocols (hereinafter referred to as the Barcelona Convention and its related protocols).
 - (ii) SECTION II - Other activities agreed to as part of the Mediterranean Action Plan.

I PROVISIONS RELATED TO SECTION I OF THE TRUST FUND

4. Section I of the Trust Fund shall be composed of contributions made for the purpose of defraying the costs of activities directly derived from the Barcelona Convention and its related protocols.
5. The appropriations of this section shall be composed of:
 - (i) contributions determined by the Contracting Parties;
 - (ii) pledged contributions from those Mediterranean coastal States that are not contracting Parties;

(iii) voluntary contributions from other States not referred to in article 24 of the Barcelona Convention as well as from other non-governmental sources.

6. The contributions referred to in sub-paragraphs 5 (i) and 5 (ii) shall be voluntarily pledged to the Trust Fund according to a scale fixed by the Contracting Parties and other Mediterranean coastal States.
7. The Contracting Parties and other Mediterranean Governments that have contributed to the Trust Fund shall prescribe the conditions under which unforeseen and extraordinary expenses may be incurred.
8. The Contracting Parties and other Mediterranean Governments that have contributed to the Trust Fund shall designate an auditor.

II PROVISIONS RELATED TO SECTION II OF THE TRUST FUND

9. Section II of the Trust Fund shall be composed of contributions made for the purpose of defraying the costs of activities agreed to as part of the Mediterranean Action Plan which are not referred to in paragraph 4.
10. The appropriations of this section shall be composed of:
 - (i) pledged contributions from the Mediterranean coastal States and by the FEC;
 - (ii) voluntary contributions from other States not referred to in article 24 of the Barcelona Convention as well as from other non-governmental sources.
11. Contributions to this section of the Trust Fund may be pledged at any time, either on an annual basis or for a number of years. A cost-sharing scheme or schemes for the appropriations of this section may be agreed to by the Mediterranean coastal States.

III COMMON PROVISIONS APPLICABLE TO BOTH SECTIONS OF THE TRUST FUND

12. The contributions from Governments and the FEC referred to in paragraphs 5 (i), 5 (ii) and 10 (i) shall be divided between section I and section II proportionally to the respective budgets of the two sections.
13. The financial period shall be for two calendar years beginning 1 January of an odd number calendar year and ending 31 December of the subsequent even number calendar year.

14. The budget estimates, covering the income and expenditures for each of the two calendar years constituting the financial period to which they relate, prepared in US dollars, shall be submitted to an intergovernmental meeting of the Contracting Parties and of the Mediterranean coastal States.
15. The estimates for each of the calendar years covered by the financial period shall be divided into sections and chapters as shown in the appendix to these terms of reference. shall be specified according to budget lines, shall include references to the programme of work to which they relate, and shall be accompanied by such information as may be required by, or on behalf of, the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable.
16. The draft budget shall be approved by all Governments contributing to the Trust Fund and by the EFC at an appropriate intergovernmental meeting of Mediterranean coastal States and the EEC.
17. Supplementary estimates may be submitted by the Executive Director of UNEP whenever necessary during the second calendar year of the financial period. Such estimates shall be prepared in a form consistent with the regular estimates.
18. The Executive Director of UNEP may make transfers from one chapter to another within the same section of the budget. At the end of the first calendar year of a financial period, the Executive Director may proceed to transfer any uncommitted balance of appropriations, to the same section in the second calendar year, provided that such transfers do not exceed 20 per cent of the smaller amount of the two annual appropriations for the sections concerned.
19. At the close of the calendar year to which they relate, the uncommitted appropriations shall be cancelled unless required for transfer or carry over. At the close of the financial period to which they relate, the uncommitted appropriations shall be cancelled, except those committed to programme activities of which the execution shall continue during the next financial period.
20. No transfer of appropriations between section I and section II of the budget is possible.
21. All contributions shall be paid in convertible currencies except those foreseen in paragraph 24.
22. Before the beginning of each calendar year, the Executive Director of UNEP shall:

- (i) inform the Contracting Parties and other Mediterranean coastal States of their expected contributions under the agreed scale, and of the amount of voluntary contributions or counterpart contributions that other Governments and non-governmental sources have pledged to pay:
 - (ii) inform Governments and non-governmental sources, which have pledged to pay voluntary contributions or counterpart contributions, of the budgetary situation of the calendar year.
- 23. When the contributions of the Mediterranean coastal States are calculated, adjustments shall be made in respect of income derived from voluntary contributions as provided in paragraphs 5 and 10.
- 24. Any extraordinary contribution made by the State hosting the Co-ordinating Unit to the co-ordinating costs shall be accounted for in the relevant chapter of section I of the Trust Fund.
- 25. At the end of the first calendar year of a financial period, the Executive Director of UNEP shall submit to the Parties contributing to the Trust Fund the accounts for the year. At the close of the financial period, he shall submit to them the audited accounts for the financial period.
- 26. These terms of reference shall be effective from the date of their approval by the Mediterranean coastal States.

ANNEX IX

APPENDIX

CHAPTERS OF THE BUDGET OF THE MEDITERRANEAN ACTION PLAN

SECTION I

- Chapter I : Co-ordinating Costs
- Chapter II : Meeting Costs
- Chapter III : MED POL I - VIII
- Chapter IV : MED POL IX
- Chapter V : MED POL X
- Chapter VI : MED POL XI
- Chapter VII : MED POL XII
- Chapter VIII : MED POL XIII
- Chapter IX : Regional Oil Combating Centre
- Chapter X : Environmental Quality Criteria

SECTION II

- Chapter I : Blue Plan
- Chapter II : Marine Living Resources
- Chapter III : Freshwater Resources
- Chapter IV : Renewable Sources of Energy
- Chapter V : Human Settlements
- Chapter VI : Soil Protection
- Chapter VII : Tourism
- Chapter VIII : Specially Protected Areas, Habitats, Species

Budget presentation showing contributions from Mediterranean Regional Trust Fund, UNEP
and United Nations Organizations

(in US dollars)

1979 - 1980 biennium

Budget	Total Cost	Mediterranean Regional Trust Fund	UNEP	UN Organizations
Co-ordination and Meeting Costs	1,370,000	1,030,000	340,000	
Programme Section I Costs: Section II	3,430,000	2,170,000	1,260,000	
Sub-total	4,800,000	3,200,000	1,600,000	
EFC		80,000		
Additional programme by UN system	1,600,000			Additional activities with a target of 1,600,000
Total for 1979-1980	6,480,000	3,280,000	1,600,000	1,600,000
of which per year	3,240,000	1,640,000	800,000	800,000

ANNEX XI

PROPOSED EXPENDITURES (IN CASH) ACCORDING TO THE
 CHAPTERS OF THE BUDGET OF THE MEDITERRANEAN ACTION PLAN
 (in thousands of US dollars)

SECTION I

Chapter I	:	Co-ordinating Costs	1,030.0
Chapter II	:	Meeting Costs	386.2
Chapter III	:	MED POL I - VIII	603.0
Chapter IV	:	MED POL IX	106.0
Chapter V	:	MED POL X	17.0
Chapter VI	:	MED POL XI	154.0
Chapter VII	:	MED POL XII	-
Chapter VIII	:	MED POL XIII	-
Chapter IX	:	Regional Oil Combating Centre	672.1
Chapter X	:	Environmental Quality Criteria	178.0
		Sub-total	<u>3,146.3</u>

SECTION II

Chapter I	:	Blue Plan	1,040.0
Chapter II	:	Marine Living Resources	30.0
Chapter III	:	Freshwater Resources	30.0
Chapter IV	:	Renewable Sources of Energy	20.5
Chapter V	:	Human Settlements	119.5
Chapter VI	:	Soil Protection	119.5
Chapter VII	:	Tourism	119.5
Chapter VIII	:	Specially Protected Areas, Habitats, Species	95.5
		Sub-total	<u>1,584.5</u>

GRAND TOTAL 4,720.8

ANNEX XII

RESOLUTION 1

The Mediterranean States and the European Economic Community, meeting in Geneva from 5 to 10 February 1979,

Conscious of the importance attached to the implementation of the Mediterranean Action Plan as defined at the 1975 Barcelona Conference;

Desirous of strengthening the co-operation already established between Governments and the EEC, UNEP, and other international organizations;

Considering that the Mediterranean Action Plan is aimed at ensuring the protection of the environment of the Mediterranean Sea while promoting the development of the region with due regard to rational management principles;

Recalling Decision 6/7B of the sixth session of the Governing Council of UNEP relative to the participation of UNEP in the secretariat expenses of the Action Plan;

Taking note of the provisions made by the Executive Director concerning UNEP's contribution to the cost of the activities for 1979;

Noting likewise the importance of the contributions pledged by the Mediterranean States and the EEC for the 1979-1980 biennium;

Earnestly request the Executive Director in future years to maintain UNEP's contribution for programme expenses at the level planned for 1979 in order to complement substantially the effort being made by the Mediterranean States and the EEC themselves;

Invite the organizations in the United Nations system to promote the implementation of the Plan of Action within the spheres of their own competence.

ANNEX XIII

RESOLUTION 2

The Intergovernmental Review Meeting of Mediterranean Coastal States and First Meeting of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related protocols,

Conscious of the seriousness and complexity of the problems arising from the implementation of the Mediterranean Action Plan (MAP);

Reiterates the willingness of the Mediterranean coastal States and the ECC to make all the necessary efforts to solve these problems through close and effective co-operation among themselves, and with the international organizations concerned;

Thanks the Executive Director and the secretariat of UNEP for their assistance in the first phase of activities undertaken in the framework of the MAP and invites them to continue joint efforts in further actions agreed by this Meeting;

Invites the Executive Director of UNEP

- to pursue actions required for effective implementation of the decisions made by the Meeting;
- to convene a short (2-3 days) Intergovernmental Meeting of the Mediterranean States and the ECC invited to this present Meeting, in the period between the regular biannual intergovernmental meetings, to review the progress of the MAP, including its budgetary implications;
- to consult with the Bureau of the Meeting in the period between the intergovernmental meetings of these States, in particular on policy matters not decided at the intergovernmental meetings;

Calls upon the specialized organizations of the United Nations system to continue their co-operation with UNEP on the implementation of the MAP.