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18th Ordinary Meeting of the Contracting Parties to
the Convention for the Protection of the Marine Environment
and the Coastal Region of the Mediterranean and its Protocols

Istanbul (Turkey), 3-6 December 2013

Activity report of the Compliance Committee (2012-2013 biennium)

I. Introduction

1. By its Decision IG. 17/2, the Fifteenth Meeting of the Contracting Parties to the Barcelona Convention and its Protocols, held in Almeria in January 2008, adopted the Procedures and mechanisms on compliance with the aim of promoting the implementation of and compliance with the obligations of the Barcelona Convention and its Protocols. By the same Decision, the Meeting of the Contracting Parties created a Compliance Committee and agreed its composition. The Committee's Rules of Procedure specifying its operation were adopted by Decision IG. 19/1 of the Sixteenth Meeting of the Contracting Parties in 2009. By Decision IG.20/1, the Seventeenth Meeting of the Contracting Parties asked the Compliance Committee to prepare a report on its activities, including its finding and conclusions to be presented at the Eighteenth Meeting. Pursuant to Decision IG. 20/1, the Seventeenth Meeting adopted the Compliance Committee's Programme of Work for the 2012-2013 Biennium. This Programme provided for an assessment of any potential referrals made by the Contracting Parties in accordance with paragraphs 18 and 19 of the Procedures and mechanisms on compliance, and an analysis of general issues of non-compliance in applying the Procedures and mechanisms on compliance, based on the national reports submitted by the Contracting Parties during the 2010-2011 Biennium. It also included an assessment of any issues referred to the Committee by the Secretariat in accordance with paragraph 23 of the Procedures and mechanisms on compliance with the Barcelona Convention and its Protocols, along with an analysis of any thematic issues requested by the Meeting of the Contracting Parties under paragraph 17(c) of the Procedures and mechanisms on compliance, including an in-depth examination of the issues raised by MAP components on the application of the Protocols. Finally, the biennial Programme invited the Committee to analyze any proposals to strengthen its role within the framework of the Barcelona Convention and its Protocols and to examine the possible difficulties in interpretation of the provisions of the Protocols, for consideration at the Meeting of the Contracting Parties;

Functions of the Compliance Committee

2. The Committee places great importance on ensuring that the specific facilitating role of the compliance mechanism, underscored by paragraph 1 of the Procedures and mechanisms on compliance, is fully understood by the Contracting Parties. Indeed, it is vital that they regard the role of the Compliance Committee solely as being to advise and assist the Contracting Party concerned. Such an understanding will establish the necessary trust between the Committee and the Contracting Parties. The central role assigned to the Committee shall be primarily to facilitate the implementation of and compliance with the Barcelona Convention, taking into account the specific situation of each of the Contracting Parties. To this end, it is incumbent upon the Committee to establish close, constructive cooperation with all the Contracting Parties and as such, to provide all necessary assistance and advice to help them overcome any problems associated with the application of the various instruments of the Barcelona system.

Meetings of the Compliance Committee during the 2012-2013 Biennium

3. Following the Seventeenth Meeting of the Contracting Parties held in Paris in February 2012, the Committee has met three times in Athens during 2013 (30 January - 1 February, 26-28 June and 21-22 October).

Modalities of referrals to the Compliance Committee

4. The Compliance Committee is empowered to intervene in three scenarios: It may deal with a referral made by a Party regarding their own situation of non-compliance, where a Party deems that despite their efforts they are unable to comply fully with their obligations under the Convention and its Protocols.

5. It may also intervene at the request of a Party affected by another Party's situation of non-compliance. Finally, the Committee may intervene at the request of the Secretariat, where the

latter has identified potential difficulties encountered by a Contracting Party in complying with its obligations under the Convention and its Protocols.

6. The Committee may also be asked to make decisions on general issues of compliance with and application of the Convention and its Protocols, or any other issue submitted to it by the Meeting of the Contracting Parties.

II Activities Report of the Compliance Committee during the 2012-2013 Biennium

7. In accordance with paragraph 31 of the Procedures and mechanisms on compliance with the Barcelona Convention and its Protocols, the Compliance Committee has been asked to prepare a report of its activities to be submitted for examination and adoption by the Meeting of the Contracting Parties. At its Eighth Meeting, the Committee examined the draft activities report prepared by its Chair for the 2012-2013 Biennium. All of the report's conclusions, measures and recommendations were adopted by consensus at the Committee's Eighth Meeting.

8. The present Activities Report of the Compliance Committee for the 2012-2013 Biennium has been submitted for approval by the Eighteenth Meeting of the Contracting Parties. During the last Biennium, the Committee addressed the following issues:

II.1 Specific issues of non-compliance

II.1.1 Referrals to the Committee by the Contracting Parties for non-compliance

9. As in the previous biennium, it should be noted that no cases of non-compliance were submitted to the Compliance Committee during the 2012-2013 Biennium. The Committee noted, however, that the review of national reports submitted by the Contracting Parties under Article 26 of the Barcelona Convention is a key element in identifying the implementation of this Convention and its protocols by the Contracting Parties and that the breach of this reporting obligation puts a "defaulting" Party in a situation of non-compliance.

II.1.2 Issues Referred to the Committee by the Secretariat

10. No issues were referred to the Compliance Committee by the Secretariat under paragraph 23 of the Procedures and mechanisms for compliance, regarding difficulties faced by the Contracting Parties in fulfilling their obligations within the framework of the Barcelona Convention and its Protocols. The Committee wishes to recall that the report form is an appropriate means by which the Secretariat may verify whether the Contracting Parties have incorporated into their national legislation and/or applied the provisions of the Barcelona Convention and its Protocols. The Secretariat's role thus closely corresponds with the Committee's facilitating role, which consists of assisting the Parties to fulfill their commitments and obligations under the Convention and its Protocols and achieve compliance.

II.2 Analysis of general issues of non-compliance

II.2.1 Review of national reports submitted by the Contracting Parties in accordance with Article 26 of the Barcelona Convention

11. Pursuant to Article 26 of the Barcelona Convention, it is incumbent upon the Contracting Parties to transmit to the Secretariat the legal, administrative or other measures taken by them for the implementation of the Barcelona instruments. At its Seventh Meeting, the Committee took note of an evaluation undertaken by the Secretariat of the national reports submitted for the 2010-2011 Biennium, which highlights certain deficiencies concerning the reporting exercise required of the Contracting Parties. As of 5 November 2013, only 12 of the 22 Contracting Parties had submitted their 2010-2011 national reports to the Secretariat.

12. The Committee is concerned that to date ten Contracting Parties have not yet submitted their report for the 2010-2011 Biennium. The Committee considers that a full and effective exercise of its functions is directly related to compliance by the Contracting Parties with their obligation to submit their respective reports to the Secretariat. Therefore, it emphasizes the need for all Contracting Parties to ensure that they meet the deadlines set for their reporting obligations. Compliance with this requirement under Article 26 of the Convention determines to a great extent the credibility and effectiveness of the compliance mechanism established by consensus by the Contracting Parties themselves.

13. At the sixth meeting held from 30 January to 1 February 2013, the Committee decided to ask the Secretariat to address a reminder letter to the Contracting Parties reminding them of their obligation to submit their reports for the 2010-2011 Biennium before 30 March 2013. Two letters, in English and French, were sent from the Secretariat to the Contracting Parties, on 14 and 15 February 2013 respectively. At the same meeting, the Committee also asked the Chair to address a letter to the ministers of the five Contracting Parties (Albania, Lebanon, Libya, Montenegro and Slovenia) who have not met their obligation to submit their reports for the 2008-2009 Biennium, requesting a response by 30 March 2013 detailing the reasons for non-submission of the reports. The Chair of the Committee sent a letter to these five Contracting Parties on 6 March 2013. To date, the Chair of the Committee has received no response to any of these different letters.

14. At the request of the Compliance Committee, the Secretariat agreed to grant a deferment to the Contracting Parties concerned asking them to submit their report no later than 31 March 2013. In addition, the Secretariat endeavored to alert the MAP Focal Points in a letter on 15 February, 2013, reminding them that non-submission of reports would be considered a case of non-compliance by the Compliance Committee.

15. Taking into consideration the cases of non-compliance under Article 26 of the Barcelona Convention concerning the submission of reports for the 2008-2009 and 2010-2011 Bienniums, the Compliance Committee has decided to submit a Recommendation to the Eighteenth Meeting of the Contracting Parties. This initiative aims to alert the Contracting Parties to this prejudicial situation and invite them to approve the conclusions of the Compliance Committee set out in this recommendation in relation to specifically identified cases of non-compliance concerning certain defaulting Contracting Parties.

16. The text of the Recommendation, which accompanies this report and which deals with cases of non-compliance relating to non-submission of reports by certain Contracting Parties within the framework of the Barcelona Convention and its Protocols, shall be submitted to the Eighteenth Meeting of the Contracting Parties for consideration and adoption.

II.2.2 Ways to improve the reporting process by Contracting Parties in application of Article 26 of the Barcelona Convention

17. Another concern of the Committee relates directly to the significant disparities between the reports received in relation both to the form used and the nature, quantity and presentation of the data. It is of great importance to the Committee that the reports of the Contracting Parties be completed in a standard format, particularly the technical sections, in order to enable the Committee to undertake a meaningful evaluation of the obligations under the Convention Barcelona and its Protocols.

18. Some positive developments should, however, be noted: Since January 2013, the Contracting Parties have had the option of submitting their report online. The Committee further notes that (9) 2010-2011 reports have been submitted using the standardized reporting form. The progressive use of this reporting system by the Contracting Parties allows for a comparative approach to the information provided and a quantitative analysis of data. There is a need for a more uniform presentation of reports. For this reason, the Secretariat calls upon all Contracting Parties to use the online reporting form systematically for the 2014-2015 Biennium. To date, nine

out of twelve Contracting Parties have used the new on-line reporting format. This real increase compared to the previous biennium is encouraging and should continue. This new reporting format makes it easier to compare information as, unlike the previous system, it enables a quantitative analysis to be made.

19. A methodological guide has been created by the Information and Communication Regional Activity Centre for use by the Contracting Parties. This document sets out the different steps for using the Barcelona Convention Reporting System (BCRS). Henceforth, the BCRS constitutes the official means by which the Contracting Parties may submit their reports to the Secretariat. To date, 11 Contracting Parties have submitted their reports online and 3 in paper format.

20. The Committee noted that the majority of reports identify recurring problems mainly related to a lack of regulatory and/or administrative frameworks, limited human, technical and financial capacity and a lack of management, as well as a shortage of intersectoral cooperation: this number of constraints impedes the completion of a full reporting exercise for certain Protocols. In this respect, the Compliance Committee encourages Contracting Parties which encounter difficulties in drafting their report to make contact with the Secretariat, which will provide any necessary technical assistance.

21. Several initiatives proposed by the Committee to improve the reporting process concern the development of guidelines to assist Contracting Parties to better orientate the application information and to identify particular difficulties relating to the misinterpretation of questions, and also to seek the potential harmonization of the reporting system. At its Sixth Meeting, the Committee expressed the need to define the guidelines and common criteria for evaluating the 2010-2011 reports with a view to identifying actual or potential cases of non-compliance. An initial review of these draft guidelines was examined by the Committee at its Seventh Meeting. The completion of this draft is included in the Programme of Work for the 2014-2015 Biennium attached as Annex II of this Document.

22. The Committee lamented the incomplete information provided and the overly general nature of responses to the Questionnaire and considered that a review of the validity of the Questionnaire cannot be avoided. It appears, in actual fact and in light of the responses from the Contracting Parties, that the report form is still too complex and repetitive in its content. The Committee recommends simplifying it and at the same time requesting the necessary explanations where a Contracting Party answers negatively, designing more suitable content for the resource allocation section, and strengthening and clarifying the effectiveness section. For the time being, it has recommended drafting guidelines for using the Questionnaire in the form of an explanatory note for the Contracting Parties, in order to clarify how the Questionnaire should be used. The completion of this Guide to the Questionnaire format for Contracting Parties is also included in the Committee's Programme of Work for the 2014-2015 Biennium.

23. The Committee also questioned the usefulness of the information gathered via the reports. The Committee deems it necessary to obtain clarification regarding the missing technical information. In this context, the Committee is available, in consultation with the Secretariat, to develop a simpler and more practical draft report for the Barcelona Convention and its Protocols for adoption by the Nineteenth Meeting of the Contracting Parties.

III. Proposals of decisions and recommendations

III.1 Recommendation of the Compliance Committee with obligations regarding submission of reports under Article 26 of the Barcelona Convention (Annex I)

24. At its Eight Session, the Compliance Committee adopted at the attention of the Meeting of the Contracting Parties a Recommendation on non compliance obligations with submission of

reports under Article 26 of the Barcelona Convention. The Recommendation is submitted for consideration and adoption by the Eight Meeting of the Contracting Parties.

III.2 Proposal to amend Decision IG. 17/2 relating to the Procedures and Mechanisms on Compliance under the Barcelona Convention and its Protocols

25. At its Sixth Meeting held in Athens on 30 January 2013, the Committee was apprised of the proposal to introduce a power of initiative for the Committee in the Procedures and mechanisms for compliance (Decision IG. 17/2). The Committee puts forward several arguments in favor of the adoption of the power of initiative. It would contribute in particular to strengthening the Committee itself, to making its actions more dynamic and to facilitating its rapid intervention in cases of non-compliance of which it may become aware.

26. The proposed amendment relating to the Committee's power of initiative was submitted for review to the meeting of National Focal Points in Athens (10-12 July, 2013). The modified proposal for the amendment of Decision IG. 17/2 now reads as follows:

Section V - Procedure

"3. Initiative of the Committee

23a. The Committee may examine, based on the biennial activity reports or any other relevant source of information, the difficulties encountered by a Contracting Party in applying the Convention and its Protocols. The Committee may ask the Party concerned to provide additional information. The Party concerned shall have a period of two months to respond.

Paragraphs 24 to 30 and 32 to 34 shall apply, mutatis mutandis, in the case of an initiative by the Committee."

27. This proposed amendment to Decision IG. 17/2 is subject to the approval of the Eighteenth Meeting of the Contracting Parties under Decision IG. 21/ 1 on the Compliance Committee in its Annex IV.

III.3 Proposals to amend Decision IG. 19/1 relating to the Rules of Procedure of the Compliance Committee

28. By Decision IG. 19/1, the Sixteenth Meeting of the Contracting Parties adopted the Rules of Procedure of the Compliance Committee. The adoption of these Rules of Procedure supplements the institutional system put in place by Decision IG. 17/2 adopted by the Fifteenth Meeting of the Contracting Parties on the Procedures and mechanisms for compliance within the framework of the Barcelona Convention and its protocols.

29. In the course of its last three sessions, the Compliance Committee examined a series of proposals for formal and substantive amendments to its Rules of Procedure. A revised version of the Rules of Procedure was submitted by the Secretariat to the Sixth Meeting of the Committee, which adopted it. The final version of this draft was definitively adopted by the Committee at its Seventh Meeting and transmitted by the Secretariat to the Bureau of the Convention for consideration and adoption at its meeting in Ankara on 1-3 July 2013.

30. In accordance with Article 32 of the Rules of Procedure of the Committee, the Bureau of the Contracting Parties examined the Committee's proposed amendments and itself proposed modifications to Rules 4.1, 4.2 and 4.3 (location, dates and notification of

meetings), taking into consideration the Convention's financial and budgetary parameters. (At its Eighth Meeting, the Compliance Committee approved the modifications to the Committee's Rules of Procedure put forward by the Bureau of the Convention.)

31. Most of the amendments have a purely formal scope or are simply intended to clarify certain points, without affecting the substance of the Rule. Five substantive amendments, however, affect the following points:

- Rule 4.1 provides in its current form that the Committee shall normally meet once a year. The new version stipulates that the Committee shall normally meet **at least twice during each Biennium, preferably once each year**. This amendment thus allows more flexibility in the organization of the scheduling of meetings over the duration of a Biennium.
- Rule 4.2 sets out the principle that meetings of the Committee will take place at the headquarters of the Coordination Unit while leaving open the possibility of changing the location of the meeting provided that the additional costs are borne by the host country.
- The modified version of Rule 4.3 stipulates that at each meeting, the Committee shall decide on the location, dates and duration of its next meeting **in consultation with the Secretariat**. This proposed amendment merely formalizes the standard practice, which is to involve the Secretariat in the decisions of the Committee on the dates and duration of its meetings.
- Rule 22 relating to the Secretariat, in the current version of para 2, stipulates that it performs, in addition, the other functions entrusted to it by the Committee or by the Meeting of the Contracting Parties as regards the work of the Committee. The new version of para 2 makes the execution of these functions by the Secretariat subject to the availability of technical and human resources.
- Rule 26 relating to the Committee's general referral procedures stipulates in para 2 of its current version that a referral to the Committee by a Contracting Party should also include a list of all the documents that are attached to it. The new version of para 2 simply render mandatory the addition of the list of documents which are attached to the referral.

32. The Eighteenth Meeting of the Contracting Parties has before it for examination and adoption all of the proposed amendments to the Committee's Rules of Procedure under Decision IG. 21/1 on the Compliance Committee and developed under its Annex II.

III. 4 Explanatory note for the preparation of national reports (Annex II)

33. At its eighteen Meeting in October 2013, the Compliance Committee adopted a Guide manual for the preparation of national reports for the attention of the Contracting Parties.

III.5 The Compliance Committee's proposed Programme of Work for the 2014-2015 biennium

34. At its Seventh Meeting in June 2013, the Compliance Committee adopted its Programme of Work for the 2014-2015 Biennium. This revisits several points from its previous Programme which constitute the core of the Compliance Committee's functions, namely the examination of any referrals by the Contracting Parties, issues referred to the Committee by the Secretariat or

the examination of thematic issues under paragraph 17(c) of the Procedures and mechanisms on compliance, the drafting and adoption of the report and the recommendations of the Committee.

35. The details of the draft Programme of Work for the 2014-2015 Biennium are as follows:

- a. Examination of any referrals by the Contracting Parties in accordance with paragraphs 18 and 19 of the Procedures and mechanisms on compliance.
- b. Examination of any referrals by the Contracting Parties in accordance with paragraph 23 of the Procedures and mechanisms on compliance.
- c. Analysis, in accordance with paragraphs 17(b) and (c) of the Procedures and mechanisms on compliance, of general issues of non-compliance arising out of the reports submitted by the Contracting Parties for the periods 2010-2011 and 2012-2013.
- d. Examination, at the Committee's initiative, of difficulties encountered by a Contracting Party in applying the Convention and its Protocols, subject to the entry into force of the new paragraph 9 of Section V (Procedure) of Decision IG. 17/2;
- e. Finalization of the draft Guidelines and common criteria for the evaluation of reports by the Compliance Committee to identify situations/cases of actual or potential non-compliance.
- f. Recommendations made by the Committee on the content of the new Questionnaire Format designed by the Secretariat and examination of issues relating to the online reporting system;
- g. Analysis of broader issues requested by the meeting of the Contracting Parties in accordance with paragraph 17(c) of the Procedures and mechanisms on compliance, including a detailed examination of the issues raised by MAP components on the application of the Protocols.
- h. Continuation of the examination of the proposals aimed at strengthening the Committee under the Barcelona Convention and its Protocols.
- i. Analysis of the effectiveness of the application of the Procedures and mechanisms on compliance with the Barcelona Convention, taking into account the feedback from the Parties on the conditions under which the supporting role of the Committee could be improved.
- j. Examination, in close coordination with the Regional Activity Centres, of possible difficulties in the interpretation of the provisions of the Protocols, for consideration at the Meeting of the Contracting Parties.
- k. Development and adoption of the report and recommendations of the Committee, for submission to the Nineteenth Meeting of the Contracting

36. Paragraphs d, f and h are the result of further deliberations by the Committee after the Meeting of focal Points in September 2013. The Committee recommends that they are adopted by contracting Parties and the Annex V of Decision IG.21/1 be amended accordingly.

Annex I

Recommendation of the Compliance Committee with obligations regarding submission of reports under Article 26 of the Barcelona Convention

I. Legal basis of proceedings before the Compliance Committee

1. At its 17th meeting in Paris in February 2012, the Contracting Parties to the Barcelona Convention on the protection of the marine environment and coastal region of the Mediterranean and its protocols, in Decision IG.20 / 1, brought to the attention of the Compliance Committee established by Decision IG 17/2, the examination of the general issues related to fulfillment of obligations, "in particular the recurring problems of non-fulfillment of these obligations". On this basis, the Compliance Committee, at its 6th session in January 2013, its 7th session in June 2013 and its 8th session in October 2013, became aware of the Party States' situation in the light of the obligation to submit reports to the Organization in accordance with Article 26 of the Convention.
2. As regards the issue of the reports, the Compliance Committee has been specially instructed by the 17th meeting of the Contracting Parties to analyze the issues of non-compliance with obligations on the basis of the national reports submitted for the biennial periods 2008-2009 and 2010-2011 as formulated in the work programme of the Compliance Committee for the biennial period 2012-2013 (Annex II paragraph 2(b) of Decision IG 20/1). In examining the question of non-submission of the reports, at the request of the meeting of the Contracting Parties, the Compliance Committee is involved on the basis of the Article 17(b) of Decision IG 17/2 as was precisely indicated in the mandate given to the Compliance Committee by Decision IG.20 / 1 of the 17th meeting of the Contracting Parties.
3. It is on this basis that the Compliance Committee continued the examination of the question of non-submission of reports during its 6th, 7th and 8th session, and decided to take one of the measures provided for in Article 32 (d) of Decision IG 17/2 in order to settle the case of non-compliance, by making this recommendation addressed to the next meeting of the Contracting Parties to be held in Istanbul in December 2013.
4. Although these conclusions and recommendations are not in paragraph V "Procedure" of Decision IG.17/2, since it is not a referral made by the Contracting Parties, the Compliance Committee has nevertheless decided that the parties concerned by these draft conclusions and recommendations should be able to acquaint themselves with them prior to the Decision of the Meeting of the Contracting Parties. Therefore, the Compliance Committee requests the Secretariat to notify in writing the present conclusions and recommendations to the parties concerned. They shall have the opportunity to submit their comments in writing, to the Committee for the Fulfillment of Obligations and via the Secretariat, not later than one month before 3 December 2013, the date of the 18th meeting of the Contracting Parties in Istanbul.

II. Summary of the facts:

5. The submission of reports to the Secretariat has been compulsory since the entry into force of the initial Convention of 16 February 1976 (Article 20) on 12 February 1978. In other words, for the original States Party to the Convention, the submission

of reports has been required for 35 years. In reality, this obligation was only implemented by the Meeting of the Contracting Parties later on.

6. In accordance with Article 26-2 of the Convention, the Meetings of the Contracting Parties decide on the format and frequency of reports. A model background report on marine pollution was adopted by the Contracting Parties at their Eleventh Ordinary Meeting in 1999 (Recommendation II A a) b) 4) under the emergency protocol (pollution reporter system or POLREP), but it was the Twelfth Meeting of the Contracting Parties (Monaco 14-17 November 2001) which adopted reporting formats for the Convention and its Protocols and instituted a pilot phase, inviting the voluntary participation of the Contracting Parties which agreed to prepare these reports. At the time there were seven volunteers: Algeria, Croatia, Libya, Monaco, Spain, Tunisia and Turkey. It was only after this exercise that the Thirteenth Meeting of the Contracting Parties in Catania in November 2003 implemented regular reporting. The application of the compulsory phase of the reporting system therefore only began with the 2002-2003 Biennium, with the decision to begin to apply Article 26 of the Barcelona Convention from the 2002-2003 Biennium onwards, based on the updated reporting forms indicated in document UNEP(DEC)/MED WG. 228/9 (Decision I.A.1.4 in UNEP(DEC)MED IG. 15/11, Annex III, page 2). Thereafter, the Fifteenth Meeting of the Contracting Parties in 2008 requested reports for the 2006-2007 Biennium. Based on Decision IG. 17/3 of the Fifteenth Meeting of the Contracting Parties in Almeria, a new reporting form was adopted and was imposed for the 2006-2007, 2008-2009 and 2010-2011 reports. It must also be considered that the Contracting Parties have had plenty of time to become used to this process. In light of this, the Compliance Committee considers that the strict respect of this obligation should now be reaffirmed clearly in the interests of the Mediterranean environment. At stake are the reputation and credibility of the Barcelona Convention, which is justly considered a model and pioneer in regional marine issues.
7. The Secretariat, the recipient of these national reports, observed that several Contracting Parties had not sent their report at all and that others had submitted it late. In the latter case, the Secretariat most often issued reminders.
8. Concerning the 2006-2007 biennium, the 15th meeting of the Contracting Parties, in its Decision IG. 17/3, had set the sending deadline as the end of November 2008. Seven States have not sent reports (Algeria, Cyprus, Egypt, Italy, Lebanon, Malta, Tunisia).
9. Concerning the 2008-2009 biennium, the 16th meeting of the Contracting Parties had set a deadline for sending at 31 December 2010. During its 5th session on 5 July 2011, the Compliance Committee requested the Secretariat to send a reminder letter to the late senders. This letter, dated 13 July 2011, was followed by a further reminder letter dated 9 May 2012. In the absence of reply, the 6th session of the Compliance Committee, on 30 January 2013, requested its President to intervene. The latter, in a letter dated 6 March 2013, asked the interested parties (Albania, Lebanon, Libya, Montenegro and Slovenia) the reasons for their failure to submit their report for the 2008-2009 biennium, requesting a response before 30 April 2013. For the 7th session of the Compliance Committee, the Secretariat compiled a table of national reports submitted by the Contracting Parties under Article 26 of the Barcelona Convention (UNEP (DEP) / MED Compliance Committee.7 / inf3). On 26 June 2013, in the absence of a reply to all the previous letters, including that of the President of the Compliance Committee, there are still six cases of non-submission of reports for 2008-2009, that is, 3 years after the deadline and despite sending three successive reminders in 2011, 2012 and 2013 (Albania, Lebanon, Libya, Malta, Montenegro, Slovenia). However, Libya, which did not accept the 1995

Barcelona convention amendments until 12 January 2009, does not have the obligation to report for 2008-2009.

10. Concerning the biennium 2010-2011, the 17th meeting of the Contracting Parties, in its decision IG.20 / 3, had set a deadline for sending "by December 2012 at the latest". The Compliance Committee, during its 6th session, invited the Secretariat to reiterate their obligations to the Contracting Parties who had not yet sent their report, and granted an extension until 31 March 2013. In a letter of 15 February 2013 sent to the focal points of the Contracting Parties, the Secretariat recalls that non-submission of the reports "will be considered to be a case of non-compliance" by the Compliance Committee. On 26 June 2013 the Table of the Secretariat, cited in 5 above, identified 11 cases of non-submission of reports for 2010-2011, that is, seven months after the deadline and four months after the February 2013 reminder (Albania, Algeria, Croatia, Lebanon, Libya, Malta, Monaco, Slovenia, Syria, Tunisia and Turkey). Turkey has since submitted its report for the 2010-2011 biennium, on 12 July 2013. Croatia and Lebanon have also done so. By the Committee's Eighth Meeting on 22 October 2013, only 14 reports had been sent to the Secretariat, with 8 reports still outstanding.
11. The Compliance Committee, at its 6th session in January 2013, observed that 5 Contracting Parties have repeatedly failed to send their national reports for two successive biennia: both for 2008-2009 and for 2010-2011 (Albania, Lebanon, Libya, Malta and Slovenia). The same observation was made at the 7th session of the Compliance Committee in June 2013. There were only 4 Parties at the time of the Committee's Eighth Meeting in October 2013: Albania, Libya, Malta and Slovenia.
12. Finally, the Compliance Committee observes that the manifest and repeated non-fulfillment of Article 26 of the Convention concerns one State, which for three successive biennia, did not send any of the reports required for 2006-2007, 2008-2009 and 2010-2011 (Malta).

III. Legal basis for non-compliance

13. The Compliance Committee notes that the submission of national reports is a direct obligation of the Contracting Parties clearly imposed by Article 26 of the Barcelona Convention. It requires a report on the measures taken in application of the Convention and also under the protocols and recommendations adopted by the meeting of the Contracting Parties. Certain Protocols reiterated the obligation to submit reports, specifying their content (Art. 13 of Protocol on protection of the Mediterranean Sea against pollution from sources and activities located on land and Art. 23 of Protocol on specially protected areas and biological diversity of the Mediterranean). The reporting obligation is subject to form and frequency requirements as decided by the meetings of the Contracting Parties. The Compliance Committee notes, in this respect, that the missing reporting were actually required and programmed by the 16th and 17th meetings of the Contracting Parties.
14. The Contracting Parties implemented in paragraphs 5, 6, 7 and 8 above all deposited their instruments of ratification and became parties after its entry into force. Article 26 of the Convention is applicable and enforceable against them (Albania, Algeria, Cyprus, Egypt, Italy, Lebanon, Libya, Malta, Monaco, Slovenia, Syria and Tunisia).

IV. General remarks

15. Non-respect of Article 26 of the Barcelona Convention constitutes a major obstacle to the implementation of the Convention and its protocols, since, despite its aspect of purely formal obligation, it gives rise to a whole series of consequences that impede the effectiveness of the Convention and the MAP. For this reason, several meetings of the Contracting Parties have particularly stressed the need for a Member State to fulfill the requirement to provide the national reports in due time.

16. The reports of the Contracting Parties shall be the key element of the implementation of the Barcelona Convention and its protocols. In the eyes of the Compliance Committee they are initially essential to be able to legally exercise the following functions:

- allow the meeting of the Contracting Parties to “study” the reports in accordance with Article 18-2-(ii) of the Convention. In the absence of reports, the meeting of the Parties cannot fulfill its mission,
- assess the conformity of the measures taken at national level with the Convention and its protocols, and allow application of Article 27 of the Convention,
- measure the effectiveness of the measures taken and the problems encountered in application of the Convention and its protocols in accordance with Article 26 of the Convention,
- enable the Committee to fulfill the obligations to fulfill the mandate entrusted to it by the Contracting Parties to “facilitate and promote compliance with the obligations in the context of the Barcelona Convention and its Protocols” (1. Objective, Decision IG.17/2),
- allow the Secretariat to send the Contracting Parties the reports under Article 17 (II) of the Convention,
- allow the Secretariat to report to the Contracting Parties on the implementation of the Convention and Protocols under Article 17 (VI) as pointed out in decision IG.20 /3 which itself refers to Decision IG.17/3.

17. In addition, the Compliance Committee considers that the reports also play an important political and technical role, by :

- facilitating the monitoring over time of the progress made in the implementation of the Convention and its protocols, at both national and regional level,
- providing regular information to facilitate the effective application of the Convention and its protocols,
- allowing the Secretariat to make a credible summary, in the possession of all the relevant information available,
- -allowing the condition of the Mediterranean to be assessed,

- identifying the challenges faced by all the residents in the Mediterranean area,
- sharing between the Contracting Parties and MAP partners the information contained in the reports and the experience concerning the efforts made for the implementation,
- contributing to higher visibility and transparency of the MAP in the region through publication of the reports on websites or other channels as recommended by Decision IG.17/3,
- formulating the general obligations of the Contracting Parties with regards to their regional cooperation,
- preventing the introduction of difference of treatment and obligations between those making the effort to complete the reports, and the others.

V. The importance to satisfy to the obligation relating to the submission of reports

18. The Compliance Committee underlines that, beyond the formal obligation to submit reports in due time as formulated specifically by Art. 26 of the Convention, the Contracting Parties have repeatedly stressed the urgent need to fulfill this obligation in the common interest of the Contracting Parties and in order to meet the objectives of the Convention and its protocols.

19. The Compliance Committee, confining itself to involvement in the meetings of the Parties concerning the reports for the 2008-2009 and 2010-2011 biennia, reiterates the following decisions:

- Decision IG. 17 / 2: the 15th meeting of the Contracting Parties, in 2008, asked the Compliance Committee to examine 'the problems of non-compliance with reporting obligations',
- Decision IG. 19 / 17, appendix 1, paragraph 4, page 9: the 16th meeting of the Contracting Parties in 2009, in approving the MAP work programme for 2010-2014 with regard to the entry into force of legal instruments considers '... it a priority to contribute and to ensure that the new texts are implemented at the Parties' level. The system of reports and the mechanism of surveillance and the fulfillment of obligations shall expand rapidly and allow greater transparency'. Regarding governance, one of the three priorities identified deals with implementation of the Convention and its protocols in respect of which the "search for effectiveness will be a priority (...) the reputation of the Barcelona Convention is partly linked to the attention to be paid to its effective enforcement'. For the Compliance Committee, there can be no effective application if not all Contracting Parties submit their national reports within the time limits.
- Decision IG.19 / 17, appendix 2, page 27: the 16th meeting of the Contracting Parties in 2009, in approving the work programme and 2010-2011 budget, reaffirms: "an effective system of reporting and a mechanism for fulfillment of obligations are essential to promote the effective implementation of the Convention and its protocols and the effectiveness and overall visibility of the MAP".

- Decision IG. 19/1, Preamble: the 16th meeting of the Contracting Parties in 2009, in approving the rules of procedure of the Compliance Committee, stressed “the fact that it is important for the contracting parties to respect the time limits for their requested report obligations,” urged “the Contracting Parties who have not done so to submit their reports as soon as possible’, and called on ‘the Compliance Committee (...) to discuss repeated problems of fulfillment of obligations in general.
- Decision IG. 19/1, Annex II, Para. 2 (e): the 16th meeting of the Contracting Parties in 2009, in approving the work Programme of the Compliance Committee for 2010-2011, considered that the focus should be “placed in particular on the reasons for the Contracting Parties not respecting their obligations to report’.
- Decision IG. 20/1: the 17th meeting of the Contracting Parties in 2012, by amending the procedures and mechanisms for fulfillment of obligations, set out the following considerations: “forcefully pointing out the need for the Contracting Parties to discharge their submission obligations within the deadlines of the reports on the measures taken in application of the Barcelona Convention and of the Protocols”; “urges the Contracting Parties which have not yet done so to submit their reports as soon as possible”; “requests the Compliance Committee, in accordance with paragraph 17 (b) of the Procedures and mechanisms for fulfillment of obligations, to examine general questions related to fulfillment of obligations, including the recurring problems of non-compliance with those obligations”.
- Decision IG. 20/3: the 17th meeting of the Contracting Parties, in a decision specially devoted to the problem of reports, clearly indicated in 2012 its concern at the number of Contracting Parties which still had not submitted their reports: “showing its concern that seven Contracting Parties have not submitted their biennial reports on the measures taken in application of the Convention and its protocols and that some of the reports were not received in time”.

VI. Conclusions

20. In the light of the foregoing, the Compliance Committee shall adopt the following conclusions in order to bring to the attention of the meeting of the Contracting Parties, with a view to official adoption, under paragraphs 31, 32, 33 and 34 of the Decision IG. 17/2.
21. The Compliance Committee considers that the submission of reports as provided for in Article 26 of the Convention is a fundamental requirement, with no possible exceptions. It represents the procedural minimum which must be required. It is a precondition for:
 - the effectiveness of the whole MAP and its legal instruments,
 - it allows all contracting parties to regularly assess legal, administrative or other measures taken by them and problems encountered in their application.
 - it is essential for the functioning of the obligations’ fulfillment mechanisms. The reports are therefore beneficial for those which compile them and also

for all the Contracting Parties who can find examples of good or bad practices within them.

22. However the Compliance Committee is anxious to point out that, in its opinion, the submission of reports does not ensure their quality and constitutes a formal obligation independent of any subsequent evaluation of the substance of and compliance with the Convention and its protocols.
23. The Compliance Committee is well aware of the heavy burden on the Contracting Parties, who are often required to respond to several questionnaires concerning their participation in several international conventions on the environment. The ability of the parties concerned, and the limited means often devoted to the environment in many countries, and exceptional political circumstances, may explain some delays.
24. However, the Compliance Committee considers that as this is a formal obligation, the minimum which can be expected of the Contracting Parties is to return the questionnaire with brief replies. This task is usually facilitated in the said Questionnaire by simply requiring the ticking of boxes. Admittedly, summary responses are not satisfactory because they do not allow the Secretariat, or the Compliance Committee, to fulfill the tasks entrusted to them of checking that the obligations have been respected. Therefore, the Compliance Committee wishes to clearly distinguish two separate cases of non-compliance with regards to reporting:
 - non-compliance resulting from non-transmission or late transmission of reports, which is a formal requirement.
 - non-compliance resulting from reports that are inadequate or incomplete or reveal a breach of the Convention or its protocols or of recommendations adopted by the meeting of the Contracting Parties, which is a substantial requirement.
25. In view of all these considerations, and given that a deadline had been set by the meeting of the contracting Parties, that further time had been granted and that the Secretariat had clearly offered assistance and advice to Contracting Parties in difficulties (see in this respect decision IG.20/3 and Secretariat's letter of 15 February 2013), the Compliance Committee generally considers that non-submission of reports constitutes a manifest case of non-compliance with the Convention and its protocols.
26. For the Compliance Committee, this case of non-compliance is in itself particularly serious because of its consequences on the proper functioning of the whole WFP and its conventions. The Compliance Committee notes, in addition, a real and continuous deterioration resulting from the reduced number of reports submitted since the 2002-2003 biennium. Indeed, the table of national reports submitted by the Contracting Parties (UNEP (DEPI) / MED Compliance committee 7 / INF 3, 26-28 June 2013) indicates that the number of reports submitted decreased from 19 in 2003 to 17 in 2005, 15 in 2007, 16 in 2009 and 12 in 2011. It is essential to end this decrease of the reports in contravention of the repeated exhortations of the meeting of the Contracting Parties. Therefore, the Compliance Committee decides to alert the Contracting Parties to ensure express recognition of non-compliance, aiming at the defaulting parties.
27. For the application of paragraph 32 of Decision IG. 17/2 concerning the measures that the Compliance Committee may take, the Committee considers that, in view of

the formal non-compliance found, it is not, in this case and in the immediate, appropriate or useful to provide advice and assistance, it having already been offered without success by the Secretariat. Therefore, the Compliance Committee decides to apply (d) of paragraph 32 of Decision IG. 17/2, considering that non-fulfillment due to absence of reports must be addressed by the meeting of the Contracting Parties and by submitting this recommendation to the meeting of the Contracting Parties.

28. The Compliance Committee, wanting to facilitate compliance with the obligations, and taking into account the capacity of the Contracting Party concerned and factors such as the cause, nature, degree and the frequency of non-compliance as provided for in paragraph 32 of Decision IG. 17 / 2, decided not to treat in the same way the different Contracting Parties concerned by the non-compliance arising through non-submission of reports as referred to in paragraphs 6, 7, 8 and 9 above.
29. Situations of non-compliance prior to the 2008-2009 biennium, although declared, will be considered exceptionally by the Compliance Committee as no longer justifying intervention of the meeting of the Contracting Parties in the light of the age of the information that these reports should contain.
30. For the 2008-2009 biennium, despite reminders from the Secretariat and e-mail from the President of the Compliance Committee, no report was sent to the Secretariat by the Albania, Lebanon, Malta, Montenegro and Slovenia. The Compliance Committee considers that such behavior constitutes a case of non-compliance. The Compliance Committee invites the meeting of the Contracting Parties, under paragraphs 33 (a) and 33 (b) of Decision IG. 17 / 2 to recommend that these parties submit their reports 2008-2009 within a time limit of one month and at their request, provide the necessary assistance where required.
31. For the 2010-2011 biennium, despite reminders from the Secretariat, no report was sent by Albania, Algeria, Libya, Malta, Slovenia, Syria or Tunisia. The Compliance Committee considers that such behavior constitutes a case of non-compliance.
32. Although the non-transmission of a single report may occasionally be explained by the special circumstances of the case, provided however that the party concerned explains in good time to the Secretariat and Compliance Committee, the non-transmission of several successive reports is aggravated and therefore a case of non-compliance. For this reason, Decision IG. 17/2 on the procedures and mechanisms for fulfillment of obligations expressly stipulates the hypotheses of "repeated" non-compliance (paragraph 17 (b)) and cases of "persistent, serious or repeated situations of non-compliance" (paragraph 34). Non-compliance can thus lead to a special scheme at the discretion of the meeting of the Contracting Parties, in application of paragraph 34 of the decision IG. 17/2/.
33. The Compliance Committee considers that the fact of not sending reports for several successive biennia without providing any explanation and without replying to the various reminder letters, constitutes persistent, serious and repeated non-compliance. This is the case for the 2008-2009 and 2010-2011 biennia for Albania, Libya, Malta and Slovenia,. The Compliance Committee notes that for Malta, the non-compliance is aggravated because of the absence of reports for three successive biennia since 2006-2007. The Compliance Committee considers that such behavior constitutes a case of serious and repeated non-compliance and invites the meeting of the Contracting Parties:
 - to state non compliance of article 26 of the Convention;

- to issue a warning under (a) of paragraph 34 of Decision IG. 17/2

34. The Compliance Committee invites the Meeting of the Contracting Parties, under paragraphs 33 (a) and 33 (b) of Decision IG. 17/2, to ask Albania, Algeria, Libya, Malta, Slovenia, Syria and Tunisia to submit their 2010-2011 reports within two months from the closure of the Eighteenth Meeting of the Contracting Parties.

35. The Compliance Committee:

- Noting that to date the Secretariat has not applied paragraph 23 of Decision IG. 17/2 and that the Contracting Parties have not referred the matter to the Committee under Article 18.a;
- considering the debates of the 17th meeting of the Contracting Parties concerning Decision IG.20/1, according to which “in future the parties should receive information on the reasons why the countries have not submitted reports” (paragraph 48, UNEP (DEPI) MED IG 20/8);
- wanting to facilitate compliance with the obligations in view of the specific situation of each contracting party, especially those of developing countries,
- wishing to help resolve the difficulties encountered by the Contracting Parties who have not submitted a report,

strongly wishes that the Governments of Albania, Algeria, Libya, Malta, Monaco, Slovenia, Syria and Tunisia be invited by the Meeting of the Contracting Parties to make an official referral to the Compliance Committee regarding their own actual situation of non-compliance under paragraph 18 (a) of Decision IG. 17/2 so that the Committee may, where necessary, help them satisfy their obligation to submit their reports.

VII. Recommendations

35. The Compliance Committee recommends that the meeting of the Contracting Parties:

A. Approves the conclusions of the Compliance Committee according to which:

- Albania, Algeria, Libya, Malta, Monaco, Slovenia, Syria and Tunisia, by not submitting their 2010-2011 Reports, have not complied with their obligations under Article 26 of the Convention;
- Albania, Libya, Malta and Slovenia, by not submitting their 2008-2009 and 2010-2011 reports, have demonstrated serious and repeated non-compliance with their obligations under Article 26 of the Convention. As such, they will receive a warning under paragraph 34 (a) of Decision IG. 17/2.

B. Requests the Governments of Albania, Algeria, Libya, Malta, Monaco, Slovenia, Syria and Tunisia to submit their 2010-2011 report within two months of the final day of the Eighteenth Meeting of the Contracting Parties, and invites them, where necessary, to request assistance in drafting the reports.

C. Earnestly invites the Governments of Albania, Libya, Malta and Slovenia to submit to the Committee within two months of the final day of the Eighteenth Meeting of the Contracting

Parties, a note explaining how they will proceed in the future to prepare their reports and detailing the means and resources they have mobilized to submit their reports.

D. Invites the Governments of Albania, Algeria, Libya, Malta, Monaco, Slovenia, Syria and Tunisia to make a referral to the Compliance Committee under paragraph 18 (a) of Decision IG. 17/2 so that the Committee may examine the difficulties and obstacles encountered by these Parties and can assist them in meeting their obligations to submit reports under Article 26 of the Barcelona Convention.

E. requests the addition to the 8th Consideration of the draft Decision IG. 21/1 submitted for examination at the Eighteenth Meeting of the Contracting Parties of the following text “ (...) and noting the cases of non-submission of reports which have been subject to a special and reasoned recommendation by the Compliance Committee”.

36. The Compliance Committee requests the Meeting of Contracting Parties to approve the conclusions as follows:

- Albania, Algeria, Libya, Malta, Monaco, Slovenia, Syria and Tunisia, by not submitting their 2010-2011 Reports, have not complied with their obligations under Article 26 of the Convention;
- Albania, Libya, Malta and Slovenia, by not submitting their 2008-2009 and 2010-2011 reports, have demonstrated serious and repeated non-compliance with their obligations under Article 26 of the Convention. As such, they will receive a warning under paragraph 34 (a) of Decision IG. 17/2.
- The Governments of Albania, Algeria, Libya, Malta, Monaco, Slovenia, Syria and Tunisia to submit their 2010-2011 report within two months of the final day of the Eighteenth Meeting of the Contracting Parties, and are invited, where necessary, to request assistance in drafting the reports.
- The Governments of Albania, Libya, Malta and Slovenia to submit to the Committee within two months of the final day of the Eighteenth Meeting of the Contracting Parties, a note explaining how they will proceed in the future to prepare their reports and detailing the means and resources they have mobilized to submit their reports.
- The Governments of Albania, Algeria, Libya, Malta, Monaco, Slovenia, Syria and Tunisia have to make a referral to the Compliance Committee under paragraph 18 (a) of Decision IG. 17/2 so that the Committee may examine the difficulties and obstacles encountered by these Parties and can assist them in meeting their obligations to submit reports under Article 26 of the Barcelona Convention.

Annex II

Explanatory note for the preparation of national reports

Article 26 of the Barcelona Convention requires States Parties to submit reports to the Organization regularly. Upon examining the 2010-2011 Biennium reports, the Compliance Committee noted that many of the reports were difficult for the Secretariat and the Committee to work with due to the way the Contracting Parties had drafted their responses. For this reason, at its seventh session in June 2013 the Compliance Committee decided to prepare an explanatory note with a view to facilitating the drafting of reports based on the objectives of these reports.

1. Report objectives

It is important for those writing the reports to understand the objectives the reports are meant to achieve so that they can adapt their responses to meet these objectives. It follows both from Article 26 of the Convention and from practice that the reports are not simply a formality, nor are they a run-of-the-mill survey. They must cover:

- the measures taken to apply the Convention and its Protocols;
- the measures taken to apply the recommendations adopted by the meetings of the Contracting Parties;
- an evaluation of the efficacy of these measures;
- any problems encountered in the application of the Convention, Protocols and recommendations.

Satisfying these requirements makes it possible to monitor the correct application of the Convention and its Protocols. These requirements are best explained by setting out the legal and technical functions fulfilled by the reports:

- 1.1 To allow the meeting of the Contracting Parties to “consider” the reports (Art. 18-2-(ii) of the Convention), thus enabling the Parties to be informed of the activities undertaken by the Parties.
- 1.2 To allow the meeting of the Contracting Parties to “assess compliance” with the commitments (Art. 27 of the Convention).
- 1.3 To allow the meeting of the Contracting Parties to make recommendations (Art. 27 of the Convention).
- 1.4 To evaluate the compliance of national legal, administrative and other measures with the Convention and its Protocols.
- 1.5 To measure the efficacy of the measures taken and the problems encountered.
- 1.6 To allow the Compliance Committee to fulfill its mandate to “facilitate and promote compliance with obligations” (1. Objectives, Decision IG.17/2).
- 1.7 To allow the Secretariat to transmit the reports to the Parties (Art. 17 (ii)).

- 1.8 To allow the Secretariat to report to the Contracting Parties on the implementation of the Convention (Art. 17 (vi)).
- 1.9 To allow the monitoring of progress in the implementation of the Convention at national and regional level.
- 1.10 To provide regular up-to-date information.
- 1.11 To allow the Secretariat to produce a credible review using all relevant information.
- 1.12 To facilitate the evaluation of the state of the Mediterranean (Art. 18-2-(i) of the Convention).
- 1.13 To facilitate the implementation of the Mediterranean Action Plan (Art. 4-2 of the Convention).
- 1.14 To share with Contracting Parties and MAP partners the information contained in the reports and the best environmental practices (Art. 4-4-(b) of the Convention).

2. Recommendations for drafting reports

Reports must respond to the formal requirements imposed by the "Form", as adopted by the Contracting Parties. It is however essential that the person or persons responsible for producing the report keep in mind at all times the spirit of the objectives listed in Section 1.

- 2.1 Institutions which have produced a report should not neglect to state the relevant Protocol for each institution mentioned.
- 2.2 Where a box must be ticked, it is important not simply to tick the box. The "Remarks and Observations" section should always be completed - it is through these that the evaluators can obtain a clear idea of the situation.
- 2.3 Where "No" is ticked, it is necessary to give an explanation to indicate whether there are legal (which ones?), technical, political or other difficulties.
- 2.4 Where "Yes" is ticked, it is also necessary to give an explanation, perhaps about any difficulties or good practices.
- 2.5 The "Remarks and Observations" section should be seen as a space to provide both "explanations" and "difficulties encountered". Legal, technical or other difficulties should be explained.
- 2.6 The section "Title, reference, date of enactment of the legal instrument" should be completed with care and precision, and should always indicate the date of the instrument, its number and the date of publication. A reference should be given to the Official Journal and the exact website of the relevant administration.
- 2.7 It is essential not only to quote exactly the applicable texts, but also to give the number of the relevant article(s), along with a brief overview of their content in relation to the application of the Convention and its Protocols.
- 2.8 The sections on administrative measures should be completed carefully and all the boxes should be filled.

- 2.9 Where no measures have been taken, this should be indicated in order to show that it is not simply an omission, and where possible an explanation should be given.
- 2.10 Where there is an “effectiveness” section, this should include comments as well as figures. For this, it is imperative that the report author has had in advance one or more meetings with the central competent authorities and that they receive information and reports from local services on the ground.
- 2.11 The “allocation of resources” section provides an opportunity to detail the available resources: staff, budget, institutions.
- 2.12 The “coercive measures” section should be completed with a view to giving precise information on inspections, checks and sanctions.
- 2.13 The production of the report should be preceded by a meeting with the relevant local and national services and, as far as possible, involve the participation of the public in order to improve the quality and accuracy of the reports.
- 2.14 Once completed, the report should be made available to the public on the internet.

3. Proposals

- 3.1 The Secretariat is invited to organise a capacity building workshop to explain more clearly to report authors the method which should be used to address the objectives of the reports; to discuss the Questionnaire, its usefulness and operation. This training, carried out with the support of the Compliance Committee, should be aimed at the Focal points, the contact points authoring certain parts of the report, the Mediterranean Action Plan partners and any other relevant actors.
- 3.2 It could be suggested to the Contracting Parties that they adopt a “strategy for national reporting” in order to develop the method used, detailing in particular the planning of the report preparation, the planned consultations with relevant local and national administrative bodies, public information and participation in the preparation of reports and the publicizing of reports.
- 3.3 The Secretariat is invited to prepare a note for the Meeting of the Contracting Parties on the online Questionnaire, its adaptation to needs and on the manner in which the Mediterranean Action Plan components use the information in the questionnaire.
- 3.4 The Compliance Committee has decided to include these matters in the programme for its upcoming meetings.