

ANNEX III

Article 3. Geographical coverage

Comments by Algeria

The ecosystem approach should be emphasized in the definition of coastal zones and the coast and, accordingly, the territory covered should be reconsidered by including the communes and municipalities bordering on the ecosystems that exist in these areas, such as forest areas, wetlands and natural areas of ecological and landscape value and which are remarkable.

With regard to the definition of the scope and with our field experience, the ecosystem approach must also be taken into account in the determination of coastal zones or the coast and, accordingly, the territory covered should be reconsidered by including the communes and municipalities bordering on the various ecosystems that exist in the area of the coast or coastal zones, such as forest areas, wetlands and natural areas of ecological and landscape value and which are remarkable.

Comments by Tunisia

Article 4: Preservation of rights

Modify Article 4, paragraph 4, so as to include security installations among the exemptions provided for in this Article:

4. "Nothing in this Protocol shall prejudice national defense **and national security** activities and facilities";

Instead of: "Nothing in this Protocol shall prejudice national defense activities and facilities".

PART II: PRINCIPLES AND ELEMENTS OF INTEGRATED COASTAL ZONE MANAGEMENT

Article 6: Institutional coordination

Paragraph 1:

It is preferable to rectify the term "avoided" by the term "incorporated" through coordination.

It would therefore read:

1. "The Parties shall establish, where necessary, appropriate bodies and ensure through inter-ministerial coordination that sectoral approaches are **incorporated** and global approaches facilitated."

Instead of: "The Parties shall establish, where necessary, appropriate bodies and ensure through inter-ministerial coordination that sectoral approaches are avoided and global approaches facilitated."

Paragraphs 2 and 3:

Add the term "develop" in paragraphs 2 and 3, as what is needed is to develop and organize the appropriate approach.

It would therefore read:

2. "The Parties shall **develop and** organize appropriate coordination between the various maritime and land authorities (...)"

3. "The Parties shall **develop and** organize close coordination between national authorities and local and regional bodies in the field of coastal strategies, plans and programmes (...)"

Instead of:

2. "The Parties shall organize appropriate coordination between the various maritime and land authorities (...)"

3. "The Parties shall organize close coordination between national authorities and local and regional bodies in the field of coastal strategies, plans and programmes (...)"

Paragraph 4:

With regard to the commitment of the Parties, the Protocol cannot call for commitment at the local level: it is merely possible to organize them to strengthen the process.

It would therefore read:

4. "**The Parties shall ensure that local and regional coastal zone administrative bodies are organized** to strengthen the coherence and effectiveness of the coastal strategies, plans and programmes established."

Instead of: "Local and regional coastal zone administrative bodies shall, insofar as practicable, work together to strengthen the coherence and effectiveness of the coastal strategies, plans and programmes established."

Article 7: Protection and use of the coastal zone

Read: "For this purpose, **the States Parties shall:**"

Instead of: "For this purpose, the competent authorities shall:"

Moreover, it is important to distinguish in this Article between urban areas which are developed along the coast and which are covered by a development plan and areas which are not covered by a development plan and which are therefore not occupied and can be preserved. With regard to the areas that are not currently covered by urban development plans, the land fringe where building is not permitted can be set at a minimum of 100 metres. However, for the areas currently covered by urban development plans and which are now urbanized it would be necessary to provide for a narrower land fringe where building is not permitted, which should be managed according to the laws in force in the Contracting Parties.

For paragraph (a): make a distinction between urbanized and non-urbanized areas:

(a) "establish, as from the highest winter waterline, a land fringe where building is not permitted and determine the width thereof, which may not be less than [100 metres], **in respect of coastal zones which are not currently urbanized;**"

(a bis) "**establish, as from the highest winter waterline, a land fringe where building is not permitted and determine the width thereof, which may not be less than [25 metres], in respect of coastal zones which are currently urbanized. The extension**

of the urban zone along the coastline shall comply with the provisions of paragraph (a) of this Article."

Instead of:

(a) "establish, as from the highest winter waterline, a land fringe where building is not permitted and determine the width thereof, which may not be less than [100 metres];"

For paragraphs (c) and (d): add the following phrase "through the enactment of specific laws".

It would therefore read:

(c) "limit the linear extension of urban development along the coast, **through the enactment of specific laws;**"

(d) "avoid the creation of new roads along the coast, **through the enactment of specific laws;**"

Article 8: Economic activities

6. Ports and maritime infrastructure and works

Delete the words "or forbidden", since prohibition is a regulatory measure.

It would therefore read:

(b) "Any works affecting the seabed or subsoil of the maritime part of the coastal zone, including the construction of artificial reefs, sea walls, breakwaters or artificial beaches, shall be regulated with a view to limiting their impact on coastal ecosystems and their direct or indirect effects on erosion."

Instead of:

(b) "Any works affecting the seabed or subsoil of the maritime part of the coastal zone, including the construction of artificial reefs, sea walls, breakwaters or artificial beaches, shall be regulated **or forbidden** with a view to limiting their impact on coastal ecosystems and their direct or indirect effects on erosion."

Article 14: Observatories, inventories and networks

Specify that observatories shall also collect data relating to the marine environment.

Article 16: National coastal strategies, plans and programmes

Paragraph 1: add the words "**for this strategy**".

It would therefore read:

1. "Each State Party shall formulate a national strategy for integrated coastal zone management and coastal implementation plans and programmes **for this strategy** in conformity with the integrated management objectives and principles of this Protocol."

Instead of:

1. Each State Party shall formulate a national strategy for integrated coastal zone management and coastal implementation plans and programming in conformity with the integrated management objectives and principles of this Protocol."

Article 17: Environmental assessment

Paragraph 1: add “**each State Party shall ensure that**”

It would therefore read:

1. Taking into account the fragility of coastal zones, **each State Party shall ensure that** the content of the environmental impact studies for public and private works and activities which may affect the environment of the coastal zone must be reinforced, to take into consideration the specific sensitivity of this environment, its carrying capacity and the inter-relationship between the maritime and land areas.

Instead of:

1. *Taking into account the fragility of coastal zones, the content of the environmental impact studies for public and private works and activities which may affect the environment of the coastal zone shall be reinforced, taking into consideration the specific sensitivity of this environment, its carrying capacity and the inter-relationship between the maritime and land areas.*

Article 18: Land ownership and control of any further urbanization

Add the phrase “and control of any further urbanization” in the heading of this Article and include a paragraph specifying the need to protect and manage certain coastal areas through property acquisition or the establishment of conditions specifying the uses, management systems and preservation of these areas.

PART IV: INTERNATIONAL COOPERATION

Article 20: Training and research

Paragraph 2: line 2: add the term “**applied**”

It would therefore read:

2. “The Parties undertake, directly or with the assistance of the Centre or the international organizations concerned, to promote scientific, technical **and applied** research into integrated coastal zone management, particularly through the exchange of scientific and technical information and the coordination of their research programmes.

Instead of:

2. “The Parties undertake, directly or with the assistance of the Centre or the international organizations concerned, to promote scientific and technical research into integrated coastal zone management, particularly through the exchange of scientific and technical information and the coordination of their research programmes.

Article 23: Natural disasters

Paragraph 3:

Take Article 13 of the Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea, done in Valletta on 25 January 2002, and adapt it to the context of the Protocol on the Integrated Management of Mediterranean Coastal Zones.

Article 25: Transboundary impact studies and strategic assessment

Paragraph 1: (grammatical correction - only concerns the French version)

PART V: INSTITUTIONAL PROVISIONS

Article 27: Reports

Add the list and coordinates of the competent national authorities and indicate their role in the context of this Protocol.

