MEDITERRANEAN ACTION PLAN

Seventh meeting of the Compliance Committee

Athens (Greece), 26 – 28 June 2013

Criteria for the evaluation of reports by the Secretariat and the Compliance Committee to identify actual or potential cases of non-compliance
1. INTRODUCTION

I. Context

At its sixth meeting, the Compliance Committee has expressed the necessity to define Criteria for the evaluation of Reports for the Biennium 2010-2011. In that regard, it has mandated Mme Daniela Addis to chair a working Group to propose such criteria in view of its next meeting. The members of the Compliance Committee will find here above the proposal of Ms Daniela Addis:

II. Guidelines for the evaluation of Reports to identify actual or potential situation of non-compliance

The CC adopt the following guidelines for the evaluation of Reports to identify actual or potential situation of non-compliance in the implementation of the Convention and its related Protocols [as well as the decisions, measures and recommendations] to be submitted by its Chairman to the Meeting of the Contracting Parties

(i) Criteria for the evaluation by the Secretariat of Reports submitted by MS

1. Types/common characteristics of formal cases of non-compliance to be considered in the implementation of the Convention (formal obligation)
   a. The legal basis and the relevant provisions of the Barcelona Convention that form the basis for raising the question of non-compliance

2. Types/common characteristics of formal cases of non-compliance to be considered in the implementation of the Protocols (formal obligation)
   a. The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols that form the basis for raising the question of non-compliance
   b. Non submission of the Report in due time (it is defined "in due time" the submission of the report in a date not later than (4) months after the formal date)
   c. Partial information on procedural issues (it is defined as "partial information" an information that ......)
   d. Consideration of issues raised by the MAP components on the implementation of the protocols for which each regional activity centre is responsible

3. Types/common characteristics of difficulties faced by the Contracting Parties in procedural or substantive areas in the implementation of the Convention (substantial obligation)
   a. The legal basis and the relevant provisions of the Barcelona Convention that form the basis for raising the question of non-compliance
   b. Partial information on technical issues (it is defined as "partial information" an information that ......)
   c. Problems of interpretation concerning implementation of the provisions of the Convention
4. Types/common characteristics of difficulties faced by the Contracting Parties in procedural or substantive areas in the implementation of Protocols (substantial obligation)

   a. The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols that form the basis for raising the question of non-compliance

   b. Partial information on technical issues (it is defined as "partial information" an information that ......)

   c. Problems of interpretation concerning implementation of the provisions of Protocols

   d. Take into account the date of ratification of the relevant Protocol by the concerned Party [6 month - 1 year?]

(ii) Criteria for the evaluation by the CC of Reports submitted by MS

1. Types/common characteristics of formal cases of non-compliance to be considerate in the implementation of the Convention (formal obligation)

   a. The legal basis and the relevant provisions of the Barcelona Convention that form the basis for raising the question of non-compliance

2. Types/common characteristics of formal cases of non-compliance to be considerate in the implementation of the Protocols (formal obligation)

   a. The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols that form the basis for raising the question of non-compliance

   b. Non submission of the Report in due time (it is defined "in due time" the submission of the report in a date not later than (4) months after the formal date)

   c. Partial information on procedural issues (it is defined as "partial information" an information that ......)

   d. Consideration of issues raised by the MAP components on the implementation of the protocols for which each regional activity centre is responsible

3. Types/common characteristics of difficulties faced by the Contracting Parties in procedural or substantive areas in the implementation of the Convention (substantial obligation)

   a. The legal basis and the relevant provisions of the Barcelona Convention that form the basis for raising the question of non-compliance

   b. Partial information on technical issues (it is defined as "partial information" an information that ......)

   c. Problems of interpretation concerning implementation of the provisions of the Convention

4. Types/common characteristics of difficulties faced by the Contracting Parties in procedural or substantive areas in the implementation of Protocols (substantial obligation)
a. The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols that form the basis for raising the question of non-compliance

b. Partial information on technical issues (it is defined as "partial information" an information that ......)

c. Problems of interpretation concerning implementation of the provisions of Protocols

d. Take into account the date of ratification of the relevant Protocol by the concerned Party [6 month - 1 year?]

(iii) **Assessment of the report format to propose amendments and/or how to implemented it**

1. Consideration of issues raised by the MAP components on the implementation of the protocols.