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Introduction

1. In accordance with the programme of work adopted by the 15th Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and its Protocols, held in Almeria, Spain, in January 2008, the Meeting of the MAP Focal Points was held at the Divani Caravel Hotel in Athens, Greece, from 7 to 10 July 2009.

Participation

2. The following Contracting Parties to the Barcelona Convention were represented at the meeting: Albania, Algeria, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, European Community, France, Greece, Israel, Italy, Lebanon, Libyan Arab Jamahiriya, Malta, Monaco, Montenegro, Morocco, Slovenia, Spain, Syrian Arab Republic, Tunisia, Turkey.

3. The following United Nations bodies, specialized agencies, convention secretariats, and intergovernmental organizations were represented by observers: the World Health Organization (WHO), the Food and Agriculture Organization of the United Nations (FAO), the International Atomic Energy Agency (IAEA), the Intergovernmental Oceanographic Commission (IOC), the International Centre for Advanced Mediterranean Agronomic Studies (CIHEAM), the European Investment Bank (EIB), PERSGA, the Ramsar Convention Secretariat and World Bank/METAP.

4. The following non-governmental and other organizations were represented by observers: Arab Network for Environment and Development (AOYE/RAED), Clean Up Greece, ECAT Tirana, ENDA Maghreb Greenpeace International, Institute of Sustainable Development and Management of Natural Resources (INARE), Hellenic Marine Environment Protection Agency (HELMEPA), MEDASSET, Mediterranean Wetlands Initiative (MEDWET), Mediterranean Information Office for Environment, Culture and Sustainable Development (MIO-ECSDE).

5. The full list of participants is attached as Annex I to the present report.

Agenda item 1: Opening of the meeting

6. Ms Maria Luisa Silva Mejias, Officer-in-Charge and Deputy Coordinator of the Mediterranean Action Plan (MAP), welcomed the participants and opened the meeting at 9.30 a.m. on Tuesday 7 July 2009. She underlined the need for the MAP system to adapt itself to the new challenges occurring in the Mediterranean region. She recalled that the Contracting Parties considered that the impact and profile of the MAP system should be raised and had asked for changes to enable it to achieve concrete results in pursuit of its objectives. Her efforts, therefore, at a time of renewed political importance for both the environment and the Mediterranean, would be directed to adapting the competences and contributions of the MAP system to meet those challenges, supported by the RACs, MED POL and the Coordinating Unit as a whole.

7. She looked forward to strengthening the bond with the Contracting Parties in a spirit of partnership, transparency, professionalism and accountability, and to enhancing dialogue and cooperation with MAP partners. The main objective of the present meeting was to review progress achieved during the current biennium and finalize submissions to the 16th Meeting of the Contracting Parties in Marrakesh in November 2009. She would take the opportunity to hear the views of the Focal Points on how best to confront the challenges ahead, and how the Secretariat could most efficiently and effectively fulfil its mandate to support them.

8. Ms Polytimi Savidou, Director General for Programming and Works, Hellenic Ministry for the Environment, Physical Planning and Public Works, speaking on behalf of her Minister and the Deputy Minister, welcomed the participants to Greece and wished the incoming Deputy Coordinator every success in her new post. Greece was honoured to host the meeting; it had a high regard for the work being undertaken by the MAP Coordinating Unit, which for more than 20 years had been making an important contribution to the protection of the Mediterranean environment. The present Meeting of the

MAP Focal Points would take that work further by discussing current challenges and determining future actions, and she looked forward to a successful outcome.

Agenda item 2: Organizational matters (UNEP(DEPI)/MED WG 337/1 and 337/2)

9. The meeting agreed that the rules of procedure for meetings and conferences of the Contracting Parties to the Barcelona Convention (UNEP/IG 43/6, Annex XI, as amended by the Contracting Parties (UNEP(OCA)/MED IG.1/5 and UNEP(OCA)/MED IG.3/5)) would apply *mutatis mutandis* to its deliberations.

10. In accordance with rule 20 of the rules of procedure, the meeting unanimously elected the following Bureau:

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| President: | Mr. José L. Buceta Miller (Spain) |
| Vice-Presidents: | Ms. Mawaheb Abu-Elazm (Egypt) |
| | Mr Ilias Mavroides (Greece) |
| | Mr. Mahmoud S. Elfallah (Libyan Arab Jamahiriya) |
| | M. Rachid Firadi (Morocco) |
| Rapporteur: | Ms. Jelena Knezevic (Montenegro) |

11. The President welcomed Ms. Silva Mejias and wished her success in her new role as MAP Deputy Coordinator. He also thanked her predecessor, Mr. Paul Mifsud, for the work accomplished. Outlining the work of the current biennium, he said that MAP credibility had been strengthened by the entry into force of the Hazardous Wastes Protocol in January 2008 and the 1996 amendments to the LBS Protocol in May 2008, and by the signature of the ICZM Protocol in January 2008. The constitution of the Compliance Committee in July 2008 was another important achievement, as was the work to develop a set of indicators for assessing the effectiveness of implementation measures adopted by the Contracting Parties. He highlighted the work done to implement the Governance Paper and the important role of the Executive Coordination Panel (ECP) in enhancing collaboration and coordination across the MAP structure. He also emphasized the crucial significance of the three Regional Plans developed with a view to eliminating pollution from land-based sources. Lastly, he drew attention to the proposed establishment of four new SPAMIs in the Mediterranean region and to the inclusion of new species in Annex II and III of the SPA/BD Protocol.

12. Concerning the provisional agenda (UNEP(DEPI)/MED WG 337/1), in the interest of informing the discussion of other agenda items, in particular the programme of work, it was agreed that the representative of France, on behalf of the co-presidencies Egypt and France, would give a presentation on the Union for the Mediterranean and that the representative of the EC would provide further information on the EU's Horizon 2020 initiative.

13. At the President's suggestion, participants decided that an open-ended informal group would be set up, chaired by Morocco, to identify the main elements to take into consideration in the initial draft of the Marrakesh Declaration. Countries also had the option of submitting written comments to the group. As it had no formal mandate, the group would not produce an outcome document, but its suggestions could be discussed under item 7. The host country, with support from the Secretariat, was responsible for preparing the draft Declaration and, in so doing, would take into account, inter alia, the group's work and the report of the MCSD meeting to be held in September 2009.

Agenda items 3 and 4: Progress report on activities carried out during the 2008-2009 biennium and financial implementation 2008-2009 (UNEP(DEPI)/MED WG.337/3, UNEP(DEPI)/MED WG.337/Inf.3, UNEP(DEPI)/MED IG.17/10, UNEP/BUR/67/4, UNEP/BUR/68/4, UNEP(DEPI)/MED WG.337/Inf.11)

14. At the President's suggestion, the Deputy Coordinator, followed by the MED POL Coordinator and the respective RAC directors, reviewed the activities of the biennium as contained in the progress report and summarized in a Powerpoint presentation, highlighting the main achievements and constraints and lessons learned.

15. Mr Didier Guiffault, the Chairperson of the Compliance Committee outlined the progress made since the Committee's establishment, pursuant to decision IG 15/2. Its first two meetings, in July 2008 and March 2009, had been held in a constructive and cooperative spirit. Achievements included the development of draft rules of procedure for the Committee, which would be discussed under agenda item 5 for approval and submission to the 16th Meeting of the Contracting Parties. A third meeting was planned for October 2009, at which the report on its activities, decisions and recommendations for submission to the 16th Meeting of the Contracting Parties was expected to be adopted. In addition, the meeting would provide the opportunity to consider further a draft authorized guide brochure on compliance procedures and mechanisms, and a draft compliance page for the MAP website, which were also to be submitted to the 16th Meeting of the Contracting Parties.

16. The President invited participants to open the discussion by making general comments on the agenda items under consideration.

General comments

17. Representatives commended the work undertaken over the biennium and the efforts made to provide a detailed report. Thorough though it was, however, the report did not permit an overview of how the work of the various MAP components was linked, and how MAP was implementing the Governance Paper, adopted two years earlier, or tackling its strategic priorities. The Contracting Parties must be able to make a clear overall assessment of the strategic impact of the various activities undertaken during the biennium. Only on that basis could choices be made as to where efforts should be focused, and what the five-year rolling programme of work should contain. Information was needed in a form that would enable the MAP Focal Points to see how the achievements or failures of one biennium should be reflected in the next, in order to build synergies, reduce costs and achieve a balance in activities that would better serve country needs and ensure sustainable management of national coastal and marine resources. The crises affecting both the climate and the economy demanded a response: there could be no more "business as usual", and painful choices would be needed. It was necessary to coordinate the activities of MAP's various components, build on them further and set targets for future action.

18. A pragmatic approach was advocated: the progress report should contain information on, inter alia, the proportion of budgeted funds used, the effectiveness of expenditure in terms of outcomes, the timing of the various activities undertaken and the extent to which MAP goals were met and countries' needs fulfilled, failing which it was difficult to make a full evaluation of cost-effectiveness. The provision of logistical and in-kind support to MAP should also be taken into account.

19. One representative suggested that the next progress report should report activities by strategic direction rather than by MAP component in order to provide a better overall picture of cost-effectiveness and the impact of MAP's work. Another suggested that a table should be prepared for future reports, listing the targets, objectives and achievements in each area covered by the various MAP legal instruments and decisions.

20. While acknowledging that delays might have been incurred on account of the current administrative changes in MAP and the holding of the MAP Focal Points meeting earlier than usual, participants considered that priority should be given to full implementation of the Governance Paper, which would be the best way of improving MAP's efficiency, and to determining at least a few key strategic directions for MAP's work to ensure coherence and appropriate priority-setting, pending the preparation of a full five-year rolling programme of work. The recommendations of the 2009 Audit Report: Financial performance of the United Nations Environment Programme Mediterranean Action Plan (MAP) should also be fully implemented.

21. The five-year programme of work and the biennial programme budgets were closely linked. The absence of a draft five-year programme for review by the Focal Points, prior to its submission to the Contracting Parties, was therefore regrettable and would make it difficult for the meeting to consider the work programme and budget for the next biennium. It would further have been useful for the Focal Points to review the report of the MCSDD, which would also provide guidance for the five-year indicative programme, but it would not be issued until the first half of September 2009.

22. Greater emphasis should be given in future progress reports to financial and technical partnerships, which were becoming an increasingly important aspect of MAP's activities.

23. The presentation for each MAP component had referred to the establishment of some form of database or information sharing. MAP should, in collaboration with INFO/RAC, develop a fully integrated information system. Efforts should be made to ensure that the system was compatible with other systems in the region, such as those of UNEP and EEA, and globally, to facilitate international information exchange.

24. Representatives acknowledged the progress made in respect of the ratification of MAP legal instruments, but it was pointed out that administrative procedures in some countries were not conducive to speedy ratification.

25. The representative of the Syrian Arab Republic was pleased to report that it had become the fifteenth country to ratify the amendments to the 1995 Dumping Protocol, which therefore required only one further ratification to trigger its entry into force. Participants emphasized the need to implement the Protocol in full.

26. Good reporting was vital for the credibility of the MAP system. Although MAP had made progress in developing its reporting system, some countries were still not reporting or not reporting in full. Moreover, several countries had required assistance after experiencing practical difficulties in submitting online reports, and several had required assistance. Discussions at the RAC Focal Point meetings had indicated the need for further work to simplify the system and make it more user-friendly. It was suggested that the Compliance Committee might be asked to review the situation.

27. Concerning the proposal to organize a common meeting of the Focal Points of the various MAP components with joint and separate sessions, it was pointed out that the objective of such a proposal was to improve coordination and not to save money by non-invitation of all components' Focal Points.

28. The Deputy Coordinator expressed appreciation for the numerous constructive comments made, which would help the Secretariat and the components to draft future progress reports that were more in line with the requirements of Contracting.

Comments on Part A: Coordinating Unit

29. Several representatives suggested that, instead of a brief reference in the Progress Report, implementation of the Governance Paper deserved a specific report, built around its chapters and the ten actions listed on its final page (UNEP (DEPI)/MED WG. 320/23 Annex III). The Deputy Coordinator confirmed that a separate report would be made available in good time for the November meeting of the Contracting Parties.

30. It was also pointed out that the Contracting Parties would require more detail as to how the Coordinating Unit was addressing certain of the findings of the Audit Report and what timetable was in place. The Deputy Coordinator undertook to continue to inform directly the Contracting Parties on progress in implementation, in line with the commitment to change and enhance transparency and accountability.

31. With regard to financial implementation of the programme of work for 2008-2009, the Deputy Coordinator explained that the data would not be available to enable a financial assessment of its effectiveness prior to the Meeting of the Contracting Parties; the figures would be available only in March 2010 after UNEP had closed the accounts.

32. Regret was expressed about the limited progress made for the implementation of road map for the application by MAP of ecosystem approach as decided in Almeria and in the context of the MAP/EC respective project.

33. Following a request from the floor, the GEF PMU expert at the Coordinating Unit gave an update on the co-financed UNEP-GEF Strategic Partnership for the Mediterranean Sea Large Marine Ecosystem, approved in 2008. The objective of the UNEP Regional Component was to promote harmonized policy, legal and institutional reforms and fill the knowledge gap, with the aim of reversing

trends in marine and coastal degradation and depletion of living resources. Work was in the inception phase, with a coordinating meeting scheduled for September 2009 and the first meeting of the Steering Committee in December 2009. The Project Management Unit was now complete, with the hiring of Mr Ivica Trumbic as Project Manager.

34. Participants wished the new GEF management team every success. They emphasized the importance of ensuring that there was no duplication of activities.

35. It was suggested that, while MAP cooperation with the EU was well advanced, cooperation with United Nations agencies and global conventions must be reinforced. For instance, whenever MAP experts attended meetings of United Nations agencies, they must be proactive, exchange information and state MAP's objectives clearly. MAP participation in and reporting on the various major international forums to be held in the 2010-2011 biennium would be very important.

36. Following a discussion on the terms of reference of the ECP, as approved by the Bureau, the President explained that the ECP's role was to improve coordination among the various RACs. Its function was advisory and its recommendations were channelled through the Coordinating Unit to the Contracting Parties.

37. The Deputy Coordinator, clarifying the procedure for drafting the indicative five-year work programme to be adopted at the Marrakesh meeting, said that the ECP had begun preparatory work on the programme, which it hoped to finalize by mid-September 2009 and then send electronically first to the Bureau and then to the Focal Points. It was suggested that the key issues listed in the draft programme of work for the 2010-2011 biennium could also be used as the starting point for a discussion about the five-year programme.

38. In response to a request from the floor, Ms Jacqueline Alder, Coordinator, Marine and Ecosystems Branch, UNEP, reported on the state of the process of recruiting a new Coordinator for MAP. The position had been advertised so as to attract as wide a response as possible, with a closing date for applications in late July. Once applications were received, a shortlist would be compiled and interviews conducted, first by telephone, and then face to face. Since it was a D2 post, the recommendation for appointment must then be referred to the Office of the Secretary-General in New York for approval.

39. She confirmed that the Contracting Parties had been consulted about the appointment, and encouraged Focal Points to put forward suitable candidates in the interests of strengthening MAP. In response to a question as to whether priority would be given to southern region candidates, she made it clear that gender and country balance were encouraged in the United Nations, and, in her own experience, given serious consideration by UNEP. Either would be a deciding factor in the event of a choice between two otherwise equally qualified candidates.

Comments on Part B: Components

40. The role of MED POL in coordination between donors and the Contracting Parties in order to ensure better implementation of NAPs on the ground was considered to be of paramount importance. Representatives commended the spirit of cooperation that had been shown by the secretariat at the MED POL Focal Points' meeting in responding to the requirement to provide documentation reflecting Contracting Parties' needs. Regarding national baseline budgets, and in response to a view expressed by one representative that it was unrealistic to expect Parties to be able report in 2009 on industrial emissions related to the year 2008 since they would require at least a year to collate the data, the MED POL Coordinator said that information had already been received from 16 States and was essential to establishing emissions trends. In response to a query on the subject, the MED POL Coordinator said that the document on the illegal transport of hazardous waste in Arab States (UNEP(DEPI)/MED WG. 334/Inf.10) had been intended for information, not for approval.

41. Representatives welcomed the widening of the CP/RAC mandate to include sustainable production and consumption, as it reflected changing needs. Some urged efforts to ensure that there was no overlap with the mandates of other RACs, notably that of MED POL, and considered that it might be advisable for RAC mandates be restricted to more specific areas in future. Others, however, felt that there was no problem with respect to work by two or more RACs on the same issue provided

that the specific mandates of the respective MAP components had been clearly defined, and the respective activities reflected in the work programme. Moreover they considered that it was essential to tackle pollution at its source by working with industry. In response to comments, the Director of CP/RAC said that the centre had implemented the work plan that had been approved in Almería for 2008-2009 and agreed upon in consultation with all Contracting parties.

42. In response to questions concerning REMPEC's relationships with other bodies, the Director of REMPEC said that the centre enjoyed a mutually beneficial relationship of cooperation with IMO and also cooperated with EMSA within the bounds of its founding regulations under which cooperation with third countries was not permitted. As for gaps and examples of good practice, they were connected with future activities and would consequently be discussed in the context of the programme of work.

43. In reply to comments, the Director of PAP/RAC expressed confidence that a number of proposed preparatory activities for the implementation of the ICZM Protocol would be carried out during 2010 in advance of the entry into force of the ICZM Protocol, notably in the three major areas of stock-taking, awareness-raising and the drafting of an explanatory guide to the Protocol. The impression that activities to raise awareness of ICZM had focused only on the Adriatic region was inaccurate; such activities had also taken place in the southern Mediterranean. PAP/RAC furthermore took steps to notify Contracting Parties of such activities as the seminar on coastal tourism in the Mediterranean and similarly endeavoured to encourage the celebration of Coast Day. PAP/RAC's modest resources did not extend to providing assistance for that purpose, however; it was for countries to make their own arrangements.

44. In response to a comment, he confirmed that PAP/RAC was seeking to develop a CAMP follow-up strategy designed to enable countries to build on their CAMP-derived benefits. Ultimately, however, the responsibility for such follow-up activities lay with the countries concerned.

45. Ms. Françoise Breton (Autonomous University of Barcelona) made a presentation on the PEGASO project. PEGASO had attracted 25 partners, many of whom had been undertaking assessments in the Mediterranean and Black Sea basins over recent decades, including: MAP/PAP-RAC/Blue Plan, IUCN, PSCBS, MEDCOAST, IOC-UNESCO, UNEP-GRID, JRC and institutions from countries around the Mediterranean and elsewhere, with relevant technical expertise. PEGASO was envisaged as a four-year project running from 2010 to 2013.

46. The Director of BP/RAC prefaced his response to a query about the cause of budget underspending in the case of certain objectives by expressing gratitude for the support received during the difficult period following the fire that had occurred in the BP/RAC premises at the end of 2008. One consequence of the fire had been to delay the implementation of BP/RAC programmes, which accounted for the underspending noted. The allocated budgets would be fully disbursed, however, once the delayed activities were finally completed by the end of 2009. BP/RAC activities were coordinated with other RACs and monitored daily.

Briefing on the Union for the Mediterranean

47. The representative of France presented a report, prepared in cooperation with her Egyptian counterpart, on the relevant aspects of the activities of the Union for the Mediterranean, of which France and Egypt were co-Presidents. The Union for the Mediterranean launched at the Paris Summit for the Mediterranean in July 2008 now formally existed, as a political process at the highest level founded on a basis of strict equality, with 43 members including the 27 Member States of the European Union and Mediterranean countries. Its secretariat was being established in Barcelona, and negotiations were proceeding on its statute. Progress had been possible on vital issues of common concern, notably with regard to the concrete projects that lay at the heart of the process. The meeting of senior officials in Brussels on 7th July 2009 had decided to relaunch formally the official meetings of the Union.

48. A major development had been the meeting of foreign ministers in Marseille in November 2008, which had set the agenda for 2009 and broadened the scope of activities to include, inter alia, maritime environment and strategy. Another important meeting on water had been held in December 2008 in Jordan. The first ministerial meeting on sustainable development projects (water/environment, transport, energy and sustainable urban development) had been held on 25 June 2009. It was

considered that the highly successful meeting would sustain the early momentum. The representative of Egypt confirmed the organization of the Ministerial meeting on Energy in 2010.

Briefing on the Horizon 2020 initiative

49. The representative of the EC gave an update on progress on the Horizon 2020 initiative. The initiative was part of the work programme of the Euro-Mediterranean Partnership and must also now be viewed in the wider context of the Union for the Mediterranean. She reported that a working paper on the implementation of Horizon 2020 would be available by September 2009, in advance of the meeting of environment ministers in October when further development of the initiative would be examined. Because it was felt that the full potential of MAP within the initiative had not yet been realized, the EC had appointed a consultant to develop closer synergies between MAP and Horizon 2020.

50. During discussions, the meeting highlighted the need to promote constructive cooperation among different initiatives acting in the region, including the Mediterranean component of EU water initiative, as a mean to achieve synergy,, a more efficient use of resources and avoid overlapping.

Agenda item 5: Specific matters for consideration and action by the meeting

5.1. Legal and institutional matters

5.1.1 Rules of procedure for the Compliance Committee (UNEP(DEPI)/MED WG 337/4, UNEP(DEPI)MED Compliance Committee.1/5 and 2/7, and UNEP/BUR/67/4 and 68/4)

51. The Deputy Coordinator drew attention to the draft decision on the rules of procedure for the Compliance Committee under the Barcelona Convention and its Related Protocols (UNEP(DEPI)/MED WG 337/4) and to the draft rules themselves, which were annexed to the draft decision and introduced by the Chairperson of the Compliance Committee.

52. Following a comment that it was necessary for the Contracting Parties to examine the working plan of the Compliance Committee for the biennium 2010-2011 in order to aid their decision-making on that and other matters, the meeting agreed that the Compliance Committee's programme of work, as amended in accordance with proposals from the floor, would appear as annex II to the draft decision.

53. An exchange of views took place concerning rule 23 of the draft rules of procedure, under which Arabic was to be added as a working language of the Committee. Several speakers repeatedly stressed the importance of that addition in view of the sensitive nature of the Committee's mandate and the highly technical and legal nature of its work. In that regard, the translation of Committee documents into Arabic was just as important as the provision of Arabic interpretation during the Committee's meetings, particularly since it was by no means a given that Arabic-speaking experts providing assistance outside the meeting context had the facility to work in English and/or French. It was pointed out that, in the event that an Arabic-speaking or Spanish-speaking country was involved in a case of non-compliance, the rules of procedure provided that the related documents should be submitted to the Committee in those languages.

54. Despite protracted discussion and informal consultations on the subject, no compromise solution was reached. It was therefore agreed that rule 23 of the draft rules of procedure should be submitted to the 16th Meeting of the Contracting Parties as originally drafted by the Committee.

55. The Focal Points approved the draft decision, as orally amended, for submission to the 16th Meeting of the Contracting Parties. The draft decision is contained in Annex V of the present report.

56. Ms. Silva brought to the attention of the Focal Points that, since the mandate of half of the members and alternate members of the Compliance Committee would come to an end in November 2009, there was a need for consultation among the respective groups to propose replacement of those members.

5.1.2 Draft reporting format on the implementation of Liability and Compensation Guidelines
(UNEP(DEPI)/MED WG.337/5, UNEP(DEPI)/MED WG.329/4, UNEP/BUR/67/4, UNEP/BUR/68/4)

57. The Deputy Coordinator, introducing the draft decision on implementation of and reporting on the Guidelines for the Determination of Liability and Compensation for Damage resulting from Pollution of the Marine Environment in the Mediterranean Sea Area (UNEP(DEPI)/MED WG.337/5), said that the Working Group of Legal and Technical Experts for the Implementation of the Guidelines had held its third meeting in January 2009, at which it had drafted a decision whereby the 16th Meeting of the Contracting Parties would adopt the format for reporting and a programme of action for the implementation of the Guidelines.

58. A discussion ensued in which it was noted that responses to the questionnaire sent out by the Secretariat had revealed considerable disparities in Contracting Parties' implementation of the Guidelines. There was also a need to harmonize national legislation on liability and compensation. Further studies should be conducted to formulate and advance the process of legislative harmonization.

59. It was pointed out that the reporting format had been simplified not only to make reporting easier but also to avoid duplication with other global and regional regimes.

60. The President, responding to one representative's suggestion for more flexibility in the proposed programme of action since her country's legal system did not permit the incorporation of provisions on the implementation of the Guidelines, emphasized that the Guidelines were voluntary and non-binding.

61. Following the discussion, the Focal Points approved the draft decision, as orally amended, for submission to the 16th Meeting of the Contracting Parties. The draft decision is contained in Annex V to the present report.

5.1.3 Testing MAP effectiveness indicators (UNEP(DEPI)/MED WG 337/6)

62. The Deputy Coordinator presented document UNEP(DEPI)/MED WG 337/6, which contained a draft decision on testing MAP effectiveness indicators.

63. In the ensuing discussion, there was general agreement that further reflection on and development of the indicators was needed. Concern was expressed that the decision referred to implementation of the indicators during the 2010-2011 biennium, given that the indicators were still at the testing stage. It was therefore suggested that the decision should be amended to invite Contracting Parties to test indicators over that period, on a voluntary basis. One representative expressed the view that there were too many indicators. It was pointed out that the decision left a number of aspects of the indicators unclear, such as who would be responsible for implementing them.

64. Following the discussion, the Focal Points approved the draft decision, as orally amended, for submission to the 16th Meeting of the Contracting Parties. The draft decision is contained in Annex V to the present report.

5.1.4 Implementation of the Governance Paper – Mandates of the MAP components
(UNEP(DEPI)/MED WG.337/3, UNEP(DEPI)/MED WG.337/7, UNEP(DEPI)/MED ECP.3/4, UNEP(DEPI)/MED ECP.4/4, UNEP(DEPI)/MED ECP.5/8)

65. The Deputy Coordinator introduced document UNEP(DEPI)/MED WG.337/7, which contained a draft decision on the mandates of the MAP components. The annex to the draft decision set out the draft mandates of the MAP components, which were preceded by a general introduction indicating the basic and operating principles common to them all. The draft for each mandate took into account the existing mandate, experience gained during the work undertaken and the recommendations made by Contracting Parties, and had been considered individually by the component Focal Points concerned. Additional information was provided in the background documents.

66. There was general appreciation for the text of the body of the draft decision. A participant considered that references to Article 1 of the Barcelona Convention are highly relevant to indicate the

geographical coverage and consequently to focus the overall activity of MAP and its components' work.

67. Participants agreed that a chapeau in the Annex was necessary, but raised a number of concerns in respect of its proposed content, commenting that some of the detail was excessive and that the basic and operational principles were not all principles as such. The text should be shorter and simpler, and aligned with the Governance Paper. With regard to the individual draft mandates, a considerable number of comments were made and amendments proposed. For example by shortening and simplifying the chapeau and deleting the section on principal activities from each component mandate.

68. The meeting agreed that the Secretariat, including the Directors of the MAP components, should meet to clarify their respective spheres of competence, identify priority areas as well as the substantive issues on which they could cooperate, and revise document UNEP(DEPI)/MED WG.337/7 accordingly in the light of the discussion.

69. A revised version was subsequently submitted to the meeting. The Secretariat and the component directors were commended for their cooperation in producing an improved version reflecting many of the concerns raised. However, there were a number of points outstanding, and amendments were proposed in order to improve the consistency, conciseness and accuracy of the document and to reflect fully the points raised.

70. Among the issues discussed was a suggestion to present the individual sections on synergies with the various MAP components in the form of a table for the sake of clarity. It was pointed out that some sections included references to external partners whereas others did not: the references should be included for all or none of the RACs, in the interest of consistency. It was considered important to maintain flexibility on that aspect through a mention in the chapeau since the list of partners was likely to change over time, although the more permanent partnerships should be mentioned in the mandates of each MAP component. With respect to the reference to the Offshore Protocol which had been inserted in the revised document under the section on REMPEC and which stated that the latter would assist in mobilizing assistance "in case of emergency", it should be made clear where that responsibility lay under normal circumstances. The Secretariat agreed to make a proposal on that matter.

71. It was also suggested that a general sentence should be inserted on the fundraising strategy of all RACs. An addition should be made to the chapeau referring to the fact that present sources of funding were subject to review and specifying where funding came from and how it was secured. A question was raised about the implications of approving the document in terms of allowing for future developments with regard to both activities and funding.

72. Following an exchange of views, it was agreed that the revised document formed the basis for further discussions to be held after the current meeting and before the 16th Meeting of the Contracting Parties, in order to give time for national consultations and the possibility of submitting revisions in the context of the five-year strategy and the programme of work and budget for 2010-2011. The respective draft decision is included in Annex V for information purposes.

5.1.5 *MAP/Civil society cooperation and partnership* (UNEP (DEPI)/MED WG.337.8)

73. The Deputy Coordinator introduced document UNEP (DEPI)/MED WG. 337/8. It reflected the outcome of the biennial assessment, and had benefited from input from both Focal Points and MAP Partners. The proposed new criteria and new procedure for the admission of MAP Partners, together with a code of conduct, were aimed at clarifying the status of partners and the standards of cooperation required, so as to make the working relationship more effective in meeting the objectives of sustainable development.

74. The representative of the NGOs thanked the Secretariat for the spirit of transparency and consultation with which the document had been prepared.

75. The Focal Points approved the draft decision, as amended in writing by the joint proposal for amendments submitted by several NGOs, and further amended orally, for submission to the 16th Meeting of the Contracting Parties. The draft decision is contained in Annex V to the present report.

5.1.6 *Draft decisions expected to be submitted by the 13th meeting of the MCSD*

76. It was noted that the 13th meeting of the MCSD had been postponed and would take place on 28-30 September 2009 in Cairo at the kind invitation of the Egyptian Government. The decisions were an essential element of the planning cycle for the MAP work programme and budget and the five-year indicative programme, and should be available for consideration in future bienniums.

5.2 **Pollution prevention and control**

77. The meeting welcomed the three draft decisions to be considered under agenda item 5.2, which were the first legally binding decisions to be promulgated in respect of the implementation of Article 15 of the LBS Protocol, and noted that they had been reviewed and approved by the MED POL Focal Points.

78. The representative of Egypt stated that it was important to recognize the differences in capacity between northern Mediterranean countries and those in the south and east. The availability of technical assistance, capacity-building support and technology transfer for developing countries and countries with economies in transition in the Mediterranean region was a core determinant for feasible implementation to reach the desired objectives of the regional plan. Egypt believed in the effectiveness of developing a strategy document for each of the three decisions to assist and guide the Contracting Parties in the process of their implementation.

79. The representative of the EC said that, although the proposed standards appear to be already incorporated in European Union legislation, she would have to reserve the EC's position on the draft decisions pending EC approval, which was expected before the 16th Meeting of the Contracting Parties.

5.2.1 *Regional Plan on the reduction of BOD₅ from urban waste water in the framework of the implementation of Article 15 of the LBS Protocol (UNEP(DEPI)/MED WG.337/9)*

80. The MED POL Coordinator introduced the document, which contained a draft decision on the regional plan for the reduction of BOD₅ from urban waste water. He highlighted the scope and objectives of the regional plan (Article II) and the BOD₅ ELVs stipulated for treated urban effluents, which included a specific value for discharge from underwater marine outfalls (Article III). The ELVs had been set following analysis by the Secretariat, and represented a minimum common denominator for achieving a reduction in pollution. The regional plan recognized differences in national capacity by providing two different deadlines for the attainment of the stipulated levels, 2015 and 2019 (Article IV), and required the Contracting Parties review the status of implementation in 2013 and 2017 (Article V) so that results could be presented at the corresponding meetings of the Contracting Parties.

81. The participants agreed that the regional plan represented a practical and potentially important step forward in the reduction of pollution in the Mediterranean. However, a number of concerns were expressed regarding the proposed BOD₅ ELVs. Some representatives considered that they were not sufficiently ambitious and might damage MAP's credibility: they have no significant impact on pollution and would not send a strong enough signal either to Contracting Parties regarding the need to accelerate pollution reduction measures or to potential donors that support was needed to increase national capacities to do so. On the other hand, it was pointed out that the targets should be considered very carefully since Contracting Parties could not make unrealistic commitments – it was always open to those with the technical capability to set stricter national standards. It was also suggested that nitrification through the discharge of phosphorus and nitrogen was an even more important factor. The effects of primary and secondary treatment and the implications of underwater discharge were also discussed. Various options for ELV limits were discussed.

82. Following a lengthy discussion, it was decided to approve the draft decision as submitted by the Meeting of MED POL Focal Points. Israel reiterated its reservation as expressed by its delegate at the meeting of MED POL Focal Points (Kalamata, Greece, 2-4 June 2009) regarding the ELV levels noted

in paragraph 3 of Article III of the Annex to the draft decision and the dates for implementation noted in Article IV due to other non conformity with BAT. The representative of Turkey entered a reservation as follows: BOD₅ ELV for marine outfalls should not contain a value but a comment/provision "provided that a primary treatment is applied" and the original table should be kept as it is approved by MED POL National Coordinators meeting.

83. The Focal Points approved the draft decision contained in document UNEP(DEPI)/MED WG.337/9 for submission to the 16th Meeting of the Contracting Parties. The draft decision is contained in Annex V to the present report.

5.2.2 Regional Plan on the phasing out of Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Mirex and Toxaphene in the framework of the implementation of Art. 15 of the LBS Protocol

5.2.3 Regional plan on the phasing out of DDT in the framework of the implementation of Art. 15 of the LBS Protocol

84. The MED POL Coordinator introduced document UNEP (DEPI) MED WG 337/10, which contained a draft decision on the phasing out of Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Mirex and Toxaphene and document UNEP (DEPI) MED WG 337/11, which contained a draft decision on the regional plan on the phasing out of DDT, in the framework of the implementation of Art. 15 of the LBS Protocol.

85. Spain suggested that the article products and wastes contaminated with the same substances as traces should be added to the respective Annex of the draft decisions as an exemption.

86. Following discussion, it was pointed out the need to make best use of the existing Stockholm Convention mechanisms, including the harmonization of reporting format, with a view to achieving synergy for the implementation of and reporting on these decisions. The meeting adopted the decisions as amended and presented in Annex V to this report.

5.3. Prevention and control of pollution from maritime activities

5.3.1. Regional strategy addressing ship's ballast water management ands invasive species.

87. The Director of REMPEC introduced the draft decision on the Regional strategy addressing ship's ballast water management and invasive species.

88. The meeting expressed its support and satisfaction that MAP is tackling the issue of ballast water in the framework of Globallast partnership project and its importance for the Mediterranean region. Following discussion the decision was adopted as contained in Annex V to the present report.

5.4 Sustainable consumption and production

5.4.1 Sound management of chemicals

89. The Director of CP/RAC and the MED POL Coordinator jointly introduced a draft decision on the sound management of chemicals.

90. Three delegations requested further information by the Secretariat on the full impact (in legal, institutional and budgetary terms) and the meaning of the proposed decision, noting that the mentioned activities proposed would already be included in the programme of work. The Secretariat undertook to provide this information.

91. Several delegations welcomed the spirit of the proposed decision and its aim of not only ensuring internal coordination within MAP system but also providing assistance to countries to find their way through massive provisions on chemicals regulated under different regional and global agreements. However it was also pointed out that such a decision and any activity undertaken in the context of MAP programme of work should be related to the Barcelona Convention and its Protocols. The meeting also made some suggestions to move certain paragraphs from the body of the draft decision to the preamble and to slightly amend their languages in order to make sure that no

confusion was created between the roles of the governing bodies of the Barcelona Convention and the other global conventions.

92. Following discussions, the decision was provisionally adopted as orally amended pending further information from the Secretariat. The decision is contained in Annex V to the present report.

5.5 Conservation of marine and coastal biodiversity and specially protected areas

93. The Director of SPA/ RAC introduced four draft decisions, 5.5.1, 5.5.2, 5.5.3 and 5.5.4.

5.5.1 Proposals for amendment of Annexes II and III of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean

5.5.2 Regional working programme for the coastal and marine protected areas in the Mediterranean including the High Sea

5.5.3 Proposal of new sites for inclusion in the SPAMI List

5.5.4 Revision of the Action Plan for the Conservation of Cartilaginous (Chondrichthyans) Fishes in the Mediterranean Sea

94. With regard to the first draft decision on the amendments of Annexes II and III of the Protocol, the representative of the EC stated that she reserved the EC's position on the draft decision, pending European Council approval, pointing out that the potential difficulties were mainly related to cartilaginous fish, a matter for which a unique EU position was required because they were species covered under the EU common fishery policy. With regard to the other species, it would be a discussion in the council, a priority the EC doesn't appear to have a specific difficulty provided that the EU members states that were party to the Barcelona convention and the SPA and Biodiversity protocol would not have any difficulties.

95. The representative of Malta entered a reservation as follows: Malta has identified concerns regarding the inclusion of two items proposed for inclusion in the Annex II. Specifically these relate to *Cymodocea nodosa* for which Malta already has a reservation on its protection, with the Bern Convention, and for some of the *Cystoseira* species. With respect to macrophyte which are not known to form communities in the Mediterranean, Malta does not see the need for their inclusion in Annex II of the SPA BD Protocol. Malta does not agree with the inclusion of species which are frequent in the Maltese Islands, and which, if included as strictly protected species, will lead to great socio economic repercussions and administrative burdens such as the issuing of permits and reporting obligations. Malta feels that the protection of the habitat of *Cymodocea nodosa* and selected *Cystoseira* species is the best approach for the effective conservation and management of these species, and Malta will continue working for the protection of such species through the declaration of protected areas in line with its commitments under the Protocol. Moreover Malta would interpret the protection of such species under the Protocol and "the need to regulate and where appropriate, prohibit all forms of destruction and disturbance" as achievable through the designation of protected areas and their management.

96. The delegation of Croatia, referring to its position at the RAC SPA focal points meeting in June 2009, confirmed its full support for the proposed draft decision following internal consultation procedure with the national competent scientific institutions. The delegation of Monaco raised some concerns about the cetaceans and the red thon, an issue that was referred to in the speech by Green Peace in the morning session, requesting the RAC/SPA to carry out the necessary analysis and make proposals accordingly in order to avoid red thon and the monk seal becoming extinct in the Mediterranean.

97. With regard to the proposed draft decision on the creation of the new four SPAMI, the discussion emerged in several points. RAC/SPA was requested to make an analysis of the reasons behind the lack of balance between the western and oriental parts of the Mediterranean with regard to SPAM's creation. It was also pointed out either the need to revisit the respective criteria and procedure used with regard to SPAMI nomination or to apply the exiting set of criteria and procedure in a stringer way. The meeting suggested a number of steps that could make the evaluation process more substantive by inviting the RAC/SPA to share well in advance the files with information on the proposed SPAMI with its focal points and apply strict deadlines for the submission of applications. One delegation, pointed out that it was for the meeting of the Contracting parties to interpret more

inclusively or less inclusively the criteria and procedure set out in Annex I to the SPA and Biodiversity protocol. The RAC SPA was requested to draft guidelines or a recommendation to interpret the content of this appendix in the spirit of such a discussion for the consideration of the RAC SPA focal points and Contracting Parties.

98. Following discussions, and with those reservations with regard to decision 5.5.1, the draft decisions were adopted. The draft decisions are contained in Annex V to the present report.

Agenda item 6: Programme of work and budget 2010-2011

Five-year indicative work programme

99. Introducing the item, the Deputy Coordinator said that the five-year indicative work programme had not yet been finalized and invited participants to inform the preparatory work under way by offering their input and guidance concerning the priorities to be addressed in the programme.

100. A widely supported suggestion was that the programme should comprise both systemic and thematic objectives, each encompassing a number of strategic themes for which the directions listed in the introduction to the programme of work for the 2010-2011 biennium (UNEP(DEPI)/MED WG.337/17) might be taken into account. It was further emphasized that the chosen themes should be addressed through the ecosystem approach and ICZM as a tool. With regard to systemic objectives, the particular importance of governance and legal issues was highlighted. Also emphasized was the need to focus on the Convention and its Protocols; increase cooperation with other regional and international initiatives to ensure synergy and avoid overlaps in the activities; explore means of initiating new growth; consider MAP's future course of development, and financing and resource mobilization. Geographical coverage focus and economic implications were other important factors to be considered.

101. As for the themes themselves, suggested areas of priority included climate change; reduction of biodiversity loss; sustainable consumption and production; assessment; pollution reduction, control and prevention; integrated coastal zones management and the establishment of specially protected areas, with particular reference to areas beyond national jurisdiction. Given the close linkage between biodiversity and climate change, care should be taken to ensure that they were not addressed separately, including the consideration of the economic values of ecosystems and biodiversity.

102. The point was made that the primary objective of the indicative work programme should be to send a clear political signal to the many actors in the Mediterranean that MAP had a positive contribution to make by way of its medium-term activities, particularly given the advantage of its accumulated expertise and knowledge. An exhaustive list of priorities was not the most efficient means of achieving that objective, especially when coupled with a funds-driven approach. In response to that view, it was underlined that any list of priorities was merely intended to serve as a basis for further reflection.

103. The five-year indicative work programme was not a blank sheet. On the contrary, it should take its cue from the Strategic Vision adopted by the MAP Focal Points in 2006, from the Governance Paper, in particular chapter 6, Convention, Protocols and from the MSSD, all of which could be built on as necessary in the interests of greater focus and efficiency. UNEP had also identified six key thematic environmental areas on which to focus its work, as outlined by its representative, who expressed her readiness to share information on the subject.

104. At the conclusion of the discussion, the Deputy Coordinator said that the views expressed would be taken into account in finalizing the draft five-year indicative work programme, which would be completed by September 2009 and circulated electronically two weeks in advance of the next MCSD meeting. The indicative programme would also serve to guide the work programme for the biennium 2010-2011 before gradually evolving to the stage of full implementation.

Programme of work and budget for the 2010-2011 biennium (UNEP (DEPI)/MED WG 337/17, UNEP (DEPI)/MED WG 337/17/Add. 1 and UNEP (DEPI)/MED WG 337/19).

105. The Deputy Coordinator introduced the programme of work and budget for the 2010-2011 biennium, which had been based on the Contracting Parties' vision of MAP, their key decisions and the Governance Paper. The introductory section highlighted the rationale and reasons for seeking a 5% increase in annual ordinary contributions to the Mediterranean Trust Fund (MTF). The substantive workload of the Coordinating Unit was increasing, with new mandates, new Protocols to implement, the Compliance Committee and the Governance Paper. At the same time contributions had been frozen since 2003 and high levels of inflation in the Mediterranean area during the period have also eroded their value. The MTF was a core integrated fund; if it was not kept above a minimum level the individual components would have to compete for outside resources. The Audit Report had explicitly called upon the Secretariat to bring to the attention of the Contracting Parties the effects of the freeze and the implications of that erosion. It was for the Contracting Parties to decide on the funding they wished to provide.

106. There was a clear general consensus that it was not possible in the present stringent economic climate to increase funding from the Contracting Parties, especially at a time when many governments had been faced with difficult decisions to cut or postpone the funding of other major projects. It was pointed out that the in-kind contributions many countries made to MAP should not be overlooked in this context: they were unseen but substantial. In sum, MAP, too, must adapt to the radically changed circumstances, which, for the present, meant functioning within the existing contribution levels. The possibility of mobilizing external resources should also be explored further.

107. Several representatives suggested that any future request for increased funding needed to be backed by clear and reasoned justification, together with an explanation of the impact if it were not forthcoming. This assumed a prior in-depth analysis not only of the activities of the RACs, but also of the administrative function.

108. The five-year indicative programme was a precondition to that process, as it would identify strategic priorities. Within that framework, RAC activities could be repositioned and clustered, to focus on the real needs of countries. Resources should be reallocated to target investment where it would be most efficient, in the areas not covered by other organizations. It was pointed out that more detailed information was needed on each RAC activity to provide the necessary overview for priorities to be established. Also, the RAC Focal Points themselves needed to know the proposed budget in order to prioritize their own work programmes. Two representatives proposed the adoption of a matrix format to facilitate analysis of the cross-cutting activities of each RAC. It was also pointed out that there is a need to improve effective and efficient use of existing resources. The 5-year programme of work and the matrix approach could be a useful tool in this respect.

109. Representatives stressed the importance of demonstrating to the Contracting Parties that, at the Secretariat level too, a thorough exercise of internal due diligence had been undertaken to identify synergies and implement savings. Representatives wished to see the information requested in the Audit Report on the impact of budget freeze and more in, particular, on the reasons for the shift in the use of funds from activities to administration.

110. Representatives considered that it would be difficult to approve the work programme and budget document without additional time for consultation with Contracting Party administrations, and in the absence of the five-year indicative programme – a point of fundamental importance given the emphasis on a strategic approach in the Governance Paper. The document would require revision, taking into account the decision on the mandates of the MAP components, which had not yet been approved.

111. The Secretariat pointed out that it would prepare a draft five-year indicative programme by mid-September 2009 and adjust the MAP work programme accordingly shortly thereafter. The documents could be circulated electronically. It might also be possible to arrange for half a day of informal consultations at the time of the MCSD meeting later in September 2009, subject to agreement with the host country and the availability of facilities, and to relay the outcome of those consultations electronically to Focal Points unable to attend.

112. It was proposed that Contracting Parties not eligible for technical assistance should pay the expenses of any additional representation required, while funding should be sought to assist other Contracting Parties upon request. Participants stressed the need for subsequent electronic consultations in order to finalize the documents and decisions.

113. The Focal Points were urged to work in a constructive manner so that the documents for submission to the 16th Meeting of the Contracting Parties were in as final a form as possible so as not to jeopardize the success of the meeting.

Agenda item 7: Provisional Agenda of the 16th Meeting of the Contracting Parties

Elements to be incorporated in the Marrakesh Declaration (UNEP(DEPI)/MED WG 337/L.3)

114. At the President's invitation, the representative of Morocco reported on the work of the open-ended informal group that had met under his chairmanship to identify the main elements for a draft of the Marrakesh Declaration. The other participants in the group were from Algeria, Greece, Libyan Arab Jamahiriya, Slovenia, Turkey, E.C., Blue Plan, MED POL and the Coordinating Unit. Four principal areas had been identified: the urgent need for national, international and global action on climate change; the special vulnerability of the Mediterranean; the two levels of development in the Mediterranean area and the presence of different negotiating groups; and the need to harness the region's shared history of cooperation in combating environmental threats. Discussions so far had been highly constructive.

115. Initial comments from representatives prior to receipt of the informal document prepared by the group, emphasized the need for the Contracting Parties to avoid generalities in favour of a positive, high-level statement that could be taken forward to the United Nations Climate Change Conference in Copenhagen in December 2009, expressed in terms that would highlight the unique vulnerabilities and aims that distinguished the Mediterranean from other regions. It should showcase the considerable achievements of MAP in pursuing its ambitious strategy to shift development onto a more sustainable course, and promote the major contributions of other active partnerships and projects.

116. The representative of MIO/ECSDE. made a formal request to participate in the group, having been informed that participation by NGOs was subject to the approval of the plenary. The President confirmed, as announced earlier, that the group was informal and not subject to rule 9 of the rules of procedure. NGOs could therefore participate if they so wished.

117. The President invited comments on the informal document on elements to be incorporated into the Marrakesh Declaration, drafted by the informal group. The document was designed to launch an interactive process, with Focal Points submitting suggestions and engaging with Ministers in the period leading up to the 16th Meeting of the Contracting Parties.

118. Some participants observed that the draft elements needed to make clear which aspects of climate change would be MAP's primary focus over the next two years. The most relevant aspects were identified as mitigation/adaptation, biodiversity, sustainable development, green competitiveness and rising sea temperatures.

119. It was noted that some participants in the informal group attached importance to the Marrakesh Declaration as a ministerial declaration, whose key messages on climate change to be transmitted to the Copenhagen meeting on behalf of the Mediterranean region. As such, it must reflect the objectives of the entire region. Other participants were concerned that the Declaration's focus on climate change should not be at the expense of MAP's other activities under the biennial and five-year work programmes. It should state all MAP'S priorities for the biennium and indicate how MAP's activities related to climate change would tie in with the new strategic guidelines and how each MAP component would incorporate the climate-change dimension across all its activities. It was also suggested to make reference to cooperation with the relevant and important initiatives and development at the Mediterranean level.

120. The meeting took note of the elements drafted by the informal group as presented in Annex IV to this report. The host country would prepare the first draft of the Marrakesh Declaration taking into account the outcome of the informal working group and that of the MCSD meeting. The draft should

be distributed to all MAP Focal Points for comments and suggestions with a view to its finalization for submission to the Meeting of the Contracting Parties.

121. The President invited comments on a draft proposal for the agenda for the 16th Meeting of the Contracting Parties, which had been prepared by the Secretariat in consultation with the Bureau.

122. The President recalled that at the last Bureau meeting, the importance of submitting the provisional agenda to ministers and sending out invitations as soon as possible had been stressed, in order to give ministers enough time to organize their journeys and to ensure a high level of participation.

123. Following the discussion, the Focal Points approved the draft provisional agenda, as orally amended, for submission as the provisional agenda for the 16th Meeting of the Contracting Parties. The provisional agenda is contained in Annex III to the present report.

Agenda item 8: **Any other business**

124. The President suggested that, with a view to “greening” MAP and improving efficiency, participants should, as a general rule for the future, print the documents they received electronically to bring to meetings. However, representatives for whom this presented difficulties could ask the Secretariat in advance to provide hard copies. Furthermore, paper from meeting documents should be recycled where possible.

Agenda item 9: **Adoption of the report of the meeting**

125. The meeting adopted its draft report as amended, at its session on Friday 10 July 2009.

Agenda item 10: **Closure of the meeting**

126. After the customary exchange of courtesies, the President declared the meeting closed at 4.30 p.m. on Friday 10 July 2009.

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ANNEX II

AGENDA

1. **Opening of the meeting**
2. **Organizational matters**
 - a) *Rules of procedure for meeting of the MAP Focal Points*
 - b) *Election of officers*
 - c) *Adoption of the Provisional Agenda*
 - d) *Organization of work*
3. **Progress Report on activities carried out during 2008-2009 biennium**

Coordinating Unit

 - a) *Legal Issues and Institutional Matters*
 - b) *MCSD, MSSD*
 - c) *Cooperation and Partnership*
 - d) *Communication and Information*
 - e) *Financial, Administrative and Personnel Issues*

Components

 - a) *Prevention and Control of Pollution from Land Based Sources*
 - b) *Prevention and Control of Pollution from Maritime Activities*
 - c) *Sustainable consumption & production and sound chemicals management*
 - d) *Conservation of Marine and Coastal Biodiversity and Special Protected Areas*
 - e) *Integrated Management of Coastal Zones*
 - f) *Environment and Development*
 - g) *Information Communication Technologies*
4. **Financial Implementation 2008-2009**
5. **Specific Matters for consideration and action by the meeting**
 - 5.1 **Legal and institutional matters**
 - 5.1.1 Rules of procedure for the Compliance Committee (draft decision)
 - 5.1.2 Draft reporting format on the implementation of Liability and Compensation Guidelines (draft decision)
 - 5.1.3 Testing MAP effectiveness indicators (draft decision)
 - 5.1.4 Implementation of the Governance Paper / Mandates of the MAP components
 - Mandates of the MAP components (draft decision)
 - 5.1.5 MAP/Civil society cooperation and partnership (draft decision)
 - 5.1.6 Draft decisions expected to be submitted by the 13th meeting of the MCSD

5.2 Pollution prevention and control

- 5.2.1 Regional Plan for the reduction of BOD from municipal waste waters in the framework of the implementation of Art. 15 of the LBS Protocol (draft decision)
- 5.2.2 Regional Plan on the phasing out of Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Mirex and Toxaphene in the framework of the implementation of Art. 15 of the LBS Protocol (draft decision)
- 5.2.3 Regional Plan on the phasing out of DDT in the framework of the implementation of Art. 15 of the LBS Protocol (draft decision)

5.3 Prevention and Control of Pollution from Maritime Activities

- 5.3.1 Regional strategy addressing ship's ballast water management and invasive species

5.4 Sustainable Consumption and Production and Sound Chemicals Management

- 5.4.1 Sustainable Consumption and Production and Sound Chemicals Management (draft decision)

5.5 Conservation of Marine and Coastal Biodiversity and Specially Protected Areas

- 5.5.1 Proposals for amendment of Annexes II and III of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (draft decision)
- 5.5.2 Regional working programme for the coastal and marine protected areas in the Mediterranean including the High Sea (draft decision)
- 5.5.3 Proposal of new sites for inclusion in the SPAMI List (draft decision)
- 5.5.4 Revision of the Action Plan for the Conservation of Cartilaginous (Chondrichthyans) Fishes in the Mediterranean Sea (draft decision)

6. Programme of Work and Budget 2010-2011 (draft decision)

7. Provisional Agenda of the 16th Meeting of the Contracting Parties

8. Any other business

9. Adoption of the report

10. Closure of the meeting

ANNEX III

16th 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

Marrakesh (Morocco), 3-5 November 2009

PROVISIONAL AGENDA

- 1. Opening of the meeting**
- 2. Organizational matters:**
 - 2.1 Rules of procedure
 - 2.2 Election of officers
 - 2.3 Adoption of the agenda
 - 2.4 Organization of work
 - 2.5 Credentials
- 3. Decisions**
- 4. Topics for ministerial discussions:**
 - 4.1 Climate Change in the Mediterranean: Challenges and Experiences
 - 4.2 Legally binding measures and programmes pursuant to Article 15 of the LBS Protocol
 - 4.3 Marrakesh Declaration
- 5. Date and place of the 17th Ordinary Meeting of the Contracting Parties in 2011**
- 6. Other business**
- 7. Adoption of the report**
- 8. Closure of the meeting**

ANNEX IV

Elements to be incorporated into the Marrakesh Declaration

Participants in the working group: Algeria, Greece, Libyan Arab Jamahiriya, Morocco, Slovenia, Turkey, EC, Blue Plan, MED POL, Coordinating Unit.

The group was chaired by the representative of Morocco who pointed out at the opening of its deliberations that the Mediterranean would be a climate change hot spot, that the Mediterranean countries would be in different situations in respect of emissions, but that they would all be seriously concerned by climate change and would therefore have to adapt. These countries, which belong to different groups when it comes to conducting negotiations under the "climate" convention, have few opportunities to meet in order to discuss this issue. The Marrakesh Declaration should demonstrate the Mediterranean countries' interest in working together on this issue and signal their shared ambition to "make the Mediterranean a standard-setter in climate change".

In the ensuing debate the following recommendations were made for the Marrakesh Declaration:

- Stress the importance of proving how climate change would fit in with MAP's new approach based on strategic priorities. Highlight the comparative advantages that MAP will bring to addressing the challenges of climate change ;
- Place much more emphasis on adaptation than on mitigation and highlight its impacts on biodiversity, water resources management, desertification and certain economic sectors such as tourism;
- Highlight the added value of the MAP system (as a unique management structure) in respect of climate change as part of the new MAP institutional approach (legal instruments), [especially the new ICZM Protocol which opens up broad prospects for adaptation to climate change];
- MAP's actions relating to climate change must be consistent with its core activities;
- Continue to foster exchanges among Mediterranean countries on climate change and consider that MAP and its various bodies have the legitimacy to facilitate such exchanges;
- Need to incorporate into the Marrakesh Declaration points concerning MAP governance and policy and, with a view to presenting a paper in Copenhagen, a specific message on climate change;
- Capitalize on the experience gained within MAP in respect of the coordination and management of environment and development issues through the use of existing legal instruments and governance structures in order for MAP to position itself as a standard-setter in action against climate change;
- Refer to MAP goals of regional cooperation;
- Strengthen cooperation on adaptation as a specific priority for the region and identify ways of making financial mechanisms available to it , in particular in the context of carbon trading and CDM;
- Stress the role that the region might play in (North-South-South) cooperation on climate change;
- The Marrakesh Declaration will have to address climate change within the overall framework of the new MAP strategic directions and not separately by highlighting the new indicative programmes ;

- Refer to the Almeria Declaration and to the other regional declarations on climate change - Tunis, Rabat, Algiers;
- Put in place an effective mechanism using the integrated approach for adaptation;
- Take advantage of the ongoing debate within MAP to determine key priority areas in the five-year programme in which climate priorities should be incorporated;
- Stress the importance of MAP capacity for pro-active measures under the Marrakesh Declaration to meet the challenges relating to climate change in the Mediterranean;
- *The Declaration should send a message to the forthcoming Conference of the Parties to the UNFCCC in Copenhagen; the message will be brought to the Conference by the President of the Bureau of the Contracting Parties who will make a statement at the Conference on behalf of the Mediterranean region.

* This point should not be in the declaration but it is part of the recommendations

ANNEX V

Draft Decisions

Draft decision I

**"Rules of Procedure for the Compliance Committee and its work during 2010-2011
biennium"**

The 16th Meeting of the Contracting Parties

Recalling Articles 18 and 27 of the Barcelona Convention for the Protection of the Marine Environment and the coastal region of the Mediterranean as amended in Barcelona in 1995, herein after referred to as the Barcelona Convention;

Recalling also decision 17/2 of the 15th Meeting of the Contracting Parties that adopted Procedures and mechanisms on compliance under the Barcelona Convention and its Protocols hereinafter referred to as Procedures and mechanisms on compliance;

[Having considered the report of the activities of the Compliance Committee on measures proposed by the Committee in accordance with section VII of the decision IG 17/ 2 for the biennium 2008-2009 submitted by its Chairman to the Meeting of the Contracting Parties in accordance to Section VI of decision 17/ 2];

Underlining the priority for the Compliance Committee to assist the concerned Contracting Parties to implement its recommendations and those of the meetings of the Contracting Parties, in order that the achievement of compliance be facilitated;

Recognizing in this respect the need to continue ensuring the stable, consistent and predictable application of the procedures and mechanisms relating to compliance;

Expresses its appreciation to the Compliance Committee, which from the time it was set up and in the three meetings that it held was able to implement, its working plan within the reporting period;

Noting also with appreciation the Programme of work of the Compliance Committee for the biennium 2009-2010 as presented in Annex II to the present decision;

Stressing the importance for Contracting Parties to comply with their reporting obligations on time and in doing so to use the new standardized reporting format, now available on line concerning measures taken to implement the Barcelona Convention and its Protocols for the 2006-2009 biennium as well as the decisions of the Contracting Parties meeting;

Adopts the Rules of Procedure of the Compliance Committee as contained in the Annex I to this Decision, in accordance with the provisions of the Procedures and mechanisms on compliance contained in the annex to decision 17/2 of the 15th Meeting of the Contracting Parties;

Urges the Contracting Parties that have not done so to submit as soon as possible their reports on the implementation of the Barcelona Convention and its Protocols;

Invites the Contracting Parties to provide full support to the working plan of the Compliance Committee for the biennium 2009-2010;

Requests the Compliance Committee to submit, in accordance with paragraph 31 of the Procedures and Mechanisms, a report on its activities to the 17th Meeting of the Contracting Parties, including findings, conclusions and difficulties encountered and any recommendations for amending the Rules of Procedure pursuant to its article 32.

ANNEX I

DRAFT RULES OF PROCEDURE FOR THE COMPLIANCE COMMITTEE UNDER THE BARCELONA CONVENTION AND ITS RELATED PROTOCOLS

PURPOSES

RULE 1

Within the framework of the implementation of the procedures and mechanisms on compliance under the Barcelona Convention and its Protocols, hereinafter called "compliance procedures and mechanisms", contained in the annex to decision IG 17/2 on compliance procedures and mechanisms, hereinafter called decision IG 17/2, as adopted by the 15th Meeting of the Contracting Parties, these rules of procedure shall apply to any meeting of the Compliance Committee, hereinafter called "the Committee", under the Convention and its related Protocols.

RULE 2

The Rules of Procedure for Meetings and Conferences of the Contracting Parties to the Barcelona Convention and its related Protocols shall apply *mutatis mutandis* to any meeting of the Committee unless otherwise stipulated in the rules set out herein and in decision IG 17/2, and provided that rules 18 and 19 on representation and credentials of the Rules of Procedure for Meetings and Conferences of the Contracting Parties do not apply.

DEFINITIONS

RULE 3

For the purposes of these rules:

1. "*Convention and its related Protocols*" means the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) adopted in 1976 and amended in 1995 and its related Protocols: Protocol Concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency (Emergency Protocol), Barcelona, 1976; Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol), Malta, 2002; Protocol for the Prevention of Pollution in the Mediterranean Sea by Dumping from Ships and Aircraft (Dumping Protocol), Barcelona, 1976; amendments to the Dumping Protocol, recorded as Protocol for the Prevention and Elimination of Pollution in the Mediterranean Sea by Dumping from Ships and Aircraft or Incineration at Sea, Barcelona, 1995; Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources (LBS Protocol), Athens, 1980; amendments to the LBS Protocol, recorded as Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities, Syracuse, 1996; Protocol concerning Mediterranean Specially Protected Areas (SPA Protocol), Geneva, 1982; Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA and Biodiversity Protocol), Barcelona, 1995; Protocol for the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its

Subsoil (Offshore Protocol), Madrid, 1994; Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (Hazardous Wastes Protocol), Izmir, 1996; Protocol on Integrated Coastal Zone Management in the Mediterranean (ICZM Protocol), Madrid, 2008.

2. "*Compliance procedures and mechanisms*" means the procedures and mechanisms on compliance under the Barcelona Convention and its related Protocols adopted by the 15th Meeting of the Contracting Parties and set out in the annex to decision IG 17/2.

3. "*Contracting Parties*" means Contracting Parties to the Convention and its related Protocols, including the amended versions, if any, for which the Convention and the related Protocols and their respective amendments are in force.

4. "*Party concerned*" means a Party in respect of which a question of compliance is raised as set out in section V of the compliance procedures and mechanisms.

5. "*Committee*" means the Compliance Committee established by section II, paragraph 2, of the compliance procedures and mechanisms and by decision IG 17/2 of the 15th Meeting of the Contracting Parties.

6. "*Member*" means a member of the Committee elected under section II, paragraph 3, of the compliance procedures and mechanisms.

7. "*Alternate member*" means an alternate member elected under section II, paragraph 3, of the compliance procedures and mechanisms.

8. "*Chairperson*" means the Chairperson of the Committee elected in accordance with rule 6 of the present rules of procedure.

9. "*Vice-Chairpersons*" means the Vice-Chairpersons of the Committee elected in accordance with rule 6 of the present rules of procedure.

10. "*Secretariat*" means the Coordinating Unit that is designated by the Executive Director of the United Nations Environment Programme (UNEP) as responsible for the administration of the Mediterranean Action Plan (MAP), referred to in paragraph 38 of the compliance procedures and mechanisms.

11. "*Representative*" means a person designated by the Party concerned to represent it during the consideration of a question of non-compliance.

12. "*The public*" means one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organizations or groups.

13. "*Bureau*" means the Bureau of the Contracting Parties referred to in article 19 of the Convention.

14. "*Observers*" means the organizations referred to in article 20 of the Convention and those included in the list of MAP partners as approved by the Meeting of the Contracting Parties.

PLACE, DATES AND NOTICE OF MEETINGS

RULE 4

1. The Committee shall normally meet once a year. It may decide to hold additional meetings subject to workload requirements arising from submissions by concerned Contracting Parties and referrals by the Secretariat and subject to availability of resources.
2. Unless it decides otherwise, the Committee shall normally meet at the seat of the Coordinating Unit.
3. At each meeting, the Committee shall decide on the place, dates and duration of its next meeting.

RULE 5

Notice of Committee meetings shall be sent by the Secretariat to the members and alternate members and any representative, as the case may be, with a copy to the MAP Focal Points of all Contracting Parties, at least three months before the opening of the meeting.

OFFICERS

RULE 6

The Committee shall elect a Chairperson and two Vice-Chairpersons for a term of two years. No officers shall serve for more than two consecutive terms.

RULE 7

1. In addition to exercising the powers conferred upon him or her elsewhere in these rules, the Chairperson shall:
 - (a) Preside over the meeting;
 - (b) Declare the opening and closure of the meeting;
 - (c) Ensure the observance of these rules;
 - (d) Accord the right to speak;
 - (e) Put questions to the vote and announce decisions;
 - (f) Rule on any points of order;
 - (g) Subject to these rules, have complete control over the proceedings and maintain order.
2. The Chairperson may also propose:
 - (a) The closure of the list of speakers;
 - (b) A limitation on the time to be allowed to speakers and on the number of interventions on an issue;
 - (c) The adjournment or closure of debate on an issue;
 - (d) The suspension or adjournment of the meeting.

AGENDA

RULE 8

1. In agreement with the Chairperson, the Secretariat shall draft the provisional agenda for each meeting of the Committee. The agenda of the Committee shall include items arising from its functions as specified in section IV of the compliance procedures and mechanisms and other matters related thereto.
2. The Committee, when adopting its agenda, may decide to add urgent and important items and to delete, defer or amend items.

RULE 9

The provisional agenda and the annotated agenda for each meeting, the draft report of the previous meeting and other working and supporting documents shall be circulated by the Secretariat to members and alternate members at least six weeks before the opening of the meeting.

MEMBERS AND ALTERNATE MEMBERS

RULE 10

1. The term of office of a member or alternate member shall commence at the end of an ordinary Meeting of the Contracting Parties immediately following his or her election and run until the end of the Meeting of the Contracting Parties two or four years thereafter, as applicable.
2. If a member or alternate member of the Committee resigns or is otherwise unable to complete his or her term of office, the Party which nominated that member or alternate member shall nominate a replacement to serve for the remainder of that member's or alternate member's mandate, subject to endorsement by the Bureau of the Contracting Parties.
3. When a member or alternate member resigns or is otherwise unable to complete the assigned term, the Committee shall request the Secretariat to start the replacement procedures in order to ensure, in accordance with paragraph 2 above, the election of a new member or alternate member for the remainder of the term.

RULE 11

1. In accordance with these rules of procedure, members and alternate members shall be invited to attend Committee meetings.
2. Alternate members are entitled to take part in the proceedings of the Committee without the right to vote. An alternate member may cast a vote only if serving as a member.
3. During the absence of a member from all or part of a meeting, his or her alternate shall serve as the member.
4. When a member resigns or is otherwise unable to complete the assigned term or the functions of a member, his or her alternate shall serve as a member ad interim.

5. Any other participant in the Committee's meetings shall attend as an observer.

RULE 12

1. Each member of the Committee shall, with respect to any matter that is under consideration by the Committee, avoid direct or indirect conflicts of interest. Any matter that may constitute a conflict of interest shall be disclosed as soon as possible to the Secretariat, which shall forthwith notify the members of the Committee. The concerned member shall not participate in the elaboration and adoption of findings, measures and recommendations of the Committee in relation to such a matter.

2. If the Committee considers that a material violation of the requirements of independence and impartiality expected of a member or alternate member of the Committee has occurred, it may decide to recommend, through the Secretariat to the Bureau of the Meeting of the Contracting Parties, to revoke the membership of any member or alternate member concerned, after having given the member or alternate member the opportunity to be heard.

3. All decisions of the Committee taken under this rule shall be noted in the annual report of the Committee to the Meeting of the Contracting Parties.

RULE 13

Each member or alternate member of the Committee shall take the following written oath :

“ I solemnly declare that I shall perform my duties as member of the Committee objectively, independently and impartially, acting in the interest of the Barcelona Convention, and shall not disclose any confidential information coming to my knowledge by reason of my duties in the Committee, and I shall disclose to the Committee any personal interest in any matter submitted to the Committee for consideration which may constitute a conflict of interest.”

DISTRIBUTION AND CONSIDERATION OF INFORMATION

RULE 14

1. The information received in accordance with paragraphs 18-19 of section V on 'Procedure' shall be distributed by the Secretariat to the members and alternate members of the Committee.

2. A submission received in accordance with paragraph 18(a) of section V of the compliance procedures and mechanisms shall be transmitted by the Secretariat to the members of the Committee and their alternates as soon as possible but no later than thirty days of receipt of the submission.

3. A submission received in accordance with paragraph 18(b) of the compliance procedures and mechanisms and any referrals by the Secretariat as provided for in paragraph 23 of the compliance procedures and mechanisms shall be transmitted by the Secretariat to the members of the Committee and their alternates as soon as possible but no later than 30 days after the six-month timeframes provided for in the above-mentioned paragraphs have expired.

4. Any information to be considered by the Committee shall, as soon as possible but no later than two weeks after receipt, be made available to the Party concerned.

PUBLIC ACCESS TO DOCUMENTS AND INFORMATION

RULE 15

The provisional agenda, reports of meetings, official documents and, subject to rule 14 above and paragraph 30 of section V of the compliance procedures and mechanisms, any other non-confidential information documents shall be made available to the public.

PARTICIPATION IN PROCEEDINGS OF THE COMMITTEE

RULE 16

1. Unless the Committee or the Party whose compliance is in question decides otherwise, the meetings of the Committee will be open to other Contracting Parties not represented on the Committee and to observers as provided for under paragraph 13 of the compliance procedures and mechanisms.

2. In accordance with the provisions of paragraphs 18, 27 and 29 of the compliance procedures and mechanisms, the Party concerned is entitled to participate in the Committee's proceedings and make comments thereon. It may furthermore, in accordance with the criteria adopted by the Committee and at the request of the latter, take part in the preparation of its findings, measures and recommendations. The Party concerned shall be given an opportunity to comment in writing on any findings, measures and recommendations of the Committee. Any such comments shall be forwarded with the report of the Committee to the Meeting of the Contracting Parties.

3. The Committee may invite experts to provide expertise through the Secretariat. In that case it shall:

- (a) Define the question on which expert opinion is sought;
- (b) Identify the expert(s) to be consulted, on the basis of a roster of experts prepared and regularly updated by the Secretariat;
- (c) Lay down the procedures to be followed.

4. Experts may also be invited by the Committee to be present during the formulation of its findings, measures or recommendations.

5. Secretariat officials may be also invited by the Committee to be present to assist in the drafting of its findings, measures or recommendations.

CONDUCT OF BUSINESS

RULE 17

In conformity with Rule 11, seven members of the Committee shall constitute a quorum. For the purposes of the quorum, any alternate members replacing members shall be counted on the basis of the group to which they belong.

RULE 18

1. With respect to a notification or document sent by the Secretariat to a Contracting Party, the date of receipt shall be deemed to be the date indicated in a written confirmation from the Party or the date indicated in a written confirmation of receipt by the expedited delivery courier, whichever comes first.
2. With respect to a submission, request or other document intended for the Committee, the date of receipt by the Committee shall be deemed to be the first business day after receipt by the Secretariat.

RULE 19

1. Electronic means of communication may be used by the members of the Committee for the purpose of conducting informal consultations on issues under consideration and decision-making on matters of procedure. Electronic means of communication shall not be used for making decisions on matters of substance related in particular to the preparation of findings, measures and recommendations by the Committee.
2. The Committee may use electronic means for transmission, distribution and storage of documentation, without prejudice to normal means of circulation of the documentation, as the case may be.

VOTING

RULE 20

Each member of the Committee shall have one vote.

RULE 21

1. The Committee shall make every effort to reach agreement by consensus on its findings, measures and recommendations. If all efforts to reach consensus have been exhausted, the Committee shall as a last resort adopt its findings, measures and recommendations by at least six members present and voting.
2. For the purpose of these rules, "members present and voting" means members present at the session at which voting takes place and casting an affirmative or negative vote. Members abstaining from voting shall be considered as not voting.

SECRETARIAT

RULE 22

1. The Secretariat shall make arrangements for meetings of the Committee and provide it with services as required.
2. In addition, the Secretariat shall perform other functions assigned to it by the Committee with respect to the work of the Committee.

LANGUAGES

RULE 23

The working languages of the Committee shall be English and French [and Arabic].

RULE 24

1. The submissions from the Party concerned, the response and the information referred to in section V of the compliance procedures and mechanisms shall be provided in one of the four official languages of the Meetings of the Contracting Parties to the Convention and its related Protocols. The Secretariat shall make arrangements to translate them into English and/or French if they are submitted in the other official languages of the Meeting of the Contracting Parties to the Convention and its related Protocols.

2. A representative taking part in the Committee proceedings and/or meetings may speak in a language other than the working languages of the Committee if the Party provides for interpretation.

3. Findings, measures and recommendations that are final shall be made available in all official languages of the Meetings of the Contracting Parties to the Convention and its related Protocols.

GENERAL PROCEDURES FOR SUBMISSIONS

RULE 25

The time frame for submissions is as follows:

1. For cases concerning a submission by a Party in respect of its own actual or potential situation of non-compliance: at the latest six (6) weeks before the opening of the ordinary meeting of the Committee.

2. For cases concerning a submission by a Party in respect of another Party's situation of non-compliance: at the latest four (4) months before the opening of the ordinary meeting of the Committee allowing the Party whose compliance is in question at least three months to consider and prepare a response.

3. The time frames for cases concerning a submission by a Party in respect of another Party's situation of non-compliance also apply for referrals made by the Secretariat.

4. All the above time frames are indicative and may be extended according to the necessities warranted by the circumstances of the matter at hand and in accordance with the Committee's rules of procedure, in particular the principle of due process. In this respect, Parties may accordingly submit additional documentation, comments and written observations to be considered by the Committee.

RULE 26

1. A submission by any Contracting Party raising a question of non-compliance with respect to itself shall set out:

- (a) The name of the Contracting Party making the submission;
- (b) A statement identifying the question of non-compliance, supported by substantiating information setting out the matter of concern relating to the question of non-compliance
- (c) Its legal basis and the relevant provisions of the Barcelona Convention and its related Protocols and decision IG 17/2 that form the basis for raising the question of non-compliance;
- (d) Any provisions of the decisions of the Meeting of the Contracting Parties and the reports of the Secretariat that are applicable to the question of non-compliance.

2. The submission should also set out a list of all documents annexed to the submission.

RULE 27

1. A submission by any Contracting Party raising a question of non-compliance with respect to another Party shall set out:

- (a) The name of the Contracting Party making the submission;
- (b) A statement identifying the question of non-compliance, supported by substantiating information setting out the matter of concern relating to the question of non-compliance;
- (c) The name of the Party concerned;
- (d) Its legal basis and the relevant provisions of the Barcelona Convention and its related Protocols and decision IG 17/2 that form the basis for raising the question of non-compliance;
- (e) Any provisions of the decisions of the meetings of the Contracting Parties and the reports of the Secretariat that are applicable to the question of non-compliance.

2. The submission should also set out a list of all documents annexed to the submission.

RULE 28

The Secretariat shall make the submission and any supporting information, submitted under rule 15, including any expertise reports, available to the representative designated by the concerned Party.

RULE 29

Within the framework of general procedures for submissions as provided for under rule 26 above, comments and written observations by the Party concerned in accordance with the provisions of section V of the compliance procedures and mechanisms on the Committee's preliminary and final findings, measures and recommendations should include:

- (a) A statement of the position of the Party concerned on the information, findings, measures and recommendations or question of non-compliance under consideration;
- (b) An identification of any information provided by the Party that it requests should not be made available to the public in accordance with paragraph 30 of section V of the compliance procedures and mechanisms;
- (c) A list of all documents annexed to the submission or comment.

RULE 30

1. Any submission, comment and/or written observations under rules 13 and 29 shall be signed by the MAP Focal Point or the representative of the Party and be delivered to the Secretariat in hard copy and by electronic means.
2. Any relevant documents in support of the submission, comment or written observations shall be annexed to it.

RULE 31

1. Findings, measures or recommendations shall contain, *mutatis mutandis*:
 - (a) The name of the Party concerned;
 - (b) A statement identifying the question of non-compliance addressed;
 - (c) The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols and decision IG 17/2 and other relevant decisions of the Meetings of the Contracting Parties that form the basis of the preliminary findings, measures and recommendations and their final versions;
 - (d) A description of the information considered in the deliberations and confirmation that the Party concerned was given an opportunity to comment in writing on all information considered;
 - (e) A summary of the proceedings, including an indication of whether its preliminary finding or any part of it as specified is confirmed;
 - (f) The substantive decision on the question of non-compliance, including the consequences applied, if any;
 - (g) Conclusions and reasons for the findings, measures and recommendations;
 - (h) The place and date of the findings, measures and recommendations;
 - (i) The names of the members who participated in the consideration of the question of non-compliance and in the elaboration and adoption of the findings, measures and recommendations.
2. Comments in writing on the findings, measures and recommendations submitted within 45 days of their receipt by the Party concerned shall be circulated by the Secretariat to the members and alternate members of Committee and shall be included in the Committee's biannual report to the Meeting of the Contracting Parties.

AMENDMENTS TO THE RULES OF PROCEDURE

RULE 32

Any amendments to these rules of procedure shall be adopted by consensus by the Committee and submitted for consideration and adoption by the Bureau, subject to endorsement by the Meeting of the Contracting Parties.

**OVERRIDING AUTHORITY OF THE CONVENTION AND ITS RELATED PROTOCOLS
AND DECISION IG 17/2**

RULE 33

In the event of a conflict between any provision in these rules and any provision in the Convention and its related Protocols or decision IG 17/2, the provisions of the Convention and its Protocols or, as the case may be, decision IG 17/2 shall prevail.

ANNEX II

"Programme of work of the Compliance Committee for the biennium 2010-2011 agreed by the Second Meeting of the Compliance Committee"

Athens, Greece, March 2009

The Committee agreed to carry out the following activities during the 2010-2011 biennium:

- a) convening of at least one ordinary meeting per year of the Compliance Committee;
- b) participation of the members of the Compliance Committee and its alternate members, of the representatives of the concerned Contracting Parties and of observers, as appropriate, in the meetings of the Compliance Committee according to the Rules of Procedure;
- c) participation of members and alternate members, concerned Contracting Parties and experts, as appropriate, in missions related to the accomplishment by the Committee of its functions as described in Decision IG 17/2 of the 15th Meeting of the Contracting Parties and the draft rules of procedure for the Compliance committee;
- d) advice and as appropriate facilitate assistance to the concerned Contracting Parties as provided for in paragraph 32, sub-paragraphs a) and b) of procedures and mechanisms on compliance;

The Committee agreed to address the following issues:

- a) Specific submissions in accordance to paragraph 18 and 19 of procedures and mechanisms on compliance by the Contracting Parties, if any.
- b) Referrals by the Secretariat in accordance with paragraph 23 of procedures and mechanisms on compliance on unresolved difficulties in complying with obligations under the Convention and its Protocols on the basis of the 2006-2007 national reports.
- c) Preparation and adoption of the report and the recommendations of the Compliance committee for submission to the 17th Meeting of the Contracting Parties.
- d) Preparation of the criteria or minimum measures to identify possible difficulties faced by the Contracting Parties in complying with obligations under the Convention and the Protocols, as provided for in paragraph 23 of the compliance procedures and mechanisms under the Barcelona Convention and its Protocols.
- e) Analysis of general issues of compliance as provided for in paragraph 17(b) of procedures and mechanisms on compliance, on the basis of the reports submitted by the Contracting Parties during the [2006 2007 and] 2008-2009 biennium with a particular focus on the assessment of the reasons of non-compliance by the Contracting Parties with reporting obligations.
- f) Publication of the draft guide brochure on compliance procedures in Arabic, English and French.
- g) Preparation of criteria and procedures provided for in the draft rules of procedure for the Compliance Committee meetings and the Committee's work.

Draft decision II

**"Implementation of and reporting on
Guidelines for the determination of Liability and Compensation
For damages resulting from pollution of the Marine Environment
In the Mediterranean Sea Area"**

The 16th Meeting of the Contracting Parties,

Pursuant to Decision IG 17/4 of the 15th Meeting of the Contracting Parties that the Working Group of Legal and Technical Experts for the Implementation of Guidelines for the Determination of Liability and Compensation for Damage resulting from Pollution of the Marine Environment in the Mediterranean Sea Area, herein referred to as Guidelines, should facilitate and assess the implementation of the Guidelines and make proposals regarding the advisability of additional action;

Taking into account the conclusions of the third meeting of the Working Group, held in Athens on 22 and 23 January 2009;

Noting that all the Parties recognize that these Guidelines provide a good basis for further cooperation for the development of a more comprehensive and effective regime in this field;

Taking note of the findings of the Questionnaire sent out by the Secretariat with regard to liability and compensation for damage resulting from pollution of the marine environment in the Mediterranean Sea area and of the discussions held during the meeting of the Working Group which show differences of approach in national legislation and institutional and administrative frameworks in the Contracting Parties in this field;

Considering that specific practical action is needed to address current weaknesses at the national, sub-regional, regional and international levels;

Adopts the reporting format for reporting on the implementation of the Guidelines, contained in Annex 1 to this decision;

Approves the Programme of Action to facilitate the implementation of the Guidelines, contained in Annex 2 to this decision;

Decides to extend the mandate of the Working Group of Legal and Technical Experts for the biennium 2010-2011;

Invites the Contracting Parties to cooperate and provide support to facilitate the implementation of the Guidelines as appropriate; and

Requests the Secretariat to undertake necessary actions to support the Contracting Parties in their efforts to implement the Guidelines.

Annex I

"Draft reporting format on the implementation of Guidelines for the Determination of Liability and Compensation for Damages resulting from Pollution of the Marine Environment in the Mediterranean Sea Area¹"

**PART 1
STATE OF THE ART**

Guideline 2- Purpose of the Guidelines

| | | | |
|--|--|--|--|
| <u>Question 1: Is PPP² adopted and enacted in the Party's legislation?</u> | | | |
| <input type="checkbox"/> yes | <input type="checkbox"/> no | In process <input type="checkbox"/> yes <input type="checkbox"/> no | |
| Please insert the definition of PPP: | | Please insert draft definition, if any | |
| Please insert the Title of the enacted law/s and regulation/s, Number/Date : | | | |
| <i>Implementation constraints related to PPP application:</i> | | | |
| Lack of legal implementation measures <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Difficult polluter identification <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Lack of Institutional capacit <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Lack of technical capacity <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Other ³ <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| 3. Please specify any other constraints (optional) | | | |

¹ Hereinafter: the Guidelines.

² PPP : Polluter pays principle

³ If you wish to specify « Other constraints », please enter the information in the row below that has the same number as the respective footnote.

Guideline 5 - Relationship with other Regimes

| Question 2: Participation by the party in treaties relating to Liability&Compensation regimes | | | | | |
|---|--|--|--|--|--|
| Title of the Treaty | Ratified or acceded to | Signed | Reservations/ Declarations | Intention to ratify or ratification in process | Other relevant considerations, including the text of the reservations/ declarations, if any |
| (1) Convention on Third Party Liability in the Field of Nuclear Energy (Paris, 1960), amended by (2) Additional Protocol (Paris, 1964), by (3) Protocol (Paris, 1982) and by (4) Protocol (Paris, 2004) | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no 3) <input type="checkbox"/> yes <input type="checkbox"/> no 4) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no 3) <input type="checkbox"/> yes <input type="checkbox"/> no 4) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no 3) <input type="checkbox"/> yes <input type="checkbox"/> no 4) <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| (1) Convention Supplementary to the 1960 Paris Convention on Third Party Liability in the Field of Nuclear Energy (Brussels, 1963), amended by (2) Additional Protocol (Paris, 1964), by (3) Protocol (Paris, 1982) and by (4) Protocol (Paris, 2004) | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no 3) <input type="checkbox"/> yes <input type="checkbox"/> no 4) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no 3) <input type="checkbox"/> yes <input type="checkbox"/> no 4) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no 3) <input type="checkbox"/> yes <input type="checkbox"/> no 4) <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| International Convention on Civil Liability for Oil Pollution Damage (London, 1992) | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| (1) Convention on Civil Liability for Nuclear Damage (Vienna, 1963), amended by (2) Protocol (Vienna, 1997) | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| Convention relating to Civil Liability in the Field of Maritime Carriage of Nuclear Material (Brussels, 1971) | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (London, 1992) | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| (1) Convention on Limitation of Liability for Maritime Claims (London, 1976), amended by (2) Protocol (London, 1996) | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no | 1) <input type="checkbox"/> yes <input type="checkbox"/> no 2) <input type="checkbox"/> yes <input type="checkbox"/> no |
| Joint Protocol relating to the Application of the Vienna | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | |

| | | | | | |
|---|--|--|--|--|--|
| Convention and the Paris Convention (Vienna, 1988) | | | | | |
| Convention on Civil Liability for Damage Caused during Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels (Geneva, 1989) | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (London, 1996) | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| Convention on Supplementary Compensation for Nuclear Damage (Vienna, 1997) | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| Basel Protocol on Liability and Compensation for Damage resulting from Transboundary Movements of Hazardous Wastes and their Disposal (Basel, 1999) | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| International Convention on Civil Liability for Bunker Oil Pollution Damage (London, 2001) | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (Kiev, 2003) | <input type="checkbox"/> yes <input type="checkbox"/> no | |
| Protocol of 2003 to the International Convention on the Establishment of an International Fund Compensation for Oil Pollution Damage (London, 2003) | <input type="checkbox"/> yes <input type="checkbox"/> no | |

| Participation constraints are related to: | | | | |
|--|--|--|---|--|
| Lack of legal/administrative implementation measures <input type="checkbox"/> yes <input type="checkbox"/> no | Lack of technical Capacity <input type="checkbox"/> yes <input type="checkbox"/> no | Lack of institutional Capacity <input type="checkbox"/> yes <input type="checkbox"/> no | Lack of financial Resources <input type="checkbox"/> yes <input type="checkbox"/> no | Other ⁴ constraints <input type="checkbox"/> yes <input type="checkbox"/> no |
| 4. Other constraints : | | | | |

| |
|--|
| Question 3⁵ : Has the Party adopted any legislation to implement the EC Directive 2004/35/CE ? <input type="checkbox"/> yes <input type="checkbox"/> no |
| Please describe the adopted legislation to implement the EC Directive 2004/35/CE (optional question) |

Guidelines 8 and 9 - Damage

| Question 4: Legislation regulating environmental damage | | |
|---|--|--|
| If legislation regulating environmental damage has been adopted, please insert in the row below its definition: | Not Adopted | In process |
| Definition of Damage: | <input type="checkbox"/> yes | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Constraints related to the adoption of legislation and its implementation: | | |
| Inadequate legal implementation measures <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Lack of financial resources <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Lack of institutional capacity <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Lack of technical capacity <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Lack of technical capacity <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> yes <input type="checkbox"/> no |
| Other constraints ⁶ <input type="checkbox"/> yes <input type="checkbox"/> no | | |
| 6. Other constraints | 6. Other constraints | 6. Other constraints |

⁴ If you wish to specify « Other constraints », please enter the information in the row below that has the same number as the respective footnote.

⁵ This question is addressed to those Parties which are members of the European Union

⁶ If you wish to further specify « other constraints », please insert the information in the row below that has the same number as the respective footnote

Guideline 10,11,13,14,15 - Compensation for Damage and Damage Assessment

| | | | | | |
|---|--|---|---|---|--|
| Question 5 (optional) : Environmental damage in the Party's legislation include the following elements: | | | | | |
| a) Costs of activities and studies to assess the damage <input type="checkbox"/> yes <input type="checkbox"/> no | b) Costs of the preventive measures including measures to prevent a threat of damage or an aggravation of damage <input type="checkbox"/> yes <input type="checkbox"/> no | c) Costs of measures undertaken or to be undertaken to clean up, restore and reinstate the impaired environment, including the cost of monitoring and control of the effectiveness of such measures <input type="checkbox"/> yes <input type="checkbox"/> no | d) Diminution in value of natural or biological resources pending restoration <input type="checkbox"/> yes <input type="checkbox"/> no | e) Compensation by equivalent if the impaired environment cannot return to its previous condition <input type="checkbox"/> yes <input type="checkbox"/> no | f) Other elements ⁷ <input type="checkbox"/> yes <input type="checkbox"/> no |
| 7. "Other elements": | | | | | |
| Implementation constraints in introducing any of the above elements of compensation in the Party's Legislation is related to: | | | | | |
| Lack of specialized Institutes <input type="checkbox"/> yes <input type="checkbox"/> no | Lack of reliability of Data <input type="checkbox"/> yes <input type="checkbox"/> no | Lack of BAT (best available technology) <input type="checkbox"/> yes <input type="checkbox"/> no | Lack of trained Personnel <input type="checkbox"/> yes <input type="checkbox"/> no | Inadequate participation by the civil society <input type="checkbox"/> yes <input type="checkbox"/> no | Other Constraints ⁸ <input type="checkbox"/> yes <input type="checkbox"/> no |
| 8 "Other constraints": | | | | | |
| Question 6 (optional) : Does the Party's legislation provide that the competent authority can decide that no further reinstatement measures should be taken if their cost would be disproportionate to the consequent environmental benefits? <input type="checkbox"/> yes <input type="checkbox"/> no | | | | | |
| Question 7 : Does the Party's legislation provide for compensation for diminution in value ? (Guid. 10-d) : <input type="checkbox"/> yes <input type="checkbox"/> no; ; If so, under what criteria is the relevant amount determined: | | | | | |
| The criteria for 'compensatory remediation provided for in Annex II of the above mentioned EU Directive? <input type="checkbox"/> yes <input type="checkbox"/> no | | | Other ⁹ criteria? <input type="checkbox"/> yes <input type="checkbox"/> no | | |
| 9. "Other criteria" | | | | | |
| Question 8 : Does the Party's legislation provide for compensation by equivalents (Guideline 10-e)? <input type="checkbox"/> yes <input type="checkbox"/> no; , If the answer is yes what kind of equivalents are envisaged: | | | | | |
| The equivalent provided for 'compensatory remediation provided for in Annex II of the above mention EU Directive? <input type="checkbox"/> yes <input type="checkbox"/> no | | | Other ¹⁰ criteria? <input type="checkbox"/> yes <input type="checkbox"/> no | | |
| 10. " Other criteria" | | | | | |
| Question 9: Does the Party's legislation allow for the use of non-economic values, such as spiritual and cultural values, in the determination of compensation for diminution in value or compensation by equivalent? <input type="checkbox"/> yes <input type="checkbox"/> no | | | | | |
| Question 10: Does the Party's legislation provide for thresholds of significance to compensate environmental damage? <input type="checkbox"/> yes <input type="checkbox"/> no | | | | | |

⁷ If the answer is in the affirmative, please specify it in the row below that has the same number as the respective footnote

⁸ If the answer is in the affirmative, please specify it in the row below that has the same number as the respective footnote

⁹ If the answer is in the affirmative, please specify it in the row below that has the same number as the respective footnote

¹⁰ If the answer is in the affirmative, please specify it in the row below that has the same number as the respective footnote

| | | | | | |
|--|---|--|---|---|---|
| Question 11 : What are the sources of information available to the Party on the previous condition of the environment (so-called baseline condition) in order to assess the extent of environmental damage? | | | | | |
| a) the National Baseline Budgets of Pollution Emission and Releases as referred to in Guideline 11 <input type="checkbox"/> yes <input type="checkbox"/> no | | b) the Biodiversity Inventory as referred to in Guideline 11 <input type="checkbox"/> yes <input type="checkbox"/> no | | c) Other sources ¹¹ <input type="checkbox"/> yes <input type="checkbox"/> no | |
| 11. "Other sources": | | | | | |
| Implementation constraints in getting the information not provided by the sources referred to in Guidelines 11 | | | | | |
| Lack of specialized Institutes <input type="checkbox"/> yes <input type="checkbox"/> no | Lack of reliability of Data <input type="checkbox"/> yes <input type="checkbox"/> no | Lack of BAT <input type="checkbox"/> yes <input type="checkbox"/> no | Lack of trained personnel <input type="checkbox"/> yes <input type="checkbox"/> no | Inadequate participation by the civil society <input type="checkbox"/> yes <input type="checkbox"/> no | Other ¹² <input type="checkbox"/> yes <input type="checkbox"/> no |
| 12. "Other sources" | | | | | |
| Question 12 : Does the Party's legislation: | | | | | |
| a) provide that compensation for environmental damage is earmarked for interventions in the environmental field? (Guideline 13) <input type="checkbox"/> yes <input type="checkbox"/> no | | b) cover all the four elements of traditional damage as referred to in Guideline 14? <input type="checkbox"/> yes <input type="checkbox"/> no ¹³ | | c) provide for joint and several liability in case of pollution of a diffuse character?(Guideline 15) <input type="checkbox"/> yes <input type="checkbox"/> no | |
| 13. Please specify the missing elements | | | | | |

Guidelines 16, 17, 18 – Preventive and Remedial measures: Channelling of liability

| | | | |
|---|--|---|---|
| Question 13 : Under the Party's legislation, is the operator bound to take the preventive and remedial measures referred to in Guideline 10 (b) and (c)? <input type="checkbox"/> yes <input type="checkbox"/> no | | | |
| Question 14: How does the Party's legislation regulate the taking of the above preventive or remedial measures, when the operator fails to take such measures or cannot be identified or is not liable under the existing legislation: | | | |
| a) the Party takes both measures and recovers the cost from the operator, where appropriate ? <input type="checkbox"/> yes <input type="checkbox"/> no | b) no measures are taken by the Party? <input type="checkbox"/> yes <input type="checkbox"/> no | c) the Party takes only preventive measures ? <input type="checkbox"/> yes <input type="checkbox"/> no | d) the Party takes only remedial measures ? <input type="checkbox"/> yes <input type="checkbox"/> no |

¹¹ If the answer is in the affirmative, please specify it in the row below that has the same number as the respective footnote

¹² If the answer is in the affirmative, please specify it in the row below that has the same number as the respective footnote

¹³ If the answer is No, please describe in the row below that has the same number as the footnote , what are the missing elements?

| | | | | |
|---|--|---|---|--|
| Question 15 (optional): Under the Party's legislation, is liability imposed also on subjects different from the operator, as defined in Guideline 18 ? | | | | |
| <input type="checkbox"/> yes <input type="checkbox"/> no and If so, what other subjects : | | | | |
| a) Captain of ship? <input type="checkbox"/> yes <input type="checkbox"/> no | b) Classification society? <input type="checkbox"/> yes <input type="checkbox"/> no | Owner of a hazardous cargo? <input type="checkbox"/> yes <input type="checkbox"/> no | Owner of an off-shore installation? <input type="checkbox"/> yes <input type="checkbox"/> no | Other subjects ¹⁴ ? <input type="checkbox"/> yes <input type="checkbox"/> no |
| 14. "Other subjects": | | | | |
| Question 16 (optional): Does the party's legislation provide for a definition of operator different from that provided in Guideline 18? <input type="checkbox"/> yes <input type="checkbox"/> no | | | | |
| If yes, please specify the definition : | | | | |

Guidelines 19, 20, 21, 22 – Standards of liability

| | | | | | |
|--|---|--|--|---|--|
| Question 17 (optional) : Does the party's legislation include provisions related to: | | | | | |
| a) <i>General civil extra-contractual liability (also called tort or delictual liability)</i> <input type="checkbox"/> yes <input type="checkbox"/> no | | b) <i>General administrative liability of State organs</i> <input type="checkbox"/> yes <input type="checkbox"/> no | | c) <i>Environmental liability (special liability provisions applying to the environment, including the marine environment)</i> <input type="checkbox"/> yes <input type="checkbox"/> no | |
| Question 18: What is the basis standard of liability established under the Party's legislation law for | | | | | |
| a) Environmental damage | | | b) Traditional damage | | |
| -Strict liability? <input type="checkbox"/> yes <input type="checkbox"/> no | -Fault liability? <input type="checkbox"/> yes <input type="checkbox"/> no | -A combination of the two? <input type="checkbox"/> yes <input type="checkbox"/> no | -Strict liability? <input type="checkbox"/> yes <input type="checkbox"/> no | -Fault liability? <input type="checkbox"/> yes <input type="checkbox"/> no | -A combination of the two? <input type="checkbox"/> yes <input type="checkbox"/> no |
| Question 19: Is absolute liability for either environmental or traditional damage applied by the Party's legislation? <input type="checkbox"/> yes <input type="checkbox"/> no | | | | | |
| If so, please specify in what cases: | | | | | |
| Question 20 (optional): Does the Party's legislation: | | | | | |
| a) <i>Apply fault based liability in cases of environmental damage resulting from activities not covered by any of the Protocols to the Barcelona Convention? (Guideline 20)</i> <input type="checkbox"/> yes <input type="checkbox"/> no If so, you may specify what are the activities in question: | | b) <i>Provide for apportionment of liability in case of multiparty causation of damage? (Guideline 21)</i> <input type="checkbox"/> yes <input type="checkbox"/> no | | c) <i>Provide for joint and several liability in case of multy-party causation of damage? (Guideline 21)</i> <input type="checkbox"/> yes <input type="checkbox"/> no | |
| | | | | d) <i>Define an incident as defined in Guideline 22?</i> <input type="checkbox"/> yes <input type="checkbox"/> no If not, please specify here what are the differences: | |

¹⁴ If the answer is in the affirmative, please specify it in the row below that has the same number as the respective footnote.

Guidelines 23, 24 - Exemptions of Liability and Limitations of liability

| | | | | |
|--|--|--|---|--|
| Question 21 : What are the exemptions for liability provided for under the Party's legislation? | | | | |
| a) <i>force majeure</i> <input type="checkbox"/> yes <input type="checkbox"/> no | b) <i>act of war, hostilities, civil war, insurrection</i> <input type="checkbox"/> yes <input type="checkbox"/> no | c) <i>Act of terrorism</i> <input type="checkbox"/> yes <input type="checkbox"/> no | d) <i>order or compulsory measure of public authority</i> <input type="checkbox"/> yes <input type="checkbox"/> no | e) <i>other exemptions</i> ¹⁵ ? <input type="checkbox"/> yes <input type="checkbox"/> no |
| 15: "Other exemptions" | | | | |
| Question 22: Does the Party's legislation, including the treaties in force for the Party, provide for any financial limits of liability ? <input type="checkbox"/> yes <input type="checkbox"/> no; if the answer is in the affirmative : | | | | |
| a) for what kind of activities: | | | | |
| a) Navigation? <input type="checkbox"/> yes <input type="checkbox"/> no | b) Ultra hazardous activities? <input type="checkbox"/> yes <input type="checkbox"/> no | c) Other activities ¹⁶ <input type="checkbox"/> yes <input type="checkbox"/> no | | |
| 16. "Other activities": | | | | |
| b) Are these financial limits of liability re-evaluated on a regular basis? <input type="checkbox"/> yes <input type="checkbox"/> no | | | | |

Guidelines 26, 27- Time limits

| | | |
|---|---|--------------------------------|
| Question 23(optional): Does the Party's legislation apply a two-tier system of shorter and longer periods to commence proceedings for compensation? <input type="checkbox"/> yes <input type="checkbox"/> no; if yes : how long do the statutes of limitations last for : | | |
| a) shorter period lasting for | b) longer period lasting for | c) one-tier period lasting for |
| Question 24 : From when does the statute of limitation run: | | |
| a) <i>In case of an incident consisting of a series of occurrences having the same origin?</i> | b) <i>In case of an incident consisting of a series of occurrences?</i> | |
| <i>Please specify:</i> | <i>Please specify:</i> | |

Guideline 28 - Financial and Security Scheme

| | | |
|---|---|---|
| Question 25: Does the Party's legislation require that the operator of activities covered by these Guidelines participates in a financial security scheme or financial guarantee to cover liability? <input type="checkbox"/> yes <input type="checkbox"/> no | | |
| If so : a) in what form : | | |
| Insurance contract? <input type="checkbox"/> yes <input type="checkbox"/> no | Financial guarantee? <input type="checkbox"/> yes <input type="checkbox"/> no | Other form ¹⁷ ? <input type="checkbox"/> yes <input type="checkbox"/> no |
| 17. "Other form": | | |
| and b) for what kind of activities? Please specify | | |
| <u>If the answer to question 24 is No</u> | | |
| Question 26: How does the party envisage the possibility of establishing a compulsory insurance regime in the cases mentioned by this guideline? | | |

¹⁵ If the answer is in the affirmative, please specify it in the row below that has the same number as the respective footnote.

¹⁶ If the answer is the affirmative, please specify it in the row below that has the same number as the respective footnote.

¹⁷ If the answer is the affirmative, please specify it in the row below that has the same number as the respective footnote.

| | | |
|--|-----------------------------|--------------------------|
| Please specify: | | |
| Question 27 : Have the operators voluntarily established financial and security schemes? | | |
| <input type="checkbox"/> yes <input type="checkbox"/> no | | |
| Question 28: Are financial and security schemes available on the market to cover environmental liability? | | |
| <input type="checkbox"/> yes | <input type="checkbox"/> no | The market is developing |

Guideline 29 - Mediterranean Compensation Fund

Please refer to Part No.3 of the Reporting format

Guideline 30 - Access to information

| | | |
|--|---|--|
| Question 29: Are the competent authorities of the Party bound by any specific procedure to give public access to information as regards environmental damage or the threat thereof, as well as measures taken to receive compensation for it? | | |
| <input type="checkbox"/> yes <input type="checkbox"/> no | | |
| 1- When the answer is in the affirmative: | | 2- When the answer is No |
| a) Do they have a specific time limit to reply to requests for information? <input type="checkbox"/> yes <input type="checkbox"/> no If so, what is the time limit? Please specify: | b) Is information provided also to applicants who are not directly affected by an incident, and, in particular, to non governmental organizations for the protection of the environment? <input type="checkbox"/> yes <input type="checkbox"/> no | c) For what reasons the information could be refused? Please specify: |

Guideline 31 - Action for compensation

| | | | |
|--|--|--|--|
| Question 30: Under the Party's legislation, action for compensation for environmental damage can be brought by: | | | |
| a) the State <input type="checkbox"/> yes <input type="checkbox"/> no | b) other public entities (regions, provinces, municipalities) <input type="checkbox"/> yes <input type="checkbox"/> no | c) civil society organisations <input type="checkbox"/> yes <input type="checkbox"/> no | d) private persons <input type="checkbox"/> yes <input type="checkbox"/> no |
| Question 31: If civil society organizations or private persons cannot bring an action, can they intervene in the proceedings or present amicus curiae briefs? | | | |
| <input type="checkbox"/> yes <input type="checkbox"/> no | | | |

**PART 2
GENERAL QUESTIONS AND NEEDS ASSESSMENT**

I - Institutional Regime

| | | |
|-----------|--|--|
| No | Question 32: Does the Party have Institutions which deal with the issues of liability and compensation for damage resulting from pollution of the marine environment ? <input type="checkbox"/> yes <input type="checkbox"/> no Please describe in case the answer is yes : | Specific competences in the field of liability and compensation for damage resulting from pollution of the marine environment |
| 1 | a) Institut's name | b) any specific competence |

II Case and Experience Studies (Optional Questions)

| | |
|--|-----------------------------|
| Question 33: Were your authorities confronted with any incident which provoked a substantive pollution of the marine environment over the past five years? | |
| <input type="checkbox"/> yes | <input type="checkbox"/> no |
| Question 34: Please briefly describe the incident, the damages (environmental and traditional) and the measures undertaken in order to determine liability and to pay compensation? | - |
| Question 35: Do you consider that the measures undertaken were sufficient? | - |
| <input type="checkbox"/> yes <input type="checkbox"/> no | |

PART 3

Other steps (optional)

1. What measures would the Party suggest to enhance access and knowledge to these Guidelines by all stakeholders at the regional, national, local level?
2. Should a future Mediterranean liability and compensation regime also apply to activities which are not specifically regulated by the Barcelona Convention and its Protocols?
 yes no
3. If so, what kind of activities:
 - a. fishing yes no
 - b. aquaculture yes no
 - c. activities producing underwater noise yes no
 - d. ship dismantling yes no
 - e. CO₂ sequestration yes no
 - f. other (please specify) yes no
4. Should a future Mediterranean liability and compensation regime apply to activities covered by liability and compensation treaties listed in the Appendix to Guidelines which have not yet entered into force (pending their entry into force)?
 yes no
5. Should a future Mediterranean liability and compensation regime apply to Parties which are not yet parties to liability and compensation treaties listed in the Appendix to Guidelines (pending their participation to such treaties)?
 yes no
6. How does the Party consider the possibility of establishing a compulsory insurance regime for the Mediterranean in the cases mentioned by Guideline 28?
7. What kind of synergies can be established with multilateral liability and compensation regimes already established, in particular the European Community regime?

Annex II

"Programme of Action to facilitate the implementation of the Guidelines for the Determination of Liability and Compensation for Damage resulting from Pollution of the Marine Environment in the Mediterranean Sea Area"

The Programme of Action is aimed at building the capacity of all the relevant stakeholders, including the competent authorities and personnel at all levels (local, regional and national), scientific institutions and non-governmental organizations. The following action should be organized by the Secretariat, in close cooperation with the Parties, in particular through the convening of workshops and seminars or through consultancies at the Mediterranean or country levels and should cover the following subjects:

- The identification among the treaties listed in Annex 1 to the Guidelines of those that are most relevant for the establishment of a consistent and effective regime of liability and compensation in the Mediterranean, and where appropriate the constraints that have so far impeded their entry into force, and the steps that could be taken to ensure the broadest possible participation to these treaties by the Parties to the Barcelona Convention;
- The identification of the activities covered by the Barcelona Convention and its Protocols that are likely to cause damage to the environment but are not addressed by any relevant treaty;
- The analysis of existing national legislation, and the consequent development, where necessary, of updated legislation taking into consideration the Contracting Parties' domestic legal systems constraints as appropriate;
- The harmonization of the key definitions used in the relevant legal instruments;
- The formulation of criteria for the evaluation of environmental damage, especially as regards diminution in value of natural resources pending restoration, and compensation by equivalent;
- The strengthening of national institutional capacity and inter-institutional coordination at both the horizontal and vertical levels;
- The development of means to ensure effective access to information by the public and its right to take or participate in legal actions;
- Taking into account all available information and studies, an assessment of the products available on the insurance market for the possible future development of a compulsory insurance regime, as envisaged in Guideline 28;
- Taking into account all available information and studies, the preparation of a study of the feasibility of a Mediterranean Compensation Fund, as envisaged in Guideline 29.

Draft decision III

"Testing MAP Effectiveness Indicators"

The 16th Meeting of the Contracting Parties:

Recalling Articles 26 and 27 of the Barcelona Convention for the Protection of the Marine Environment and the coastal region of the Mediterranean as amended in Barcelona in 1995, herein after referred to as the Barcelona Convention, also the relevant articles of the Protocols to the Barcelona Convention providing for reporting obligations on their implementation;

Recalling Decision IG 17/3 of the 15th Meeting of the Contracting Parties that requested the Secretariat and the MAP components to develop during the current biennium a list of indicators on the effectiveness of measures taken by the Contracting Parties to implement the Convention and its Protocols as well as the decisions of the meetings of the Contracting Parties;

Acknowledging the importance of developing a set of indicators to assess the effectiveness of the implementation of the Barcelona Convention and its Protocols and of the measures taken by the Contracting Parties to implement the Convention and its Protocols as well as the Decisions of the Meetings of the Contracting Parties;

Noting the work carried out by the Secretariat and the MAP components to develop an initial list of indicators for this purpose;

Decides to endorse, for testing purposes, the proposed set of indicators as presented in the Annex to the present draft decision;

Invites the Contracting Parties to participate on voluntary basis in the testing exercise of the proposed list of indicators during the biennium 2010-2011 with, when needed, the assistance of the Secretariat and the MAP components subject to availability of funds;

Requests the Coordinating Unit to establish a working group composed of experts of the Contracting Parties and the MAP components with the view to adjusting and further developing as necessary the proposed list of effectiveness indicators on the basis of the process testing results as well as discussions at the meetings of Focal Points of the concerned MAP components.

ANNEX

Barcelona Convention

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATORS | RELEVANCE | AVAILABILITY | TARGETED TRENDS | YEAR | TARGETS |
|------------------|--|---|--|-----------|---------------------|-----------------|------|---------|
| | Status of Ratification and the entry into force of MAP legal instruments | Obligations under the Convention and its Protocols are legally binding for those Contracting parties that have ratified them and for which these legal instruments are in force | 1) Ratio of the number of Contracting parties for which MAP legal instruments are in force over the total number of Contracting Parties | 2 | 2, National Reports | Increase | | |
| | | | 2) Number of MAP legal instruments entered into force | 2 | 2, National Reports | Increase | | |
| Article 14 | According to Article 14, the Contracting parties shall adopt legislation to implement the convention and its protocols. | To provide information on the legal /regulatory aspects of the implementation of the Convention and its Protocols | 3) Ratio of the number of the provisions of the Convention and its Protocols implemented through the adoption of legal and regulatory measures to the total number of provisions identified in the reporting format over the number of the Contracting Parties | 2 | 2, National Reports | Increase | | |
| Article 4 | According to article 4 of the Convention, the Contracting parties should pledge themselves to pursue the protection of the marine environment and national resources of the Mediterranean seas area as an integral part of the development process | To provide information on the integration of the protection of the environment of the Mediterranean sea area into domestic sustainable and or sectorial development policies | 4) Ratio of the number of the Contracting parties that have incorporated key priorities of the Barcelona Convention and its protocols and related commitments into their domestic policies over the total number of the Contracting Parties. | 2 | 2, national reports | Increase | | |
| Several articles | A number of provisions of the Barcelona Convention and its Protocols provide for the Contracting Parties to designate competent authorities | To provide information on the status of the institutional aspects of implementation of the Convention and its protocols | 5) Ratio of the number of the Contracting Parties that have established the necessary institutions or designated competent authorities to implement the Convention and its Protocols over the total number of the Contracting Parties | 1 | 2, National Reports | Increase | | |

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATORS | RELEVANCE | AVAILABILITY | TARGETED TRENDS | YEAR | TARGETS |
|------------|--|---|---|-----------|---------------------|-----------------|------|---------|
| Article 12 | Article 12 provides for the Contracting parties to take necessary measures to ensure access to information and public participation as appropriate | To provide information on the status of the implementation of Article 12 at the regional level on public awareness and participation as an important tool to achieve effective implementation of the Convention and its Protocols | 6) Ratio of the number of the Contracting parties that publish assessment reports or data regarding the state of environment of the Mediterranean sea area, including its coastal zone over the total number of Contracting Parties | 2 | 2, National Reports | Increase | | |

LBS Protocol

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATOR | DESCRIPTION | FREQUENCY OF ASSESSMENT | FREQUENCY OF DATA COLLECTION | SOURCE OF DATA AND INFORMATION | RELE- VANCE | AVAILA- BILITY | TARGETED TRENDS | YEAR | TARGET |
|-----------------------------|---|-------------------------------------|--|--|-------------------------------|------------------------------------|--------------------------------------|----------------|-------------------|--------------------|------|--------|
| Relevant to Art.6 | To this end, the Parties shall provide for systems of inspection by their competent authorities to assess compliance with authorizations and regulations. | Control pollution from LBS sources | 1- Ratio of the number of the total compliance reports to national standards for releases of effluent gaseous and solid emissions over total number of reports | It indicates the trends in non conformity to national standards | Every two years | Every two years | National reports | 2 | | | | |
| Relevant to Arts.1 and 5 | | | 2-Volume of investments in the framework of MeHSIP GEF SP, bilateral cooperation and national expenditures in Hot Spot areas | It indicates the level of the implementation of NAPs projects to address LBS in the country, the number of hot spots reduced | Every 5 years | Every two years | MED POL Assessment | 2 | | | | |
| Relevant to Arts.1 and 5 | NAPs adopted by the countries are being implemented | Reduce pollution from major sources | 3- Quantity of BOD5, Total nitrogen and Total Phosphorus releases directly or indirectly into marine environment | It indicates the trends in the reduction of inputs of pollutants | Every 5 years | Every two years | MED POL Assessment | 2 | | | | |

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATOR | DESCRIPTION | FREQUENCY OF ASSESSMENT | FREQUENCY OF DATA COLLECTION | SOURCE OF DATA AND INFORMATION | RELE- VANCE | AVAILA- BILITY | TARGETED TRENDS | YEAR | TARGET |
|---|--|--|--|---|-------------------------------|------------------------------------|--------------------------------------|----------------|-------------------|--------------------|------|--------|
| Relevant to Arts.1 and 5 | NAPs adopted by the countries are being implemented | Reduce pollution from major sources | 4- Quantity of toxic substances released directly or indirectly into the marine environment | It indicates the trends in the reduction of inputs of trace metals (Hg, Cd, Pb) and POPs | Every 5 years | Every two years | MED POL Assessment | 2 | | | | |
| Relevant to Arts.1 and 6 | Ratio of the number of companies applying CP/BAT/BEP over the total of companies within the sectors of activity of Annex I of the LBS Protocol | Reduce pollution from major sources | 5- Share of companies, within the sectors of activity of Annex I of the Protocol, applying Cleaner Production, Best Available Techniques and /or Best Environmental Practices | It indicates the trends in applying CP/BAT and BEP by companies | Every two years | Every two years | CP/RAC Assessment | 2 | | | | |
| Relevant to Art.8 and 12 of the convention | | | 5- Number of substances covered by the national monitoring programme and reported | It indicates the extend of the monitoring activities | Every two years | Every two years | MED POL Assessment | 2 | | | | |

Dumping Protocol

| ARTICLE | "NARRATIVE", ACTIONS/ CRITERIA | OBJECTIVES | INDICATOR | DESCRIPTION | FREQUENCY | SOURCE OF DATA AND INFORMATION | RELE- VANCE | AVAILA- BILITY | TARGET ED TRENDS | YEAR | TARGET |
|---|-----------------------------------|------------|---|--|-----------------|--------------------------------------|----------------|-------------------|------------------------|------|--------|
| Relevant to Art.10 and guidelines | | | 1-Ratio of the number of EIA over the number of total number of permits | It indicates the lack in the implementation of the Protocol and level of implementation of Guidelines. The value should be <=1 | Every two years | National reports | 2 | | | | |
| Relevant to Guidelines | | | 2- Number substances covered by the National Threshold Limits for Dredge materials | It indicates the extent of the implementation of related guidelines. | Every two years | MED POL assessment | 2 | | | | |
| Relevant to Guidelines | | | 3- Number of substances covered by the National Threshold Limits for Fish waste | It indicates the extent of the implementation of related guidelines. | Every two years | MED POL assessment | 2 | | | | |
| Relevant to Guidelines | | | 4- Number substances covered by the National Threshold Limits for Inert Geological materials | It indicates the extent of the implementation of related guidelines. | Every two years | MED POL assessment | 2 | | | | |
| Relevant to Guidelines | | | 5- Number of substances covered by the National Threshold Limits for Platforms and man made structures | It indicates the extent of the implementation of related guidelines. | Every two years | MED POL assessment | 2 | | | | |
| Relevant to Art.12 | | | 6- Number of illegal dumping cases recorded | It indicates the trends in illegal dumping | Every two years | National reports | 2 | | | | |

Hazardous Waste Protocol

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATOR | DESCRIPTION | FREQUENCY OF ASSESSMENT | SOURCE OF DATA AND INFORMATION | RELE- VANCE | AVAILA- BILITY | TARGETED TRENDS | YEAR | TARGET |
|----------------------|--|---|--|---|-------------------------------|---|----------------|-------------------|--------------------|------|--------|
| Relevant to Art.5 | | | 1- Ratio of the total amount of hazardous wastes generated to number of sites generating HW (Urban Solid waste not included) | It indicates the trends in the generation of hazardous waste and the implementation of cleaner production | Every two years | National reports- MED POL and CP/RAC assessments | 2 | | | | |
| Relevant to Art.5 | Ratio of the number of companies applying CP/BAT/BEP over the total of companies within the sectors generating HW (according to the Regional Plan on HW) | Reduce HW generation through CP/BAT/BEP | Share of the companies within the sectors generating HW (according to the Regional Plan on HW) applying Cleaner Production, Best Available Techniques and /or Best Environmental Practices | It indicates the trends in applying CP/BAT and BEP by companies generating HW | Every two years | National reports and CP/RAC assessments | 2 | | | | |
| Relevant to Art.9 | | | 2-Number of illegal cases of transboundary movement of HW recorded | It indicates the effectiveness of customs clearance procedures | Every 2 years | National reports | 2 | | | | |
| Relevant to Art.6 | | | 3-Ratio of the quantity of HW imported to the quantity exported | It indicates the trends in transboundary movement of HW at national and regional levels | Every two years | National reports | 2 | | | | |

Prevention and Emergency Protocol

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATORS | AVAILABILITY OF DATA | TARGETED TRENDS | TARGET | LOWER LIMIT |
|-----------------|--|--|---|----------------------|-----------------|------------------------------|---|
| Article 3.1 (a) | The Prevention and Emergency Protocol does not contain substantive provisions related to response and prevention to marine pollution incidents. It is rather setting the proper framework for co-operation between Contracting Parties to assist them implementing the relevant international conventions, rules and regulations adopted under the aegis of IMO. Therefore, as a prerequisite for such cooperation to take place, it is crucial that the Mediterranean coastal States ratify relevant international rules, regulations and standards and, as per Article 3.1 (a) of the Protocol, implement these. | Adopt at national level international rules, regulations and standards. | Number of CPs ¹⁸ having ratified relevant international Conventions. | CPs/REMPEC | Increase | 100% | Current number of ratifications. |
| Article 4.1 | One of the main objectives of the Prevention and Emergency Protocol is to ensure that co-operation is established within the Mediterranean region to reach prompt and effective action at national, regional or sub-regional level in taking emergency measures to deal with pollution of the marine environment or a threat to it. Article 4 of the Prevention and Emergency Protocol provides for contingency plans and other means of combating pollution incidents. | 1/Increase the level of preparedness and response to a spill. | 1/ Number of national Contingency plans adopted/number of CPs. | CPs/REMPEC | Increase | 100% | Current number of national Contingency Plans. |
| | | 2/ Test the response strategy and personnel and technical means for operations in case of emergencies. | 2/ Number of national full-scale exercises. | CPs/REMPEC | Increase | At least once every 5 years. | Current number of full scale exercises carried out over the last 5 years. |

¹⁸ CPs: Contracting Parties to the Barcelona Convention.

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATORS | AVAILABILITY OF DATA | TARGETED TRENDS | TARGET | LOWER LIMIT |
|-------------|---|--|---|---------------------------------|---------------------|--|---|
| | | 3/ Ensure the necessary speed and reliability, the reception, transmission and dissemination of all reports and urgent information concerning pollution incidents. | 3/ Number of national communication exercises. | CPs/REMPEC | Increase | At least once every 2 years. | Current number of communications exercises carried out over the last 2 years. |
| | | 4/ Reduce and control accidental pollution of the marine environment from ships. | 4/ Number of accidental spills / Number of accidents. | CPs/REMPEC | Decrease | 0 | Current number of accidental spills (oil and HNS). |
| | | 5/ Increase the level of mutual assistance between neighboring countries. | 5/ Number of CPs participating in at least one bilateral /sub-regional agreement in force. | CPs/REMPEC | Increase | 100% | Current number of CPs participating in at least one bilateral /sub-regional agreement in force. |
| | | 6/ Ensure the effectiveness of mutual assistance at sub-regional level. | 6/ Number of sub-regional exercise. | CPs | Increase | At least once every 3 years. | Current number of sub-regional exercises over the last 3 years. |
| Article 4.2 | Article 4.2 calls the Parties to take measures in order to ensure the effective implementation of the relevant international conventions in their capacity as flag State, port State and Coastal States, and their applicable legislation. This is also a duty of the coastal State referred to in Article 4.2 of the Protocol. | 1/ Ensure the effective implementation of the relevant international Conventions (Flag State). | 1/ Number of CPs which applied to participate in the Voluntary IMO Member State Audit Scheme (VIMSAS). | CPs | Increase | 100% | Current number of CPs which applied to participate in the Voluntary IMO Member State Audit Scheme (VIMSAS). |
| | | | 2/ Flag State performance according to indicators of the Med, Paris and Tokyo MoUs on PSC as well as the USCG ¹⁹ . | CPs/MoUs Secretariats and USCG. | Improve performance | 100 % of the CPs to improve their fleet's detention rate in the various MoUs | Current number of flag States not on black list, or not targeted, or with a detention rate below the Med MoU average. |

¹⁹ For the Med MoU, the indicator is the detention rate. For the Paris and Tokyo's MoUs, the indicator is the white/grey/black list. For the USCG, the indicator is the list of targeted flags.

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATORS | AVAILABILITY OF DATA | TARGETED TRENDS | TARGET | LOWER LIMIT |
|---------|-------------------------------|--|--|----------------------|-----------------|---|--|
| | | 2/ Ensure the effective implementation of the relevant international Conventions (Port State). | Number of foreign ships inspected / Number of foreign ships calling at ports of the country. | CPs | Increase | % of ships to be inspected as per MoUs on PSC to which the CPs are members. | Current number of foreign ships inspected / ships calling at ports of the country. |

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATORS | AVAILABILITY OF DATA | TARGETED TRENDS | TARGET | LOWER LIMIT |
|------------|---|---|---|----------------------|-----------------|--|--|
| Article 5 | One field of cooperation the Prevention and Emergency Protocol advocates is sea monitoring. It encourages the countries to conduct monitoring activities to prevent, detect and combat pollution and to ensure compliance with the applicable international regulations. | Develop and apply, either individually or through bilateral or multilateral cooperation, monitoring activities covering the Mediterranean Sea Area. | Number of days in a year where national surveillance patrols (aerial, naval, earth observation) took place. | CPs | Increase | Every day for earth observation and oceanographic data. Every week: aerial and naval means. | Current number of days in a year where surveillance took place. |
| Article 14 | The Prevention and Emergency Protocol includes a specific provision on port reception facilities (Article 14), requiring the Parties to ensure that reception facilities meeting the needs of ships are available in their ports and terminals (Article 4.1). The same is required from the Parties with adequate reception facilities for pleasure craft. These facilities have to operate efficiently (Article 14.3). | Establish adequate port reception facilities to collect ships' as well as pleasure craft generated wastes. | 1/ Number of ports with adequate reception facilities/ Number of commercial ports in the country. | CPs/REMPEC | Increase | 100% | Current number of adequate reception facilities for the collection of ships generated wastes established in the Mediterranean region. |
| | | | 2/ Number of marina with adequate reception facilities/ Number of marina in the country. | CPs/REMPEC | Increase | 100% | Current number of adequate reception facilities for the collection of pleasure craft generated wastes established in the Mediterranean region. |
| Article 16 | Article 16 of the Prevention and Emergency Protocol contains a specific provision related to reception of ships in distress in ports and places of refuge, by which the Parties are required to define strategies concerning places of refuge, including ports, for ships in distress presenting a threat to the marine environment (Article 16). The same Article also requires the Parties to inform | Define strategies concerning reception in places of refuge, including ports, of ships in distress presenting a threat to the marine environment. | Number of countries having a strategy and procedures identified. | CPs/REMPEC | Increase | 100% | Current number of countries where a strategy and procedures are identified. |

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATORS | AVAILABILITY OF DATA | TARGETED TRENDS | TARGET | LOWER LIMIT |
|---------|---|------------|------------|----------------------|-----------------|--------|-------------|
| | REMPEC of the measures they have adopted in this respect. | | | | | | |

SPA and Biodiversity Protocol

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATORS | RELEVANCE | AVAILABILITY | TARGETED TRENDS |
|----------------------------|---|---|--|-----------|--------------|-----------------|
| 1 – SPA: Article 5 | Creation of marine SPA | Increasing the conservation of biodiversity | Number of national SPA | 2 | 2 | increase |
| 1 – SPA: Article 5 | Creation of marine SPA | Increasing the conservation of biodiversity | Surface covered by the SPA | 1 | 1 | increase |
| 1 – SPA: Article 6, 7, 16 | Planification & Management | Increasing the conservation of biodiversity | Ratio: Number of SPA with a Management Plan / Number of SPA | 2 | 0 | increase |
| 2- Inventories: Article 15 | For each action plan adopted in the framework of MAP, key habitats can be identified (nesting beaches for marine turtles) | Increasing the conservation of biodiversity | Surface of key-habitats included in SPA | | | increase |
| 2-SPAMI: Article 8 & 9 | Establishment of SPAMI | Increasing the conservation of biodiversity | Ratio: Number of SPAMI/ Number of SPA | 2 | 2 | increase |
| 2 – SPAMIs: Article 9 | The decision IG17/12 adopted by the CPs meeting requires an ordinary evaluation of Each SPAMI by a specific committee, every 6 years and an ordinary evaluation every 2 | Increasing the conservation of biodiversity | Ratio: The number of SPAMIs succeeding the Evaluation / number of SPAMIs | 2 | 0 | increase |

| ARTICLE | "NARRATIVE", ACTIONS/CRITERIA | OBJECTIVES | INDICATORS | RELEVANCE | AVAILABILITY | TARGETED TRENDS |
|---|--|---|---|-----------|--------------|-----------------|
| | years in the framework of Article 26 of the Convention. | | | | | |
| 3 – Protection and conservation of Species: Article 11 | Protection and conservation of threatened or endangered species | Increasing the conservation of biodiversity | Number of threatened or endangered species of Annexes II and III protected by law in each country | 1 | 1 | increase |
| 3 – Protection and conservation of Species Article 11, 12 & regional Action Plan | Cooperative measures for the Protection and conservation of threatened or endangered species | Increasing the conservation of biodiversity | Number of NAP concerning threatened species of Annex II | 1 | 1 | increase |
| 3 – Protection and conservation of Species: Article 13 and the regional Action Plan | Introduction of non-indigenous species | Increasing the conservation of biodiversity | Number of new introduced and/or alien species | 1 | 1 | decrease |
| 3 – Protection and conservation of Species: Article 15 | Inventory of species of fauna or flora that are endangered or threatened | Increasing the conservation of biodiversity | Number of key-habitats and threatened species of Annexes II and III included in SPA | 1 | 0 | increase |

Baseline

| Year | target | Lower Limit | Upper limit |
|------|------------------------|-----------------|----------------------------------|
| | increasing the number | Actual number | No Limit |
| | increasing the number | Present surface | 25%* |
| | increasing the ratio | Actual ratio | 100% |
| | increasing the surface | Actual surface | |
| | increasing the ratio | Actual ratio | 50% |
| | increasing the ratio | 0% | 100% |
| | increasing the number | Actual number | All the species of Annexe II/III |
| | increasing the number | Actual number | for all the species of Annexe II |
| | reduce the number | No limit | Actual number |
| | increasing the number | 0 | All the species of Annexe II |

Draft decision IV*

"Mandates of the Components of MAP"

The 16th Meeting of the Contracting Parties:

Recalling Article 17 of the Barcelona Convention for the Protection of the Marine Environment and the coastal region of the Mediterranean as amended in Barcelona in 1995, herein after referred to as the Barcelona Convention by which the Contracting Parties designate the United Nations Environment Programme as responsible for carrying out a series of secretariat functions spelt out in the Article;

Considering Article 1 of the Barcelona Convention related to the geographical coverage of its application and the relevant articles of different Protocols;

Recalling also the institutional provisions of the Mediterranean Action Plan adopted by the Conference of Plenipotentiaries held in Barcelona, Spain, from 9-10 June 1995, with regard to the role of the Coordinating Unit and the Regional Activity Centres as well as the decision IG 15/5 on the Governance Paper taken by the 15th Meeting of the Contracting Parties in Almeria,

Acknowledging that MEDPOL Programme and six centres based in different Mediterranean countries that have been acting as Regional Activity Centres (RACs), hereinafter referred to as MAP components, to support MAP for the implementation of the Convention, its related Protocols as well as its strategies including the MSSD and that they have provided and continue to provide very valuable services in the form of technical outputs and assistance to the Contracting Parties in their respective areas of expertise;

Acknowledging the important and useful work carried out over the years by the Coordinating Unit, MEDPOL and the RACs, but *noting at the same time* that there is a need to define better the role and functions of the components of MAP in order to ensure synergy, better integration, avoid overlapping and to improve the efficiency and impact of MAP work;

Decides to:

approve the common introduction and the Mandates of the MAP components as contained in the Annex to this Decision [and its appendices];

take note of MAP components sources of funding and MAP component synergy tables as presented in appendix I and II to the Annex to this decision.

Requests the Coordinating Unit to monitor the implementation of this Decision with a view to ensuring that the activities of the MAP components are carried out in a coordinated, integrated and efficient manner as well as in conformity with their mandates.

**** Note: This draft decision was not adopted. The Secretariat is still working to submit a draft for consideration by the MAP Focal Points end of September 2009 that fully reflects their comments and suggestions. The source of funding and synergy MAP components are presented in the text and table forms subject to decision by the MAP Focal Points.***

ANNEX I

Draft mandates of the components of the Mediterranean Action Plan (MAP)

1. Common Introduction

The general objective of MAP is to contribute to the improvement of the marine and coastal environment and the promotion of sustainable development in the Mediterranean region.

In this context, MAP components assist Mediterranean countries to fulfill their commitments under the Barcelona Convention and its Protocols, and to implement MAP Phase II, the Mediterranean Strategy for Sustainable Development (MSSD) and MCSD recommendations.

The following basic issues are of common concern to all MAP components:

- the application of the preventive and precautionary principles, the principle of common but differentiated responsibility, and the principle of assistance, cooperation and partnership
- the application of the ecosystem and participatory approaches
- public participation and communication as cornerstones for mobilizing the broadest possible support for MAP policies and action
- data collection and processing, and strengthening of MAP component capacity to produce scientific-based assessments
- contribution to enhancing the impact and visibility of MAP across the region through:
 - a) *effective and concrete action*
 - b) *improved dissemination of results*
 - c) *enhanced cooperation based on a corporate and integrated approach with regional and global initiatives*
 - d) *more effective and targeted communication to the general public and decision makers*
 - e) *further strengthening of the MAP shared information system and its various databases, and a web mapping application based on a harmonized corporate approach that should strive for inter-operability with other systems at the United Nations and EU levels*
 - f) *maintenance and regular update of the MAP component websites that clearly establish their linkage with MAP and the Barcelona Convention and its Protocols.*

The activities of each MAP component are governed by the following governing principles:

- The MAP component programmes of work, prepared in accordance with the requirements of the Governance Paper, are approved by the meetings of the Contracting Parties and implemented under the general guidance of the Coordinating Unit.
- MAP components ensure that MAP partners are consulted and involved in activities as appropriate.
- Regardless of the sources of funding, MAP component activities should focus on MAP priorities and emerging challenges of MAP relevance which will be decided in consultation with the Bureau and endorsed by the Contracting Parties.
- With a view to increasing efficiency, maximizing results and avoiding duplication, MAP component activities are implemented as appropriate in consultation and

cooperation with other MAP components through the Executive Coordinating Panel (ECP).

- MAP components should seek to augment their resources through the development and implementation of a joint Resource Mobilization Plan under the guidance of the Coordinating Unit.
- Regular meetings of MAP component Focal Points are convened, once in every biennium, with regular briefing of and consultation with the Focal Points between meetings.
- Regular technical and financial reports on the implementation of the programme of work of MAP components are submitted to the Coordinating Unit for cost-efficiency assessment and submission to the Contracting Parties.

2. Draft Mandate of the Mediterranean Pollution Assessment and Control Programme (MED POL)

Background

The Mediterranean Pollution Assessment and Control Programme (MED POL) was established in 1975 by the very first intergovernmental meeting of the Mediterranean coastal States, convened by UNEP to consider the formulation of a broad and complex programme for the protection of the Mediterranean region. MED POL became the first operational programme of the Mediterranean Action Plan (MAP) as its land-based pollution assessment and control component. The Programme went through three phases (Phase I – 1975-1980; Phase II – 1981-1995; and Phase III – 1996-2005), and is now in Phase IV (2006-2013). After giving emphasis to the assessment of pollution, since Phase III MED POL has focused on pollution reduction and control and the implementation of the pollution-related Protocols of the Barcelona Convention.

Objective and mission statement

Within the context of the Barcelona Convention, including the related strategies, programmes and decisions, such as MAP Phase II and the MCSD, the specific objective of MED POL is to contribute to the prevention and elimination of pollution in the Mediterranean, in particular by coordinating and promoting the implementation of the 1995 Protocol for the Prevention and Elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft or Incineration at Sea (the “Dumping Protocol”), the 1996 Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities (the amended “LBS Protocol”), and the 1996 Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (the “Hazardous Wastes Protocol”).

In this respect, MED POL’s mission is to coordinate action and provide assistance to Mediterranean countries for the implementation of their commitments under the Barcelona Convention and the Dumping Protocol, the LBS Protocol and the Hazardous Wastes Protocol, especially with a view to: the implementation of the Strategic Action Programme to Address Pollution from Land-based Sources (SAP), National Action Plans to address land-based pollution and LBS-related legally binding programmes and action plans; and the assessment of the status and trends of pollution of the Mediterranean eco-regions.

Scope of action and key issues

MED POL’s main fields of action for the coordination of the initiatives and activities envisaged in the Dumping, LBS and Hazardous Wastes Protocols, with particular reference to action for the reduction of pollution from land-based sources, include:

- the assessment of the status and trends in the quality of the marine and coastal environment including health risks associated to the quality of bathing and shellfish-growing waters;
- the provision of assistance to countries, including capacity building, for the implementation of national action plans, including programmes and measures, for the reduction and gradual elimination of pollution, the mitigation of the impacts of pollution and the restoration of systems damaged by pollution, as a contribution to the achievement of sustainable development. In this respect, MED POL plays a fundamental role in catalyzing and facilitating the realization by the countries of the pollution reduction actions listed in their NAPs by

bridging between countries and international and regional donors and financial institutions and by offering a robust and regular assessment of the problems, the needs and the necessary remedial measures.

- the regular assessment of loads of pollution reaching the Mediterranean and the determination of trends in pollution hot spots
- the collection, analysis and dissemination of data and information on the status of the marine environment

MED POL's action in these fields is based on a number of principles and assumptions:

- the entry into force of the Dumping Protocol, following that of the LBS Protocol and Hazardous Wastes Protocol in 2008, so as to provide MED POL activities with the necessary legal basis;
- the full integration of monitoring into the SAP and any other pollution control measure adopted by the Contracting Parties so as to ensure the continuous assessment of the status and trends of the quality of the marine and coastal environment and the effects of pollution and to assess the effectiveness of the pollution reduction measures implemented by countries;
- the gradual application, as appropriate, of common and differentiated responsibilities in the process of reducing pollution, as agreed by the Parties, to facilitate the long-term implementation of the SAP;
- the functional harmonization of monitoring, assessment and pollution control activities, as well as data quality assurance, data collection and processing, reporting and data management policies and procedures, with those adopted by regional, international and global bodies and organizations, such as the European Union and other United Nations agencies and programmes;
- the synchronization of MED POL assessment and reporting schedules, and the harmonization of assessment and reporting procedures, with the schedules and procedures adopted for the evolving global assessment of the state of the marine environment;
- the continued involvement of the MED POL Programme (with particular reference to the NAPs) in the implementation of the pollution reduction, monitoring and capacity building components of the Horizon 2020 Initiative.

3. Draft Mandate of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC)

Background

The “Regional Oil Combating Centre” (ROCC) was originally established in 1976 by decision of the Contracting Parties with the mandate to strengthen the capacities of coastal States in contingency planning and to establish a regional information system with a view to dealing with emergencies. The Centre’s mandate was extended in 1989, when it was also called upon to consider the risks arising out of the transport of hazardous and noxious substances by sea, and its name was changed to the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC). In 1993, the Contracting Parties decided to further extend the Centre’s mandate to include the prevention of pollution of the marine environment, with specific reference to the implementation of the action plan concerning the provision of adequate port reception facilities in the Mediterranean region. Finally, with a view to the adoption in 2002 of the new Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, combating Pollution of the Mediterranean Sea (the “Prevention and Emergency Protocol”), the Contracting Parties reaffirmed the involvement of the Centre in prevention and in preparedness and response activities.

The Centre is administered by the International Maritime Organization (IMO) under a biennial project concluded between UNEP and IMO, and as such is governed by the United Nations rules and regulations as observed by IMO. The relationship between the Centre and IMO Headquarters is regulated by the 2004 Memorandum on the Standing Arrangements for the Management of REMPEC.

Objective and mission

Within the context of the implementation of the Barcelona Convention and its Protocols, the specific objective of REMPEC is to assist the Contracting Parties in implementing their obligations under: Articles 6 and 9 of the Barcelona Convention respecting pollution from ships and cooperation in dealing with pollution emergencies; the 1976 Protocol concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency; the 2002 Prevention and Emergency Protocol; and the Regional Strategy for Prevention of and Response to Marine Pollution from Ships, adopted by the Contracting Parties in 2005 and incorporated into the Mediterranean Strategy for Sustainable Development (MSSD).

The Centre will also assist the Contracting parties which so request in mobilizing the regional and international assistance in case of an emergency under the Offshore Protocol, should this instrument enter into force.

In this respect, REMPEC’s mission is to assist the Contracting Parties by enhancing national capacities and regional cooperation with a view to preventing and reducing the risk of a maritime incident which could result in damaging pollution, and by providing an efficient cooperation framework to respond to such an event.

Scope of action and key issues

The Mediterranean Sea is the world’s third seaborne trade area, with northern Mediterranean countries relying heavily on energy products imported by sea from southern Mediterranean countries or through the Bosphorus Straits or the Suez Canal. The Suez Canal

is also a global highway for packaged goods loaded on container ships sailing from Asia to Europe or the East coast of the Americas. The Mediterranean is also a very productive sea which accounts for over 25 per cent of known marine biodiversity. The population of Mediterranean countries depends on a healthy marine environment, and particularly on productive fisheries. Finally, the Mediterranean Sea and its coastal landscape and heritage attract tourists from the world over, with a large proportion of the Mediterranean population being economically dependent on tourism. For all these reasons, the risk of a maritime incident resulting in major pollution constitutes a common threat that needs to be addressed at the regional level.

In this regard, REMPEC's main fields of action for the prevention of pollution of the marine environment from ships and the development of preparedness for and response to accidental marine pollution and cooperation in case of emergency consist of:

- strengthening the capacities of the coastal States in the region with a view to preventing pollution of the marine environment from ships and ensuring the effective implementation in the region of the rules that are generally recognized at the international level relating to the prevention of pollution from ships, and with a view to abating, combating and, to the fullest possible extent, eliminating pollution of the marine environment from shipping activities, including pleasure crafts;
- developing regional cooperation in the field of the prevention of pollution of the marine environment from ships, and facilitating cooperation among Mediterranean coastal States in order to respond to pollution incidents which result or may result in a discharge of oil or other hazardous and noxious substances and which require emergency actions or other immediate response;
- assisting coastal States of the Mediterranean region which so request in the development of their own national capabilities for response to pollution incidents which result or may result in a discharge of oil or other hazardous and noxious substances and facilitating the exchange of information, technological cooperation and training; and
- providing a framework for the exchange of information on operational, technical, scientific, legal and financial matters, and promoting dialogue aimed at conducting coordinated action at the national, regional and global levels for the implementation of the Prevention and Emergency Protocol.
- assisting coastal States of the region, which in cases of emergency so request, either directly either in obtaining assistance from the other Parties, or when possibilities for assistance do not exist within the region, in obtaining international assistance from outside the region.

In the implementation of these activities, REMPEC collaborates with other MAP components on specific topics, as appropriate.

4. Draft Mandate of Blue Plan Regional Activity Centre

Background

The Blue Plan was established in 1977 by decision of an Intergovernmental Meeting (UNEP/IG.5/7) as a regional cooperation programme with the aim of "putting at the disposal of political leaders and decision-makers all information that will enable them to develop plans likely to ensure sustained optimal socio-economic development without degrading the environment" and "helping governments of coastal states in the Mediterranean region to increase their knowledge of the joint problems they have to face, both in the Mediterranean Sea and in their coastal areas". The programme was implemented by a non-governmental association, MEDEAS, established under French law, located at first in Cannes and then in Sophia-Antipolis, with the scientific support of a Coordinating and Overview Group appointed by the Executive Director of UNEP. In 1979, the Contracting Parties nominated MEDEAS as a MAP regional activities centre, and it became the Blue Plan Regional Activities Centre in 1984.

As MAP developed, and in light of global environmental challenges, especially those relating to sustainable development, the focus of the Blue Plan's operations was subsequently repositioned with the development of its role as a Mediterranean observatory for the environment and development and the extension of the prospective approach in coastal regions. Following the Johannesburg Summit and the creation of the Mediterranean Commission for Sustainable Development (MCSDD), the Blue Plan was requested to prepare a major report entitled *A sustainable future for the Mediterranean: The Blue Plan's environment and development outlook*, which assessed the progress made since 1985 and called for action directed towards alternative sustainable development scenarios. The report inspired the elaboration of the Mediterranean Strategy for Sustainable Development (MSSD), adopted in 2005. In July 2008, a new analysis of sustainable development in the Mediterranean, drawing on the Blue Plan's work since 1977, was submitted to all those participating in the Paris Summit for the Mediterranean, thereby confirming the Blue Plan's role, on behalf of MAP, as a Mediterranean observatory.

Objective and mission

Within the context of the implementation of the Barcelona Convention and its Protocols, including the MSSD, the objective of the Blue Plan is to ensure that Mediterranean stakeholders and decision-makers are aware of environmental and sustainable development issues in the region and that they have at their disposal future scenarios to assist in decision-making.

In this respect and through its dual functions as an observatory of the environment and sustainable development and a centre for systemic and prospective analysis, the Blue Plan's mission is to provide the Contracting Parties with a firm basis of data, statistics, indicators, environmental and sustainable development assessments to support their action in giving effect to the Barcelona Convention and its Protocols.

Scope of action and key issues

Effective implementation of the Barcelona Convention and its Protocols, as well as the MSSD, requires a long-term approach to decision-making for which a firm basis is needed of reliable, comparable and homogenous data offering a realistic assessment of the state of the environment in the region. This involves the need to develop tools and methods

which clearly demonstrate the interactions between the environment and development, combined with assessments of the nature of current and future developments, based on the construction of indicators, economic modelling and scenarios, which can be powerful factors in collective thinking.

Within this context, the Blue Plan's main fields of action are:

- the ongoing identification, collection and processing of environmental, economic and social data and statistics for the use of stakeholders and decision-makers;
- assessment of the interaction between the environment and economic and social development, and the building and of relevant indicators and tools to measure progress towards sustainable development;
- the preparation of analyses and prospective studies to assist in constructing visions of the future as an aid to decision-making; and
- dissemination of the findings of this work in the various appropriate forms and channels.

The main themes and areas covered by Blue Plan are consistent with the priority fields of action of the Mediterranean Strategy for Sustainable Development (MSSD). The activities carried out are designed to facilitate its implementation and follow up.

5. Draft Mandate of the Priority Actions Programme Regional Activity Centre (PAP/RAC)

Background

The Priority Actions Programme Regional Activity Centre (PAP/RAC) was established in Split in 1980 by decision of the Intergovernmental Meeting (UNEP/IG.5/7, paragraph 54) of 1977 to assist in the implementation of the Integrated Planning Component of the Mediterranean Action Plan adopted in Barcelona in 1975. Its original mandate was broad in scope and encompassed ten priority actions in six fields of activity that required immediate action. With the development of MAP, and in light of the challenges of the global environmental context, especially those relating to coastal areas, the focus of PAP/RAC's operations was subsequently repositioned to respond to the need for the sustainable development of the region's coastal areas, particularly through Integrated Coastal Zone Management (ICZM). The adoption of the Protocol on Integrated Coastal Zone Management in the Mediterranean (the "ICZM Protocol") in 2008 formalized the role of PAP/RAC with regard to the implementation of the ICZM protocol.

Objective and mission

Within the context of the implementation of the Barcelona Convention and its Protocols, the specific objective of PAP/RAC is to assist the Contracting Parties in implementing their obligations under: Article 4 of the Barcelona Convention respecting promotion of the integrated management of the coastal zones, taking into account the protection of areas of ecological and landscape interest and rational use of natural resources; the 2008 Protocol on Integrated Coastal Zone Management in the Mediterranean (ICZM Protocol); and the Mediterranean Strategy for Sustainable Development (MSSD).

In this respect, PAP/RAC's mission is to provide assistance to Mediterranean countries in the implementation of their commitments under the Barcelona Convention and its Protocols, with particular reference to the ICZM Protocol, especially with a view to: the sustainable development of coastal zones and sustainable use of their natural resources; the integrity of coastal ecosystems and landscapes and the preservation of their biodiversity; the coherence of action among all public and private coastal actors and stakeholders, as well as the respective authorities at the national, regional and local levels; and coordination with all related and relevant regional and global conventions and agreements.

Scope of action and key issues

Over the years, Integrated Coastal Zone Management, as elaborated in the White Paper on Coastal Zone Management in the Mediterranean (2002), has become a crucial approach in coping with the constant pressures on the coastal areas of the Mediterranean. Based on the guiding principles of integrating economic, social and environmental systems, with emphasis on their interdependence and complementarity; applying the ecosystem approach; using of appropriate governance mechanisms; and promoting participation in the decision-making process, ICZM is a proactive approach that offers the capability of coping with either persistent problems as well as new and emerging ones, such as the concentration of coastal activities, urban sprawl, coastal risks, climate change and the unbalanced use of natural resources.

PAP/RAC's main fields of action for the achievement of the sustainable development of coastal zones consist of:

- assisting countries in the region in strengthening the capacities with a view of facilitating the sustainable development of coastal zones by ensuring that environment and landscapes are taken into account in harmony with economic, social and cultural development; preserving coastal zones and their integrity; ensuring the sustainable use of natural resources; and achieving coherence between public and private initiatives and between all decisions by the public authorities at all levels;
- assisting coastal States in the implementation of demonstration/pilot coastal management projects (such as Coastal Area Management Programme - CAMP) in selected local Mediterranean coastal areas to demonstrate the application of ICZM as a major tool, with a view to the implementation of MAP legal instruments, and specifically the ICZM Protocol. CAMP projects have the goal to develop relevant implementation instruments and procedures for sustainable development in project areas; to identify and apply relevant methodologies and tools; to contribute to capacity building at the local, national and regional levels; and to secure the broad use of the results achieved;
- developing regional cooperation in the field of capacity building and awareness raising of the importance of the integrated management of coastal zones through the organisation of training, education and awareness-raising activities, networking, publications and the dissemination of information;
- developing ICZM methodologies and tools as well as addressing specific sectoral issues with a coastal focus in the framework of ICZM, such as urban development, natural resources management, sustainable tourism, landscape and heritage protection, coastal and soil erosion, infrastructure and transport, pollution and waste, climate change, and specific coastal ecosystems.

6. Draft mandate of the Specially Protected Areas Regional Activity Center (SPA/RAC)

Background

The Specially Protected Areas Regional Activity Centre (SPA/RAC) was established in Tunis in 1985 by decision of the Contracting Parties (UNEP/IG.23/11), which entrusted it with responsibility for assessing the situation of natural and scenic heritage and assisting countries to implement the 1982 Geneva Protocol concerning Specially Protected Areas in the Mediterranean. In 1993, the Contracting Parties indicated their determination to make the Mediterranean a pilot region for application of the Convention on Biological Diversity through the amendment of the Barcelona Convention and the adoption of the 1995 Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (the "SPA/BD Protocol"), which came into force in 1999.

Objective and mission

Within the context of the implementation of the Barcelona Convention, including the related strategies, programmes and decisions, such as MAP Phase II and the MCSD, the specific objective of SPA/RAC is to contribute to the implementation of the SPA/BD Protocol.

In this respect, SPA/RAC's mission is to provide assistance to Mediterranean countries in the implementation of their commitments under the Barcelona Convention and its Protocols, with particular reference to the SPA/BD Protocol, especially with a view to: developing and promoting Specially Protected Areas (SPAs) in the Mediterranean; and reducing the loss of marine and coastal biodiversity.

Scope of action and key issues

Biodiversity issues are becoming increasingly complex, which means that whereas SPA/RAC's focus was initially limited to the main species and sites, it has now widened to cover habitats, sustainable ecosystem management and taking account of the ecosystem approach.

With a view to furthering the implementation of the SPA/BD Protocol, SPA/RAC developed a Strategic Action Programme for the Conservation of Biological Biodiversity in the Mediterranean Region (SAP BIO), which was adopted by the Contracting Parties in 2003. The principal objective of the SAP BIO is the establishment of a logical basis for the implementation of the SPA/BD Protocol by the Contracting Parties, international and national organizations, NGOs, donors, and all other stakeholders in the protection and management of the Mediterranean natural environment, by setting out principles, measures and concrete and coordinated actions at the national, transboundary and regional levels for the conservation of the Mediterranean marine and coastal biodiversity, within the framework of the sustainable use of natural resources.

Within this context, SPA/RAC pursues the following basic objectives:

- fostering improved knowledge of marine and coastal biodiversity;
- improving the management of existing and facilitating the creation of new marine and coastal protected areas;
- enhancing the protection of endangered species and habitats;
- contributing to the reinforcement of relevant national legislation and national and international capacity-building; and

- contributing to fund-raising efforts.

SPA/RAC's main fields of action to pursue the above objectives, as identified in the SAP BIO, are as follows:

- facilitating and encouraging the development of research to complete the knowledge base and fill in knowledge gaps on biodiversity;
- facilitating and contributing to inventorying, mapping and monitoring coastal and marine biodiversity;
- facilitating and contributing to the assessment and mitigation of the impact of threats on biodiversity;
- contributing to and assisting countries in the conservation of sensitive habitats, species and sites; and
- contributing to capacity-building and technical support.

In this regard, taking fully into account of the objectives identified by the Johannesburg World Summit on Sustainable Development (2002), within the context of the principles and approaches identified in the introductory section covering all MAP components, particular emphasis is placed by SPA/RAC in its work on the responsible fisheries principle.

7. Draft Mandate of the Regional Activity Centre for Cleaner Production (CP/RAC)

Background

The Regional Activity Centre for Cleaner Production (CP/RAC) was established in 1996 by decision of the Contracting Parties to the Barcelona Convention and is covered by a cooperation agreement between the Department of Environment of the Government of Catalonia and the Ministry of the Environment and Rural and Marine Affairs of Spain. When CP/RAC was first established, its focus was to promote and disseminate cleaner production (CP) in the industrial sector of Mediterranean countries. However, since 2007, it has embraced the integrated approach applied by UNEP to sustainable consumption and production (SCP), as reflected in the Mediterranean Strategy for Sustainable Development (MSSD), which endorses SCP as one of the main objectives to achieve sustainable development in the region. Likewise, SCP is one of the overarching objectives of the Johannesburg Plan of Implementation for which implementation at the Mediterranean level Mediterranean partners and actors in general and MAP in particular must play an active role, according to the *Catania Declaration* of the 13th COP. In February 2008, CP/RAC was also nominated and lately, in May 2009 endorsed, as a regional centre for the Stockholm Convention on Persistent Organic Pollutants (POPs).

Objective and mission statement

Within the context of the Barcelona Convention, the specific objective of CP/RAC is to contribute to the implementation of the Barcelona Convention and its Protocols, including the related strategies, programmes and decisions, such as the MSSD, and the MCSD, based on the SCP integrated approach as adopted by UNEP. In this task, CP/RAC focus especially on the 1996 Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities (the amended "LBS Protocol"), the 1996 Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (the "Hazardous Wastes Protocol"), especially on article 5.1; article 5.2; article 5.3; and article 5.4 of the LBS Protocol, and article 5.2 of the HW Protocol, in which SCP plays a crucial role, and on those other Protocols in which the shift to SCP is key to attain their objectives.

The CP/RAC mission is to promote mechanisms leading to sustainable patterns of consumption and production and sound chemical management in the Mediterranean.

Scope of action and key issues

In light of the challenges for sustainable development in the regional and global environmental contexts, especially those relating to the fact that economies can only be sustainable if efforts to make economic sectors more environmentally-friendly are accompanied by a society-wide shift to sustainable consumption patterns, the focus of CP/RAC is put on the following key issues to contribute to the objectives of the Barcelona Convention, its Protocols and the MSSD:

- contributing to create knowledge in decision makers on the links between the patterns of consumption and production and the environmental degradation of the Mediterranean region
- providing technical assistance to the public and private sector of Mediterranean countries for reducing land-based pollution, particularly harmful substances and hazardous waste, through the application of Best Available Techniques (BAT), Best

Environmental Practices (BEP), Cleaner Production (CP), the IPPC principles and sound chemical management

- boosting green competitiveness as tool through which managers and industrialists drive Mediterranean small and medium enterprises to succeed in the global market
- fostering mechanisms through which sustainable criteria are progressively introduced within the whole consumption-production system of organizations and enterprises: eco-labeling, sustainable procurement, sustainable management of industrial areas, corporate social responsibility, etc
- promoting sustainable lifestyles that really fit in the specific cultural, natural, economic and social heritage of Mediterranean societies and contributing to create information and education for sustainable consumption
- bringing MAP closer to the UNEP's and the EU objectives on SCP and building cooperation between MAP components and relevant agents and initiatives relevant for SCP to the Mediterranean.

8. Draft Mandate of the Regional Activity Centre for Information and Communication (INFO/RAC)

Background

The Regional Activity Centre for Information and Communication (INFO/RAC) was established in 2003 by the decision of the 13th Ordinary Meeting of the Contracting Parties to the Barcelona Convention held in Catania, when the refocusing of the Italian Centre ERS/RAC towards ICTs was approved. The Environment Remote Sensing Regional Activity Centre (ERS/RAC) hosted by Italy, was previously established by the "8th Ordinary Meeting of the Contracting Parties to the Barcelona Convention" (Antalya, Turkey, 12-15 October 1993). In Catania, the Italian Government entrusted the management and the responsibility of the Centre to the Italian Ministry of the Environment, Territory and Sea as well as to the Sicilian Region; the Centre is therefore entirely in public hands.

In line with Article 15 of the Barcelona Convention, the scope of the Centre has been to optimise information and communication technology and train operators.

At the 14th Ordinary Meeting of the Contracting Parties to the Barcelona Convention, held in Portoroz on November 2005, the Centre was mandated inter alia to establish a common information management infrastructure (Info MAP) to facilitate and support information and communication activities across MAP, including the management and upgrading of the UNEP/MAP website, the MED POL Info System and the MAP reporting system, as well as information and communication activities related to the MSSD.

At the 15th Meeting of the Contracting Parties (Almeria, 15-18 January 2008), the Italian Government announced its decision to transfer the functions of INFO/RAC to ICRAM (Italian Central Institute for Applied Marine Research), now merged into ISPRA (Italian Institute for Environmental Protection and Research), starting from January 2010.

Objective and mission

Within the context of the implementation of the Barcelona Convention and its Protocols, the Mediterranean Action Plan and the Mediterranean Strategy on Sustainable Development (MSSD), INFO/RAC will provide Contracting Parties with support in the achievement of their objectives, through the provision of Information and Communication services, the dissemination and sharing of environmental information and the strengthening of the communication capabilities of UNEP/MAP and of the key stakeholders in the Mediterranean region, in order to raise public awareness, assist decision-making processes and promote sustainable development and environmental protection in the Mediterranean basin.

The Centre will strive for close cooperation with other key environment institutions and international bodies working on environmental data and information management, to progressively move towards a Shared Environmental Information System (SEIS). This will ensure the availability of coherent, scientifically sound environmental knowledge to support the implementation of the Barcelona Convention, its protocols and strategies.

Scope of action and key issues

The main objectives of the Centre are grouped in the following three main thematic areas:

I. Information and communication technology

- Design and implement a common environmental and spatial data infrastructure and network services (InfoMAP) for internal (UNEP/MAP) and external information among Mediterranean coastal States to carry out coordinated activities at the national and regional level, for the full implementation of the Barcelona Convention, its Protocols and the MSSD.
- Promote networking on Information and Communication technology;
- Provide technical assistance to Contracting Parties in on-line reporting activities;
- Making the necessary arrangement for sharing specific data.

II. Information sharing, communication, education, training and awareness-raising

In close coordination with the Coordinating Unit and other MAP components, INFO/RAC will:

- improve the environmental and spatial data flows management, information sharing and reporting mechanisms, through regional cooperation and appropriate education and training;
- improve the MAP corporate communication and promote the participation and ownership of Contracting Parties, in order to improve the overall visibility and impact of MAP;
- establish long-term, working partnerships among MAP Components, the Contracting Parties to the Barcelona Convention, non-governmental organizations and other stakeholders;
- promote public participation and raise awareness on the activities of UNEP/MAP, of the Barcelona Convention and of related programmes on the environmental and sustainable development policies of individual member states of the Convention.

III. Dissemination of results from environmental research and from innovative observation and monitoring technology

- Strengthen the knowledge base for bridging the gap between science, environmental monitoring and policy making in the Mediterranean region, taking into account existing efforts at the Euro-Mediterranean level to focus on good practices relevant to the implementation of the Barcelona Convention and of the MSSD;
- Promote the sharing and dissemination of experiences and results stemming from environmental research and innovative tools/technologies, including those resulting from earth observation initiatives relevant to the Mediterranean environment and sustainable development such as the Group on Earth Observations (GEO) and the Global Monitoring for the Environment and Security (GMES).

INFO/RAC will promote the use of the best available information and communication means and tools for the reduction of the overall ecological footprint of MAP's components, contributing to the greening of the Barcelona Convention, thus contributing to enhance the UNEP/MAP overall visibility and impact.

APPENDIX I MAP COMPONENTS SOURCE OF FUNDING

| Source of Funding/ RAC Programme | MED POL | REMPEC | BLUE PLAN | PAP/RAC | SPA/RAC | CP/RAC | INFO/RAC |
|---|--|---|---|---|---|---|---|
| Principle source of funding for activities and staffing | MTF | MTF | MTF | MTF | MTF | Government of Spain through the Ministry of Environment, Marine and Rural Affairs and the Catalan Department of Environment and Housing | Government of Italy subject to the national budgetary rules |
| Additional source of funding | Mediterranean countries, Global Environment Facility (GEF), European Commission, World Bank, European Investment Bank (EIB), Fond Français pour l'Environnement Mondial (FFEM) | IMO Integrated Technical Cooperation Programme (ITCP), French oil industry, Volunteers, European Commission | Mediterranean countries, European Commission, European Investment Bank, French Agency for Development, Spanish Agency for International Development and Cooperation, World Bank and private companies | Government of Croatia: limited to the provision of premises and the coverage of some of the operating costs; Calls for proposals or through spontaneous proposals from sponsors, including volunteer countries and the private sector | International calls for proposals or through spontaneous proposals from sponsors, including volunteer countries, international institutions, and the private sector, such as Global Environment Facility (GEF), World Bank, Fond Français pour l'Environnement Mondial (FFEM), European Commission, Spanish Agency for International Development and Cooperation; | 1. Global Environment Facility (GEF), MTF, International Organizations | 1. MTF, ISPRA, private sector sponsorships |

APPENDIX II MAP COMPONENTS SYNERGY TABLE

| TITLES | MEDPOL | REMPEC | BLUE PLAN | PAP RAC | SPA RAC | INFO RAC | CP RAC |
|-----------|---|--|--|--|---|--|--|
| MEDPOL | - | Pollutant load from shipping activities | MSSD implementation with regard to marine pollution (indicators, climate change and waste management) | Marine pollution, LBS pollution in CAMPs | Regional assessment of the state of the ecosystems | Data management and presentation, reporting, public awareness | Implementation of art 5.1, 5.2, 5.3 of the LBS protocol |
| REMPEC | Pollutant load from shipping activities | - | Implementation of the MSSD (maritime transport) Climate change and shipping | Port infrastructure planning, including marinas, sensitivity mapping as regard contingency planning | Impact of shipping on marine and coastal biodiversity, sensitivity mapping regarded protected marine and coastal flora and fauna, wildlife protection in case of emergency PSSA | InfoMAP node protocol, state of play on EO technology, Near Real time data acquisition and sharing awareness raising, educational information activities | SPC regarding pleasure ships |
| BLUE PLAN | Indicators and follow up of urban waste management component of MSSD Climate change | Follow up to transport chapter of MSSD Climate change | - | Follow up of various chapters of MSSD and the development of land use planning tools adapted to coastal zone Climate change | Assessment of services rendered by marine and coastal ecosystems Climate change | Collection, compilation, management of data and statistics Climate change | Follow up to water, energy sustainable cities chapters of MSSD Climate change |
| PAP RAC | Marine pollution and ecosystem approach | Port infrastructure planning, including marinas, sensitivity mapping as regard contingency planning | Indicators, prospective studies, reporting on environment and development, water resources, tourism development, urban and rural development, participatory approaches, climate change | - | Protected areas and biodiversity protection | Web site development, data management, dissemination activities and remote sensing | Awareness raising and training on cleaner production |
| SPA RAC | - Eco-system Approach project - Regional assessment of the state of the ecosystems | - Management of invasive species in the framework of the management of the BallastWater - Management of Particularly Sensitive Sea Areas (PSSA) | - Ecosystem services Sustainable management of marine and natural coastal resources - Climate change and Biodiversity | - Management of marine and coastal SPA - Coastal Area Management Programme (CAMPs) and Biodiversity | - | - Data management, information and awareness raising - Awareness & Educational Documentary on Mediterranean Biodiversity | Sustainable management of marine and coastal natural resources |
| INFO RAC | infoMAP node development protocol, PRTR | infoMAP node protocol, state of play on EO technology, Near Real | - | infoMAP node development protocol, ICZM protocol | infoMAP node development protocol, dataset on protected | - | Dissemination of material on SCP, educational kit |

| | | | | | | | |
|--------|---|---|--|---|--|---|---|
| | development and training, pollutant load from shipping activities | time data acquisition and sharing awareness raising, educational information activities | | reporting obligations | areas, biodiversity habitat, endangered species, research data and dissemination | | |
| CP RAC | Implementation of art 5.1, 5.2, 5.3 of the LBS protocol | SCP regarding pleasure ships | Implementing MSSD, specifically water and energy priority and CC | Assessment and awareness raising on SCP for the C.Zone management | - | Dissemination of educational materials on SCP | - |

Appendix I

TEXT FORM

Sources of funding

MED POL

The principal funding for MED POL's activities and staff is provided by the Mediterranean Trust Fund (MTF). Additional funding to supplement and expand the scope of the approved activities is regularly sought and obtained through contacts, negotiations and the preparation of projects with national and international stakeholders, donors, organizations and banks, such as the Mediterranean countries, the Global Environment Facility (GEF), the European Commission, the World Bank, the European Investment Bank (EIB) and the Fond Français pour l'Environnement Mondial (FFEM).

REMPEC

The core funding for REMPEC's activities is provided by the Mediterranean Trust Fund (MTF). The Centre also liaises with the IMO for the implementation of other activities in Mediterranean countries funded through the IMO Integrated Technical Cooperation Programme (ITCP). Projects which further the implementation of REMPEC's mandate can also be concluded with other intergovernmental bodies or private partners, in consultation with IMO and MAP such as French oil industry, Volunteers and European Commission.

BP/RAC

The funding for the Blue Plan's activities is provided by the Mediterranean Trust Fund and various other partners (including Mediterranean countries, European Commission, European Investment Bank, French Agency for Development, Spanish Agency for International Development and Cooperation, World Bank and private companies), which contribute to its programme of work on the basis of specific agreements.

PAP/RAC

The principal funding for the implementation of PAP/RAC's activities and covering its staff is provided by the Mediterranean Trust Fund (MTF). Financing by the host country is regulated by the host country agreement between UNEP and the Government of Croatia (1996) and is limited to the provision of premises and the coverage of some of the operating costs. Additional funding will continue to be sought for actions related to ICZM, either in response to international calls for proposals or through spontaneous proposals from sponsors, including volunteer countries and the private sector.

SPA/RAC

The principal recurrent funding for SPA/RAC activities and staffing is provided through the Mediterranean Trust Fund (MTF). Additional funding is sought for actions that are clearly defined in space and time, either in response to international calls for proposals or through spontaneous proposals from sponsors, including volunteer countries, international institutions, donor agencies and the private sector such as Global Environment Facility

(GEF), World Bank, Fond Français pour l'Environnement Mondial (FFEM), European Commission, Spanish Agency for International Development and Cooperation.

CP/RAC

The principal sources of funding for CP/RAC activities and staff is Spain, through the Ministry of Environment, Marine and Rural Affairs, and the Catalan Department of Environment and Housing, and international agencies (e.g. GEF, MTF, etc). Funding is regulated on a biannual basis through the signing of specific agreements in accordance with the priorities, recommendations and plans specified by the Contracting Parties to the Barcelona and Stockholm Conventions and cooperation agreements between MAP and relevant agencies and institutions (e.g. EC-MAP Work Cooperation Programme, Horizon 2020, EEA-MAP Work Cooperation Plan, etc). CP/RAC can use other mechanisms of funding but its work should be linked and tuned with the UNEP/MAP priorities.

INFO/RAC

The INFO/RAC activities are financed by the Italian Government subject to the national budgetary rules, as well as from the Mediterranean Trust Fund. ISPRA also provides in-kind contribution to the INFO/RAC programmes. Other sources of funding will be identified and sought at the European and International level, including private sector and sponsorships, as appropriate, to perform activities linked and tuned with the UNEP/MAP priorities as part of resource mobilization plan.

Appendix II
TEXT FORM
MAP Components Synergy

MED POL

In fulfilling its mandate, and in order to ensure the maximum synergy and efficiency, MED POL cooperates with MAP RACs as follows:

CP/RAC in the implementation of art. 5.1, 5.2, 5.3 of the LBS Protocol;

Blue Plan in implementing the MSSD in the field of marine pollution, in the preparation of marine pollution indicators and in addressing the issue of climate change and waste management;

PAP/RAC on the field of marine pollution and land-based pollution in the CAMP projects;

INFO/RAC on data management and presentation, reporting and in the field of public awareness;

REMPEC on pollutant load from shipping activities.

REMPEC

Identified converging areas between the Centre and the other components are, *inter alia*:

- MEDPOL: Pollutant load from shipping activities
- PAP/RAC: Port infrastructure planning, including marinas
Sensitivity mapping (human activities) as regard contingency planning;
- SPA/RAC: Impact of shipping on marine and coastal biodiversity (invasive species e.g.)
Sensitivity mapping regarding protected marine and coastal flora and fauna;
Wildlife protection in case of emergency;
Particularly sensitive sea areas.
- CP/RAC: Sustainable production and consumption pattern regarding pleasure crafts;
- BP/RAC: Implementation of the MSSD (maritime transport)
Climatic change and shipping;
- INFO/RAC: InfoMAP node protocol, state of play on EO technology, Near Real time data acquisition and sharing awareness raising, educational and information activities.

Other stakeholders, particularly NGOs and civil society, are encouraged to participate in the Centre's activities and, where appropriate, memoranda of understanding may be signed between the Centre and other partners regulating such collaboration. In implementing its activities, the Centre benefits from the technical support of IMO.

In conducting its activities, REMPEC relies on its network of Focal Points, particularly for the dissemination of information received from the Centre and the selection of appropriate representatives of the various national authorities, departments and agencies to participate in REMPEC activities.

BP/RAC

Blue Plan's action involves, under the aegis of the Coordinating Unit, ongoing relations and consultation with the various MAP components, in particular:

- MED POL with regard to the development of indicators and follow-up of the "Urban waste management" component of the MSSD;
- CP/RAC with regard to follow-up to the "water", "energy" and "sustainable cities" chapters of the MSSD;
- REMPEC with regard to follow-up to the "transport" chapter of the MSSD;
- SPA/RAC with regard to assessment of services rendered by marine and coastal ecosystems;
- PAP/RAC with regard to follow-up to various chapters of MSSD and the development of land-use planning tools adapted to coastal zones;
- INFO/RAC with regard to the collection, compilation and management of data and statistics;
- All components in respect of climate change.

PAP/RAC

In implementing its activities and with a view to ensuring complementarity and synergy of ICZM initiatives within the Mediterranean, PAP/RAC will continue to collaborate with all relevant partners in the region, within and outside the MAP system. In particular, it will collaborate with the following MAP components; BP/RAC on indicators, prospective studies, reporting on environment and development, water resources, tourism development, urban and rural development, participatory approaches and climate change; CP/RAC on awareness raising and training on cleaner production; REMPEC on sensitivity mapping for the purpose of contingency planning; MEDPOL on marine pollution and ecosystem approach; INFO/RAC on web site development, data management, dissemination activities and remote sensing; and SPA/RAC on protected areas and biodiversity protection.

Also, PAP/RAC will collaborate with the MCSD, and particularly its thematic groups on ICZM-related issues; national and local governments; bilateral and multilateral organizations and associations (and particularly the World Bank, European Union, UNDP, World Meteorological Organization and the Intergovernmental Oceanographic Commission); NGOs; private sector establishments; and sub-regional initiatives, such as the Adriatic-Ionian Initiative, the Northern Adriatic Commission and RAMOGE.

SPA/RAC

In addition to partnerships with national, regional and international institutions and organizations, SPA/RAC will collaborate closely with the various MAP components in conducting activities within their fields of action. To that effect, it will work with them on activities in the following areas:

- the management of invasive species (with REMPEC)

- the management of specially protected marine and coastal areas (with PAP/RAC)
- economic analysis and services rendered by ecosystems (with Blue Plan)
- data management, information and awareness raising (with INFO/RAC)
- the regional assessment of the state of ecosystems (with MED POL)
- the sustainable management of marine and coastal resources (with CP/RAC and Blue Plan).

CP/RAC

In implementing its SCP initiatives relevant to the Mediterranean and in order to ensure complementarities and synergies with other MAP components, CP-RAC will collaborate with:

MED POL in implementing article 5.1, article 5.2 and article 5.3 of the LBS Protocol.

Blue Plan in implementing the MSSD, specifically the Water and Energy priority actions, and the Climate Change work plan and the Steering Group on Waste Management.

INFO/RAC in dissemination of educational material on sustainable consumption and awareness raising on SCP in general.

PAP/RAC in preparing assessments and awareness raising on SCP for the coastal management areas.

REMPEC in SCP regarding pleasure ships

CP/RAC will also collaborate with: the European Commission; the European Environmental Agency; UNEP/DTIE, UNITAR, Centres of the Stockholm Convention, National Cleaner Production Centres, and Centres of the Basel Convention, and will promote the cooperation with other SCP regional processes/ initiatives (i.e. Marrakech Process); as well as with bilateral, multilateral organizations, and associations promoting SCP.

INFO/RAC

In the implementation of these activities, INFO/RAC collaborates with other MAP components on specific topics, as appropriate. Identified converging areas between the Centre and the other components are, inter alia:

| | |
|----------|--|
| MEDPOL: | infoMAP node development Protocol; PRTR development and training pollutant load from shipping activities |
| PAP/RAC: | infoMAP node development; ICZM protocol reporting obligation; |
| SPA/RAC: | infoMAP node development, Dataset on Protected areas, Biodiversity, habitats, endangered species; Research data dissemination; |
| CP/RAC: | Dissemination of material on Sustainable Consumption and Production; Educational kit |
| BP/RAC: | Data/GIS underling MSSD indicators (SIMEDD), climate change; |
| REMPEC: | infoMAP node development; State of play on EO technology; Near Real Time data acquisition and sharing awareness raising, educational and information activities. |

Draft decision V

"MAP/Civil society cooperation and partnership"

The 16th Meeting of the Contracting Parties

Recalling the goal and the objectives of the Mediterranean Action Plan and the Barcelona Convention for the Protection of the Marine Environment and the coastal region of the Mediterranean as amended in Barcelona in 1995, herein after referred to as the Barcelona Convention, to ensure environmental protection and promote sustainable development of the Mediterranean Sea area and its coastal zone;

Considering that the achievement of this goal and the fulfilment of these missions can be better realised with constant awareness and support from civil society in particular the NGOs and the public according to art. 15 and 17(IV) of the Barcelona Convention;

Recalling that, in this spirit, MAP has, since it was established in 1975, developed fruitful working relations with civil society organisations by creating the observer and partner status for non-governmental organisations according to art. 20-1-b of the Barcelona Convention;

Recalling the recommendations agreed by the 11th and 12th Meetings of the Contracting Parties held respectively in Malta, 1999 and Monaco, 2001 with regard to MAP/NGO cooperation, its objectives, priority actions and admission criteria;

Recognising that a number of activities in MAP's Programme of Activities have been carried out in partnership with national, regional and international NGOs, and their participation on an equal footing as members of the MCSD;

Confirming, through the present decision its recognition, of the active and constructive role of the international, regional and national NGOs in the MAP/Barcelona Convention system including the MCSD/MSSD, in particular of the contribution to achieve their objectives; further, to recognise this cooperation especially by underlining its partnership character in order to promote the implementation of the Barcelona Convention and its Protocols and of the MSSD;

Hereby decides to adopt

- a) *the rights and duties of MAP partners as described in the Code of Conduct for MAP partners contained in annex I to this decision;*
- b) *criteria and a procedure for admission as MAP Partners of the international, civil society organisations/NGOs as well as national and local non governmental organisations.*

The 16th meeting of the Contracting Parties invites the Contracting Parties to cooperate and encourage the MAP partners to promote the further implementation of the Convention and its Protocols as well as of the MSSD at the international, national, and local levels.

The 16th meeting of the Contracting Parties requests the Secretariat to:

- a) *Undertake an assessment of the current list of MAP partners on the basis of the newly adopted admission and partnership renewal criteria and procedure with a view to submitting the updated list for consideration and approval by the meetings of the Bureau during the next biennium, subject to endorsement by the 17th meeting of the Contracting Parties in 2011;*
- b) *Facilitate in coordination with the MAP components the implementation of the Code of Conduct of MAP partners by implementing all the actions referred to therein as responsibilities of the Secretariat;*
- c) *Provide assistance to the MAP partners from the developing Mediterranean countries with a view to further strengthening their capacities and contribution to the achievement of the objectives of MAP/ Barcelona Convention and its Protocols as well as of the MSSD objectives.*

Annex I

Code of conduct

The objective of the Code of Conduct is to guarantee a common deontology to guide the partnership between MAP and the NGOs and give greater visibility to the reciprocal commitments of both the NGOs and the UNEP/MAP.

NGOs as true partners of MAP are both privileged and committed to be involved in constructive dialogue and consultations with the Contracting Parties and the various MAP components, facilitated by the MAP Secretariat, in addressing key issues and seeking the most effective implementation of MAP's work.

MAP Partners Rights

1. NGOs may formulate comments, constructively criticize or make proposals on the activities of MAP and the Contracting Parties;
2. NGOs may make written presentations on topics relevant to the objectives of the Convention during meetings and conferences. The Secretariat shall ordinarily distribute such documents including by publishing such documents on the MAP website. The participation of NGOs includes the entitlement to have access to all documents relevant to the decision-making process produced for meetings, to circulate written statements and to speak at meetings, without prejudice to the ability of the Secretariat to prioritize business and apply rules of procedure;
3. NGOs may take the floor during meetings and conferences with the agreement of the session chairperson. They do not have the right to vote;
4. The points of view of NGOs as expressed in the meeting must be reflected in the official report of that meeting;
5. NGOs have the right to be informed. To this purpose they are sent by Internet all documents prepared by the various MAP bodies which are likely to be of interest to them, in a manner which allows sufficient time for NGOs to prepare and participate effectively in the decision-making process;
6. NGOs have the right to access to environmental information. Secretariat and MAP components shall make environmental information available to NGOs without having to state an interest from their part, as soon as possible after their request has been submitted*;
7. NGOs are associated as closely as possible to the various phases of preparation and follow-up of MAP's programmes and actions;
8. NGOs may submit in writing to the MAP Secretariat general or specific comments and suggestions on topics within their competence, concerning the implementation of MAP's objectives. The Secretariat informs the Bureau accordingly;
9. NGOs are invited to participate in seminars, colloquia and conferences organized by the various MAP bodies*;
10. NGOs have at their disposal one page of the "MEDWAVES" bulletin for their activities. This bulletin is sent to them free of charge;
11. NGOs are invited to appoint their representatives at the periodic meetings of accredited NGOs, especially prior to the Meeting of the Contracting Parties*;

* Points 6, 9 and 11 under MAP Partners' Rights apply to NGOs with partnership status where there is an agreement between the Secretariat in accordance with bullet 2 of Part III (General issues of Annex III), i.e. Participation in MAP activities. Other rights apply only to partners with participatory status.

12. Agreements may be concluded between the Secretariat or MAP bodies and the NGOs considered the most directly concerned/competent, in order that the latter may contribute to the execution of tasks within the framework of the MAP programme. However, the MAP/NGO partnership in no way implies the automatic granting of financial assistance;
13. NGOs may at any point renounce the accreditation accorded to them by addressing a written notification to the Secretariat;
14. In case of a complaint or dispute regarding the rights and duties of NGOs within the MAP framework between an NGO and the MAP bodies, a written complaint may be lodged with the Secretariat by the NGO involved. The Secretariat strives to resolve the conflict and, if necessary, calls in a mediator appointed by the Bureau.
15. NGO contribution to MAP implementation as described under "Responsibilities" should be properly reported in the MAP reporting process.

MAP Partners responsibilities

1. NGOs include in their programmes of activities the objectives pursued by MAP and its components as expressed in the Barcelona Convention and its Protocols, in the resolution of the Mediterranean Commission on Sustainable Development (MCSD) and in the decision of the Meetings of the Contracting Parties;
2. In order to reinforce the spirit of solidarity among the peoples of the Mediterranean, NGOs contribute to the raising of awareness and information of their members and more generally of the public, in order to make better known the objectives of the Barcelona Convention and its Protocols as well as the achievements of MAP;
3. To this effect, NGOs disseminate relevant data and information material in meetings and other events they organize and publish documents concerning MAP activities;
4. NGOs regularly inform the Secretariat and the various MAP programmes and RACs about their activities as well as their contribution to achieving the objectives of MAP, mainly by sending them their information bulletins, annual reports and other relevant publications and by inviting them to participate in their public meetings and other activities where appropriate;
5. NGOs' work to promote and reinforce compliance with the Barcelona Convention and its Protocols and to contribute to their implementation with the support of NGOs at the local, national and international levels.
6. NGOs strive to build a partnership with other stakeholders, especially the private sector, other NGOs and public authorities, with a view to undertaking promotion activities relating to the implementation of the Barcelona Convention and its Protocols;
7. NGOs strive to develop environmental education and training activities in the Mediterranean countries, in connection with MAP's objectives and activities;
8. NGOs strive to develop relationships and joint actions and synergies with other NGOs in the North and South of the Mediterranean ;
9. According to their expertise and specific experience at local, national or regional levels, NGOs put to the disposal of MAP their know-how and expertise by providing advice or counsel and by participating in MAP surveys, activities or publications;

10. NGOs regularly keep abreast of MAP's activities, and projects by using available sources, especially the various internet sites;
11. NGOs provide of their own accord or at the request of the various MAP bodies any information, documentation or report relating to subjects under study to both the Secretariat and the various programmes and RACs;
12. NGOs maintain continuous relationships with the various MAP Focal Points in the countries where they are present;
13. NGOs contribute and participate regularly in an active manner in the MAP meetings and other activities to which they are invited;
14. In expressing their point of view, NGOs shall refrain from any statement, whether oral or verbal, which would infringe upon the rights of others;
15. NGOs must not use the opportunity of MAP meetings to express political or religious views on matters other than those directly related to the Barcelona Convention;
16. If the Secretariat is of the reasonable opinion that an NGO has materially failed to comply with this Code of Conduct, then:
 - a. the Secretariat shall notify that NGO of its alleged non-compliance, providing the NGO with a written explanation of the grounds of such alleged non-compliance;
 - b. the NGO shall have 30 days following receipt of such notice to provide the Secretariat with a written response to the alleged non-compliance;
 - c. the Secretariat shall consider the written response, and either:
 - i. accept the response and withdraw its notice; or
 - ii. serve notice on the NGO that the non-compliance must be remedied within 30 days of such subsequent notice;
 - d. If the NGO fails to remedy the breach of the Code of Conduct within that second 30-day period, the Secretariat may refuse to renew the NGO's observer accreditation,

Provided that, in no circumstances shall non-compliance with this Code of Conduct be used as a means of pressurizing an NGO or expelling an NGO on arbitrary grounds.
17. In construing the application of the foregoing duties of accredited NGOs, account shall be taken of the differentiated capacity, resources, socio-cultural circumstances and objectives of accredited NGOs.

Annex II

Criteria for accreditation, renewal, withdrawal of accreditation and the relevant procedures

Part I: General Criteria

Two categories of NGOs are eligible to be granted the observer status

- *NGOs with participatory status, which would apply exclusively to international NGOs;*
- *NGOs with partnership status, which would apply exclusively to national and local NGOs from the Mediterranean riparian states.*

Both categories of NGOs should satisfy the following general criteria

- a) to be representative in the field(s) of their competence and fields of action shared by the Mediterranean Action Plan;*
- b) to be able, through their work, to support the achievement of the objectives of the Mediterranean Action Plan/Barcelona Convention and its Protocols;*
- c) to be able to make known the work of the Mediterranean Action Plan/Barcelona Convention and its Protocols in the region and or their respective country;*
- d) to be capable of contributing, through a specific project or programme, to the implementation of MAP/Barcelona Convention and its Protocols programme of activities;*
- e) to be capable of contributing, through a specific event or manifestation linked to a Mediterranean Action Plan field of activity, to public awareness-raising;*
- f) to be capable of providing, through their specific activity or experience, expert advice on the definition of Mediterranean Action Plan policies, programmes and actions;*
- g) to be capable of regularly disseminating information to their members, where applicable on the standards, activities and achievements of the Mediterranean Action Plan/Barcelona Convention in their own field(s) of competence;*
- h) to be capable of furnishing, either spontaneously or at the request of the Mediterranean Action Plan's different bodies, information, documents or opinions relating to their own field(s) of competence.*

Part II: Accreditation Criteria and Procedures

Accreditation

The following criteria apply to international and national/local NGOs:

- a) to have legal status; terms of reference, objectives and scope of activities related to one or more of MAP's areas of activity and to the scope of the Convention and its Protocols;*
- b) to have existed for at least 4 years;*
- c) to submit financial and activity reports from the last two years;*
- d) to operate democratically;*

- e) to have their regional office or headquarters in a Mediterranean country;
- f) to demonstrate proof of general or specialised, technical or scientific competence on issues related to the activities of MAP, the Barcelona Convention and its Protocols;
- g) to demonstrate what contributions the NGO could make to MAP and the Convention and Protocols.

The following specific criteria apply to national/local NGOs:

- a) NGO objectives genuinely related to the marine environment and coastal zones;
- b) NGOs participating or wishing to participate in specific national or local programmes or projects on the implementation of the objectives of the MAP/Barcelona Convention and its Protocols

Accreditation procedure:

- The request is sent to the Secretariat 6 months before a Meeting of Contracting Parties by an NGO or through a proposal from a RAC/MEDPOL with the consent of the concerned NGO. The request is made using the application form attached as Appendix to this Annex
- RACs' opinion sought
- Draft Secretariat proposal submitted to MAP Focal Points
- Decision of the Bureau on the accreditation
- Bureau decision forwarded to the Contracting Parties meeting for endorsement
- Tacit consent of the Contracting Parties meeting

Renewal of accreditation:

- Every 6 years, NGO observers ask the Secretariat to renew their accreditation
- The request should show what contribution the NGO has made to MAP activities and projects as well as its attendance at meetings/events

Accreditation renewal procedure

- The request is sent to the Secretariat at least 6 months before the 3rd Meeting of the Contracting Parties, otherwise the NGO is seen as relinquishing its accreditation procedure
- RACs' opinion sought
- Draft Secretariat proposal to the Bureau
- Bureau decisions forwarded to the meeting of the Contracting Parties for endorsement
- Tacit consent of the Contracting Parties meeting

Withdrawal of accreditation

Following a hearing with the NGO in question, the Secretariat may withdraw accreditation if it deems that the NGO no longer meets the accreditation criteria or has breached the Code of Conduct and failed to remedy such breach in accordance with the provisions of the Code of Conduct.

Total lack of participation in MAP meetings and activities over a period of 4 years will lead to the accreditation being automatically cancelled following a hearing with the NGO in question.

Part III General Issues

List of NGOs observers/MAP partners

The secretariat shall draw up a list of MAP's observer partners and update it for each Meeting of the Contracting Parties, drawing a distinction between:

- *Intergovernmental observers according to article 8.1-A of the Rules of Procedure*
- *NGO observers according to article 8.1-B, divided into two categories (NGOs with participatory status and NGOs with partnership status)*

Participation in MAP activities

- *Art. 8-2 of the Rules of Procedure applies as a matter of principle to international NGOs with no special authorisation being requested. These meetings include the various meetings of the focal points.*
- *Exceptionally, and depending on agenda being of potential interest to the national/local NGOs, the latter may request special authorisation from the Secretariat to attend a meeting or conference which is of direct concern to them.*
- *Both categories of the NGOs accredited as observers are entitled to be appointed as members of the Mediterranean Commission on Sustainable Development in accordance with the Commission's Rules of Procedure.*
- *According to art.8.1.B and 8.2 of the Convention's Rules of Procedure and in addition art. 5 of the Rules of Procedure of the Mediterranean Commission on Sustainable Development, NGOs accredited according to the afore-mentioned provisions may be represented by observers at meetings of the Commission, with the consent of its Steering Committee.*
- *Accredited NGOs may be invited to attend RAC meetings and the steering groups for RAC activities.*
- *Proposals made by an NGO may be put to the vote if supported by a Contracting Party*
- *The other forms of participation and partnership are laid out in the code of conduct on rights and duties of MAP Partners*

Appendix
Application form for NGOs observers/MAP Partner status

Please send your completed form and required documents by email to medu@unepmap.org
Postal address

Part A - General information

1. Name and acronym of the organisation in English and French
2. Address of the Headquarters
 - Street*
 - Town*
 - Country*
 - Telephone*
 - Fax*
 - Email*
 - Internet site*
3. Year of foundation
4. Type of organisation

Association; federation, foundation, professional organisation, umbrella organisation
5. Organisational status
 - President of the organisation, name surname, address*
 - Secretary General of the organisation name surname, address*
 - Structure and functioning of directing bodies*
 - Staff*
 - Number of members*
6. Funding
 - a) Membership fees
 - b) Public funding
 - c) Private donations
 - d) Other, please specify
7. Aims

Please describe briefly the goals, mandate or mission of your organisation in English or French

8. Activities of your organisation

Please describe activities of your organisation

9. Constituency

Please describe briefly the support base (members/supporters/donors) of your organisation

10. Accreditations

Accreditations with other international intergovernmental organisations

11. Publications

Titles/number

Does your organisation publish an annual report?

Yes

No

Does your organisation produce a list of available publications and or educational matters?

Part B - Areas of possible cooperation with MAP

Please indicate the areas of your organisation's activities which correspond to the MAP Programme of activities and Policies

- a) Governance for environment and development
- b) Integrating environment in development
- c) Legal aspects of implementation of the Barcelona Convention and its protocols
- d) Pollution control and prevention
- e) Biodiversity conservation
- f) Integrated coastal zone management/Ecosystem management
- g) Sustainable consumption and production
- h) Sustainable management of natural resources and efficient use of resources
- i) Public participation and awareness

Part C - Modalities of cooperation with MAP

1. In what way does your organisation feel it could contribute to the MAP activities and to the promotion of its values

(Please describe: Studies, reports, previous work in the field concerned, expertise of its members, etc)

2. What practical cooperation has already been established with the Coordinating Unit and the RACs

(Please describe joint activities, comments on draft documents, exchange of information, participation as experts, participation at MAP meeting and events, etc)

3. By what means and to which audience would your NGOs promote the work of MAP and its achievements

Name and signature

Your position in the Organisation

Date

Please return this questionnaire preferably by email to medu@unempap.org
or by post to :

Coordinating Unit for the Mediterranean Action Plan

Please enclose all the documents required to support your application for participatory status:

1. *Copy of the statute*
2. *A list of member organisations*
3. *A report on recent activities*
4. *A declaration that your organisation accepts the rights and duties of MAP partners as described in the Code of Conduct of MAP partners adopted by the 16th meeting of the Contracting Parties.*

Draft decision VI

"Regional Plan on the reduction of BOD₅ from urban waste water in the framework of the implementation of Article 15 of the LBS Protocol"

The 16th Meeting of the Contracting Parties,

Recalling Article 8 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean as amended in Barcelona 1995, hereinafter referred to as the Barcelona Convention,

Recalling Annex 1.C of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities, hereinafter referred to as the LBS Protocol,

Recalling further the decision 17/8 of the 15th Meeting of the Contracting Parties (Almeria, Spain, January 2008) entitled "Implementation of NAPs and the preparation of legally binding measures and timetables required by Art.15 of the LBS Protocol",

Taking into account the pertinent provisions of the relevant international environmental agreements, EU directives and regulations,

Noting the different capabilities of the Parties to undertake measures, as well as their common but differentiated responsibilities,

Considering that the precautionary principle underlies the concerns of all the Parties of the Mediterranean Action Plan,

Considering the recommendations of the Meeting of the Government Designated Experts on Long Term Implementation of NAPs and Preparation of Plans and Programmes Containing Measures and Timetables Requested by Art. 15 of the LBS Protocol (Aix en Provence in 2008),

Considering that BOD₅ is an element contributing to the eutrophication phenomena associated with nutrients enrichment in coastal areas of the Mediterranean,

Fully aware of Article 27 at the Convention and Decision IG 17/2 of the 15th Meeting of the Contracting Parties (Almeria, Spain, January 2008) on compliance procedures and mechanisms,

Fully aware of the health concerns resulting from local exposure associated to inputs of pathogens with BOD₅ resulting from untreated and treated municipal waste water,

Recognizing the special hydrographical and ecological characteristics of the Mediterranean Sea Area,

Decides to adopt the Regional Plan on the reduction of BOD₅ from urban waste water in the framework of the implementation of Article 15 of the LBS Protocol together with its Annexes hereinafter referred to as the Regional Plan, which are contained in the **Annex** to this decision,

Invites the Contracting Parties to take the necessary measures to the implementation of this Regional Plan.

ANNEX

Regional Plan on the reduction of BOD₅ from urban waste water in the framework of the implementation of Article 15 of the LBS Protocol

ARTICLE I

Definitions of Terms

For the purpose of this Action Plan:

- (a) "Urban waste water" means waste water of the mixture of domestic waste water with industrial waste water ,pretreated or not and/or run-off rain water;
- (b) "Domestic waste water" means waste water from residential settlements and services which originates predominantly from the human metabolism and from household activities;
- (c) "Collecting system" means a system of conduits which collects and conducts urban waste water.
- (d) "Wastewater Treatment Plant WWTP" means systems used to treat urban wastewater using physical, chemical and /or biological techniques.
- (e) "Agglomeration" means an area where the population of more than 2.000 inhabitants and/or economic activities are sufficiently concentrated for urban waste water to be collected and conducted to an urban waste water treatment plant or to a final discharge point;
- (f) "Population-equivalent (p.e.)" means the organic biodegradable load having a five-day biochemical demand (BOD₅) of 60 g of oxygen per day;
- (g) "Emission Limit Values (ELVs)" means the maximum allowable concentration measured as a "composite" sample, of a pollutant in an effluent discharged to the environment.
- (h) "Primary treatment" means treatment of urban waste water by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD₅ of the incoming waste water is reduced by at least 20% before discharge and the total suspended solids of the incoming waste water are reduced by at least 50%;
- (i) "Secondary treatment" means treatment of urban waste water by a process generally involving biological treatment with a secondary settlement or other process so that the treatment results in a minimum reduction of the initial load of 70-90% of BOD₅.

ARTICLE II

Scope and Objective:

1. The area to which this Regional Plan applies is the area defined in accordance with Art. 3 of the LBS Protocol. This is intended for all the releases within the hydrological basin discharging directly or indirectly into the Mediterranean Sea.
2. This Regional Plan shall apply to the collection, treatment and discharge of urban waste waters.
3. The objective of this Regional Plan is to protect the coastal and marine environment and health from the adverse effects of the abovementioned waste water direct and or indirect discharges, in particular regarding adverse effects on the oxygen content of the coastal and marine environment and eutrophication phenomena.

ARTICLE II (Bis)

Preservation of Rights

The provisions of this Regional Plan shall be without prejudice to stricter provisions respecting the reduction of BOD₅ from urban waste water contained in other existing of future national, regional or international instruments or programmes.

ARTICLE III

Measures

1. The Parties shall ensure that all agglomerations collect and treat their urban waste waters before discharging them into the environment. Collecting systems should satisfy the requirements set forth in Appendix I.
2. The Parties shall adopt National BOD₅ ELVs for urban waste waters *after treatment* (i.e. maximum allowable concentration of BOD₅ to be finally discharged from WWTP to the receiving water environment).
3. The Parties shall ensure that characteristics of collected and treated urban waste waters shall, before discharge in the environment, be in accordance to provisions on ELVs described in the following table.

Regional ELV on BOD₅ to be implemented for every single urban WWTP effluents

| Parameter | Scope/Area | ELV (mg /l O ₂) | Comments/Provisions |
|--|---|-----------------------------|---|
| BOD ₅ at 20°C without nitrification | LBS Protocol Area | <=50 | Assuming a performance of reduction of the influent load of 70-90 % (secondary treatment) ¹ . |
| | LBS Protocol Area – marine outfalls (ref. Art. 7 LBS Protocol) | <=200 | Assuming a performance of reduction of the influent load of 20 % (primary treatment) ¹ . These ELV should only be adopted taking into account local conditions, and provided that total loads do not affect the receiving marine environment. |

¹ As referenced in UNEP/MAP-MEDPOL/WHO (2008), and adopted in EU Directive 91/271/CEE, Annex1

4. The Parties shall ensure that their competent authorities or appropriate bodies shall monitor discharges from municipal WWTP to verify compliance with the requirements of the above table taking into account the guidelines included in Appendix II.
5. The Parties should take the necessary measures to enforce these measures in accordance with their national regulations.

ARTICLE IV

Timetable for Implementation

The Parties commit themselves to implement the above measures, according to two deadlines: 2015 and 2019. The Parties will decide on the deadlines for the implementation of the ELVs indicated in the table of Article III above, taking into account their national circumstances and respective capacity to implement the required measures. A national programme of action, including the adopted deadlines, should be prepared and communicated to the Secretariat within 180 days after the adoption of the regional plan by the Contracting Parties. The Secretariat should inform the Parties accordingly. This national programme should take into account the guidelines included in Appendix III.

ARTICLE V

Reporting

In conformity with Article 26 of the Convention and Article 13, paragraph 2(d), of the LBS Protocol, the Parties shall report on a biannual basis on the implementation of the above measures and on their effectiveness. The Contracting Parties should review the status of implementation of these measures on 2013 and 2017.

ARTICLE VI

Technical Assistance

For the purpose of facilitating the implementation of the measures, capacity building, including transfer of know how and technology, will be provided by the Parties and the Secretariat. Priority will be given to those Parties who have ratified the LBS Protocol.

ARTICLE VII

Entry into Force

The present regional Action Plan shall enter into force and become binding on the 180 day following the day of notification by the Secretariat in accordance with Article 15, paragraphs 3 and 4 of the LBS Protocol.

APPENDIX I

Collecting Systems

Collecting systems should take into account waste water treatment requirements. The design, construction of collecting systems should be undertaken considering the best technical knowledge, notably regarding:

- (a) the volume and characteristics of urban waste water;
the high maintenance of piping system for the prevention of leaks;
- (b) the high maintenance of pumping and boosting equipment; and
- (c) the separation of storm water pipes from collection pipes of WWTP, when applicable.

APPENDIX II

Guidelines on Monitoring and Enforcement

1. The Parties should ensure that a monitoring method is applied which corresponds at least with the level of requirements described below. Alternative methods may be used provided that it can be demonstrated that equivalent results are obtained. The Parties shall provide the Secretariat with all relevant information concerning the applied method.
2. Flow-proportional or time-based 24-hour samples shall be collected at the same well-defined point in the outlet and if necessary in the inlet of the treatment plant in order to monitor compliance with the requirements for discharged waste water laid down in this Regional Action Plan.
3. Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.
4. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year. The following guidelines should be considered:
 - From 2000 to 9,999 p.e.: 12 samples during the first year; 4 samples in subsequent years, if it can be shown that the water during the first year complies with the provisions of this Action Plan; if one sample of the four fails, 12 samples must be taken in the year that follows.
 - From 10,000 to 49,999 p.e.: 12 samples;
 - Over 50,000 p.e.: 24 samples.
5. Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations such as those due to heavy rain.

APPENDIX III

Guidelines and Criteria for the Implementation of the Provisions of Article V

1. National legislation. The regional ELVs proposed in Annex II should be adopted without prejudice to existing legislation already in force in the Contracting Parties. In this sense, in those countries where the proposed ELVs have already been adopted, deadlines should be earlier or immediate.
2. Target cities. The bigger urban agglomerations are the bigger load and point source pressure is put on the aquatic receiving environment. In this sense, the Parties might consider in their national programmes an earlier adoption of ELVs in largest agglomerations.

For information in other regional regulations (EC, 2001; HELCOM 2007), common thresholds to differentiate between small, medium and big cities are 2,000, 10,000 and 100,000 person equivalent, respectively. The threshold of 100,000 inhabitants is also considered in the SAP (UNEP/MAP, 1998), and the threshold of 2,000 and 10,000 inhabitants are also relevant in terms of inventory of WWTPs in the Mediterranean (UNEP/MAP-MEDPOL/WHO, 2004; 2008).

3. Capacity. In those countries where collecting systems and WWTPs are not still in place, and/or a significant amount of population is not connected/served by existing WWTPs, and/or many WWTPs do not have an appropriate performance, according to Article V, the economic capacity to address the above issues shall be taken into account.

Draft decision VII

"Regional Plan on the elimination of Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Mirex and Toxaphene in the framework of the implementation of Article 15 of the LBS Protocol"

The 16th Meeting of the Contracting Parties,

Recalling Article 8 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean as amended in Barcelona 1995, hereinafter referred to as the Barcelona Convention,

Recalling Annex 1.C of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities hereinafter referred to as the LBS Protocol,

Recalling further the decision 17/8 of the 15th Meeting of the Contracting Parties (Almeria, Spain, January 2008) entitled "Implementation of NAPs and the preparation of legally binding measures and timetables required by Art.15 of the LBS Protocol",

Taking into account the pertinent provisions of the relevant international environmental conventions, especially the Stockholm Convention on Persistent Organic Pollutants, and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,

Taking full account of the National Implementation Plans in course of development or already developed by the Parties under the Stockholm Convention on Persistent Organic Pollutants,

Noting that the present use of Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Mirex, Toxaphene by the Parties is prohibited,

Noting also the different capabilities of the Parties to undertake measures, as well as their common but differentiated responsibilities,

Considering that the precautionary principle and underlies the concerns of all the Parties of the Mediterranean Action Plan,

Considering that in spite of the actions already taken at regional and national level, these substances may still enter the marine environment by an insufficient management of stockpiles and wastes, although, in decreasing amounts,

Recognizing that Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Mirex, Toxaphene are persistent organic pollutants that possess toxic properties, resist degradation, bioaccumulate and are transported widely,

Fully aware of the health concerns resulting from local exposure to persistent organic pollutants,

Recognizing the special hydrographical and ecological characteristics of the Mediterranean Sea Area,

Conscious of the need of developing regional regulatory measures for hazardous pesticides in close cooperation with other relevant international environmental agreements,

Decides to adopt the Regional Plan on the elimination of Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Mirex and Toxaphene in the framework of the implementation of Article 15 of the LBS Protocol together with its Annexes hereinafter referred to as the Regional Plan, which are contained in the **Annex** to this decision,

Invites the Contracting Parties to take the necessary measures to the implementation of this Regional Plan.

ANNEX

Regional Plan on the elimination of Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Mirex and Toxaphene in the framework of the implementation of Article 15 of the LBS Protocol

ARTICLE I

Definitions of Terms

(a) "Persistent Organic Pollutants (POPs)" are organic compounds from natural or anthropogenic origin that possess toxic properties, resist physical, chemical and biological degradation, bioaccumulate in high concentrations through the food web and are transported through air, water and migratory species, reaching regions where they have never been produced or used; their high persistence pose a risk of causing adverse effects to the environment and human health.

(b) "Wastes" means substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law.

"Environmentally Sound Management" of pesticides wastes" means taking all practical steps to ensure that wastes are collected, transported, and disposed of (including after-care of disposal sites) in a manner which will protect human health and the environment against the adverse effects which may result from such wastes.

ARTICLE I (Bis)

Preservation of Rights

The provisions of this Regional Plan shall be without prejudice to stricter provisions respecting the elimination of aldrin, chlordane, dieldrin, endrin, heptachlor, mirex and toxaphene contained in other existing of future national, regional or international instruments or programmes.

ARTICLE II

Measures

1. The Parties shall prohibit and/or take legal and administrative measures necessary to eliminate:

(a) the production and use of the chemicals listed in Appendix A, subject to the provisions of that Appendix; and

(b) the import and export of the chemicals listed in Appendix A and their wastes, in accordance with paragraph 2 of this article.

2. The Parties shall ensure that a chemical as active substance and or as a waste listed in Appendix A is imported or exported only:

(a) for the purpose of environmentally sound disposal according to the provisions of the Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

3. The Parties shall take appropriate measures so that such wastes, including products and articles upon becoming wastes, are:

(a) handled, collected, transported and stored in an environmentally sound manner;

(b) disposed of in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of persistent organic pollutants or otherwise disposed of in an environmentally sound manner when destruction or irreversible transformation does not represent the environmentally preferable option or the persistent organic pollutant content is low, taking into account international rules, standards, and guidelines, and relevant global and regional regimes governing the management of hazardous wastes and the Basel Convention;

(c) not permitted to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants; and

(d) not transported across international boundaries without taking into account relevant international rules, standards and guidelines.

4. The Contracting Parties shall endeavor to apply BAT and BEPs for environmentally sound management of POPs listed in Appendix A. In doing so, the information provided in Appendix B shall, among others, be used.

5. The Parties shall ensure that their competent authorities or appropriate bodies shall monitor the implementation of the measures.

ARTICLE III

Timetables for implementation

Each Party shall implement the measures to eliminate the chemicals listed in Appendix A by the 17th Meeting of the Contracting Parties, in 2011 and their chemical wastes and stock piles by 31 December 2012 at the latest.

ARTICLE IV

Reporting

In conformity with Article 26 of the Convention and Article 13, paragraph 2(d), the Parties shall report on a biannual basis on the implementation of the above measures and on their effectiveness. The Contracting Parties should review the status of implementation of these measures in 2011.

ARTICLE V

Technical Assistance

For the purpose of facilitating the implementation of the measures, capacity building including transfer of know how and technology will be provided by the countries and the Secretariat. Priority will be given to those Parties who have ratified the LBS Protocol.

ARTICLE VI

Identification of Stock Piles

The Parties should identify, to the extent practicable, stock piles consisting of or containing chemicals listed in Appendix A, and they should report to the Secretariat of the Barcelona Convention before 30 June 2010.

ARTICLE VII

Entry into Force

The Regional Plan shall enter into force and become binding on the 180th day following the day of notification by the Secretariat in accordance with Article 15, paragraphs 3 and 4, of the LBS Protocol.

APPENDIX A

Part I – List of Chemicals Subject to Elimination, and Specific Exemptions.

| CHEMICAL | ACTIVITY | SPECIFIC EXEMPTIONS^{a b} |
|--------------------------------|-----------------|--|
| Aldrin CAS No: 309-00-2 | Production | None |
| | Use | None |
| Chlordane CAS No: 57-74-9 | Production | None |
| | Use | None |
| Dieldrin CAS No: 60-57-1 | Production | None |
| | Use | None |
| Endrin CAS No: 72-20-8 | Production | None |
| | Use | None |
| Heptachlor CAS No: 76-44-8 | Production | None |
| | Use | None |
| Mirex CAS No: 2385-85-5 | Production | None |
| | Use | None |
| Toxaphene CAS No: 8001-35-2 | Production | None |
| | Use | None |

^a Exemption can be granted for quantities to be used for laboratory-scale research or as a reference standard.

^b Except quantities of a chemical occurring as unintentional trace contaminants in products and articles shall not be considered to be listed in this Annex

APPENDIX B

BAT and BEP for Environmentally Sound Management of POP Pesticides

A. Several BAT and BEP for the phasing out of Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Mirex, Toxaphene are hereby described:

1. Develop appropriate strategies to identify:
 - a) Stockpiles consisting of or containing chemicals listed in Annex A;
 - b) Products and articles in use and wastes consisting of or containing chemicals listed in Annex A;
2. Minimize cross-contamination which may affect the choice of available destruction options. Managers of collection points and consolidation stores shall ensure segregation of pesticides waste by trained personnel on the basis of:
 - a) label information where pesticides waste is in its original container with a definitive label;
 - b) or indicative analytical tests, where label information is not available.
3. Waste pesticide holders, including farmers and householders, shall be responsible for the sound management of that waste which is in their possession;
4. Persistent organic pesticide waste must be segregated from other categories of waste that may be collected in any collection program;
5. Mixing or bulking of pesticides waste shall not occur unless the waste has been positively identified by individual or composite sampling and analysis techniques;
6. Managers of collection points and consolidation stores shall adopt and employ emergency containment and clean-up procedures for the accidental release of pesticides waste into the environment, as approved by the national authority;
7. Pesticides waste in consolidation stores shall be consigned, within one year of the starting date, for destruction by a licensed destruction facility, unless the national authority determines that viable destruction facilities are not available in the country;

B. The BAT and BEP list mentioned above is not exhaustive; more extensive information is described in the UNEP/MAP Technical Report n° 155 Plan for the management of PCB waste and nine pesticides for the Mediterranean Region.

The Parties shall add to and exchange information on, other strategies and/or practices helpful to the phase out of the pesticides concerned.

Draft decision VIII**"Regional Plan on the phasing out of DDT in the framework of the implementation of Article 15 of the LBS Protocol"**

The 16th Meeting of the Contracting Parties,

Recalling Article 8 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean as amended in Barcelona 1995, hereinafter referred to as the Barcelona Convention,

Recalling Annex 1.C of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities hereinafter referred to as the LBS Protocol,

Recalling further the decision 17/8 of the 15th Meeting of the Contracting Parties entitled (Almeria, Spain, January 2008) "Implementation of NAPs and the preparation of legally binding measures and timetables required by Art.15 of the LBS Protocol",

Taking into account the pertinent provisions of the relevant international environmental conventions, especially the Stockholm Convention on Persistent Organic Pollutants, and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,

Taking full account of the National Implementation Plans in course of development or already developed by the Parties under the Stockholm Convention on Persistent Organic Pollutants,

Noting that the present use of DDT by the Parties is mostly limited, according to countries' information,

Noting also the different capabilities of the Parties to undertake measures, as well as their common but differentiated responsibilities,

Considering that the precautionary principle underlies the concerns of all the Parties of the Mediterranean Action Plan,

Considering that in spite of the actions already taken at regional and national level, these substances may still enter the marine environment by an insufficient management of stockpiles and wastes, however, in decreasing amounts,

Recognizing that DDT is persistent organic pollutant that possess toxic properties, resist degradation, bioaccumulate and are transported widely,

Fully aware of the health concerns resulting from local exposure to persistent organic pollutants,

Recognizing the special hydrographical and ecological characteristics of the Mediterranean Sea Area,

Conscious of the need of developing regional regulatory measures for hazardous pesticides in close cooperation with other relevant international environmental agreements,

Decides to adopt the Regional Plan on the phasing out of DDT in the framework of the implementation of Article 15 of the LBS Protocol together with its Annexes hereinafter referred to as the Regional Plan, which are contained in the **Annex** to this decision,

Invites the Contracting Parties to take the necessary measures to the implementation of this Regional Plan.

ANNEX

Regional Plan on the phasing out of DDT in the framework of the implementation of Article 15 of the LBS Protocol

ARTICLE I

Definitions of Terms

- (a) "DDT" is a synthetic pesticide (Dichloro-Diphenyl-Trichloroethane; 1,1,1-Trichloro-2,2-bis-(4-chlorophenyl)-ethane; CAS Nr. 50-29-3). The technical product is a mixture of about 85% pp'-DDT and 15% op'-DDT isomers. In the environment, the product is broken down and metabolized mainly to its derivatives DDD and DDE.
- (b) "Persistent Organic Pollutants (POPs)" are organic compounds from natural or anthropogenic origin that possess toxic properties, resist physical, chemical and biological degradation, bioaccumulate in high concentrations through the food web and are transported through air, water and migratory species, reaching regions where they have never been produced or used; their high persistence pose a risk of causing adverse effects to the environment and human health.
- (c) "Wastes" means substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law.
- (d) "Environmentally sound management" of pesticides wastes" means taking all practical steps to ensure that wastes are collected, transported, and disposed of (including after-care of disposal sites) in a manner which will protect human health and the environment against the adverse effects which may result from such wastes.

ARTICLE I (Bis)

Preservation of Rights

The provisions of this Regional Plan shall be without prejudice to stricter provisions respecting the phasing out of DDT contained in other existing or future national, regional or international instruments or programmes.

ARTICLE II

Measures

1. The Parties shall prohibit and/or take legal and administrative measures necessary to eliminate:
 - (a) the production and use of DDT, subject to the provisions of Appendix A; and
 - (b) the import and export of DDT and its waste in accordance with paragraph 2 of this article
2. The Parties shall ensure that this chemical as an active substance or as a waste is imported or exported only:

- (a) for the purpose of environmentally sound disposal according to the provisions of the Protocol on the Prevention of Pollution of the Mediterranean sea by Transboundary Movements of Hazardous Wastes and their Disposal and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,
- (b) for a use or purpose which is permitted for that Party under Appendix A.
3. The Parties shall take appropriate measures so that such DDT waste, including products and articles upon becoming wastes, are:
- (a) handled, collected, transported and stored in an environmentally sound manner;
- (b) disposed of in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of persistent organic pollutants or otherwise disposed of in an environmentally sound manner when destruction or irreversible transformation does not represent the environmentally preferable option or the persistent organic pollutant content is low, taking into account international rules, standards, and guidelines, and relevant global and regional regimes governing the management of hazardous wastes;
- (c) not permitted to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants; and
- (d) not transported across international boundaries without taking into account relevant international rules, standards and guidelines.
4. The Contracting Parties shall endeavor to apply BAT and BEPs for environmentally sound management of POPs listed in Appendix A. In doing so, the information provided in Appendix B shall, among others, be used.
5. The Parties shall ensure that their competent authorities or appropriate bodies monitor the implementation of the measures.

ARTICLE III

Timetables for Implementation

Each Party shall implement the measures to eliminate DDT by the 17th Meeting of the Contracting Parties, in 2011 and the chemical waste and stock piles by 31 December 2012 at the latest.

ARTICLE IV

Reporting

In conformity with Article 26 of the Convention and Article 13, paragraph 2(d), of the LBS Protocol, the Parties shall report on a biannual basis on the implementation of the above measures and on their effectiveness. The Contracting Parties should review the status of implementation of these measures in 2011.

ARTICLE V

Technical Assistance

For the purpose of facilitating the implementation of the measures, capacity building including transfer of know how and technology would be provided by the Parties and the Secretariat. Priority would be given to those Parties who have ratified the LBS Protocol.

ARTICLE VI

Identification of Stock Piles

The Parties should identify to the extent practicable stock piles consisting of or containing DDT and they should report to the Secretariat of the Barcelona Convention before 30 June 2010.

ARTICLE VII

Entry into Force

The regional plan shall enter into force and become binding on the 180th day following the day of notification by the Secretariat in accordance with Article 15, paragraphs 3 and 4, of the LBS Protocol.

APPENDIX A

List of Accepted Purposes and Specific Exemptions for DDT.

| CHEMICAL | ACTIVITY | SPECIFIC EXEMPTIONS ^{a b} |
|-------------------------------|---|------------------------------------|
| DDT CAS No: 50-29-3 | | |
| | Use in emergency circumstances ¹ | Disease vector control |

^a Exemption can be granted for quantities to be used for laboratory-scale research or as a reference standard.

¹ In emergency circumstances, a concerned Party should inform the Contracting Parties through the Secretariat of the Barcelona Convention, the Stockholm Convention and WHO according to their procedures.

^b Except quantities of the chemical occurring as unintentional trace contaminants in products and articles shall not be considered to be listed in this Annex.

APPENDIX B

Best Environmental Practices (BEP) for Environmentally Sound Management of DDT Wastes

- A. Several BEPs for the phasing out of DDT are hereby described:
1. Develop appropriate strategies to identify:
 - i. Stockpiles consisting of or containing DDT and its derivatives;
 - ii. Products in use and wastes consisting of or containing DDT;
 2. Minimize cross-contamination which may affect the choice of available destruction options. Managers of collection points and consolidation stores shall ensure segregation of DDT waste by trained personnel on the basis of:
 - i. label information where DDT waste is in its original container with a definitive label;
 - ii. or indicative analytical tests, where label information is not available.
 3. Waste pesticide holders, including farmers and householders, shall be responsible for the sound management of that waste which is in their possession.
 4. DDT waste must be segregated from other categories of waste that may be collected in any collection programme.
 5. Mixing or bulking of DDT waste shall not occur unless the waste has been positively identified by individual or composite sampling and analysis techniques.
 6. Managers of collection points and consolidation stores shall adopt and employ emergency containment and clean-up procedures for the accidental release of DDT waste into the environment, as approved by the national authority.
 7. Endeavour to develop appropriate strategies to identify sites contaminated by DDT and its derivatives. Remediation should be undertaken in an environmentally sound manner.
 8. DDT waste in consolidation stores shall be consigned, within one year of the starting date, for destruction by a licensed destruction facility, unless the national authority determines that viable destruction facilities are not available in the country.

B. The BEP list above mentioned is not exhaustive; more extensive and detailed information is described in the MAP Technical Report n° 155 Plan for the Management of PCB Waste and Nine Pesticides for the Mediterranean Region, in the Stockholm Convention on Persistent Organic Convention (Annex B Part II), and in the Basel Convention Technical guidelines for the Environmentally Sound Management of Wastes Consisting of, Containing or Contaminated with DDT.

The Parties shall add to, and exchange information on, other strategies and/or practices helpful to the phase out of the pesticides concerned.

Draft decision IX

“Regional strategy on ships’ ballast water management in the Mediterranean”

Desirous of preventing, minimizing and ultimately eliminating in the Mediterranean region the risks to the environment, human health, property and resources arising from the transfer of harmful aquatic organisms and pathogens through the control and management of ships’ ballast water and sediments,

Recalling the objectives of the International Convention for the Control and Management of Ships’ Ballast Water Management and Sediments, 2004 and particularly its Article 13 whereby, to achieve these objectives, *“the Parties bordering enclosed and semi-enclosed seas, shall endeavor, taking into account characteristic regional features, to enhance regional co-operation, including through the conclusion of regional agreements”*,

Noting that the Mediterranean region is one of the six high priority regions included in the GEF/UNDP/IMO Project entitled *“Building Partnerships to Assist Developing Countries to Reduce the Transfer of Harmful Aquatic Organisms in Ships’ Ballast Water”* (*“GloBallast Partnerships” Project*),

Further noting that the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) was designated as the Regional Coordination Organization for the implementation of the GloBallast Partnerships Project in the Mediterranean in collaboration with the Regional Activity Centre for Specially Protected Areas (RAC/SPA),

Acknowledging the advanced status of implementation of the GloBallast Partnerships Project in the Mediterranean, and particularly the work undertaken by the Mediterranean GloBallast Regional Task Force, with the support of REMPEC, towards the development of a regional strategy on ships’ ballast water management and invasive species in the Mediterranean,

Considering that the 9th Meeting of the Focal Points of REMPEC recommended to present the initiative to the Ordinary Meeting of the Contracting Parties to the Barcelona Convention,

Agrees on the necessity of developing a regional strategy on ships’ ballast water to address the transfer of harmful aquatic organisms and pathogens in the Mediterranean;

Decides to develop a regional strategy on ships’ ballast water management in the Mediterranean within the Mediterranean Action Plan (MAP);

Encourages the Mediterranean GloBallast Regional Task Force to endeavor to finalise such regional strategy as soon as possible, for possible adoption by the 17th Ordinary Meeting of the Contracting Parties to the Barcelona Convention;

Recommends establishing and maintaining a dialogue with other regional seas agreements, particularly with the Convention on the Protection of the Black Sea against Pollution and with the Regional Convention for the Conservation of the Red Sea and Gulf of Aden Environment, in order to ensure efficient handling of the issue of ships’ ballast water management.

Draft decision X

"Amendments of the list of Annexes II and III of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean"

The 16th Meeting of the Contracting Parties,

Recalling Articles 14 and 16 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, hereinafter referred to as the "Protocol", on the adoption of common criteria for the inclusion of additional species in Annexes II and III to the Protocol,

Recalling the recommendation adopted by the 14th Meeting of the Contracting Parties (Portoroz, November 2005) that approved the principle of modifying the lists of species included in Annexes II and III to the Protocol on the basis of criteria to be established, and the decision to adopt these criteria, approved during the 15th Meeting of the Contracting Parties (Almeria, January 2008),

Being aware of the need to ensure that the lists of species appearing in Annexes II and III to the Protocol are updated, taking into account both the evolution of the conservation status of species and the emergence of new scientific data,

Taking into account, the request made to the Regional Activity Centre for Specially Protected Areas, hereinafter referred to as "RAC/SPA", to evaluate the status of the species listed in Annexes II and III to the Protocol, using the adopted Common Criteria, with a view to submitting an evaluation report and related recommendations for the consideration of the next meeting of the SPA/RAC Focal points in 2009,

Noticing the results presented by RAC/SPA during this meeting (UNEP(DEPI)/MED WG.331/6),

Taking into account the considerations, remarks and reserves made by the national Focal Points for SPA/RAC during their last meeting (Floriana, June 2009) as indicated in annex to this decision,

Recalling Article 17 of the Barcelona convention on the process to amend annexes of the Protocol and corresponding Article 14,

Decides according to the application of Article 17 of the Barcelona convention and of the article 14 of the Protocol SPA/BD, to amend the Annexes II and III of the Protocol. In conformity with this amendment, the Annexes II and III will be as indicated in the list attached to this decision

Invites the Depository to communicate without delay to all the Contracting Parties the adopted amendments.

Requests SPA/RAC to assist the Parties to implement this decision.

List of endangered or threatened species – Annex II. *

| |
|--|
| Magnoliophyta |
| [<i>Cymodocea nodosa</i> (Ucria) Ascherson#] <i>Posidonia oceanica</i> (Linnaeus) Delile <i>Zostera marina</i> Linnaeus <i>Zostera noltii</i> Hornemann |
| Chlorophyta |
| <i>Caulerpa ollivieri</i> Dostál |
| Heterokontophyta |
| ²⁰ <i>Cystoseira</i> genus (except <i>Cystoseira compressa</i>) [<i>Fucus virsoides</i> J. Agardh#] [<i>Gymnogongrus crenulatus</i> (Turner) J. Agardh#] [<i>Kallymenia spathulata</i> (J. Agardh) P.G. Parkinson#] [<i>Laminaria rodriguezii</i> Bornet#] [<i>Sargassum acinarium</i> (Linnaeus) Setchell#] [<i>Sargassum flavifolium</i> Kützing#] [<i>Sargassum hornschurchii</i> C. Agardh#] [<i>Sargassum trichocarpum</i> J. Agardh#] [<i>Sphaerococcus rhizophylloides</i> J.J. Rodríguez#] |
| Rhodophyta |
| <i>Lithophyllum byssoides</i> (Lamarck) Foslie* (Synon. <i>Lithophyllum lichenoides</i>) <i>Ptilophora mediterranea</i> (H. Huvé) R.E. Norris <i>Schimmelmannia schousboei</i> (J. Agardh) J. Agardh [<i>Tenarea tortuosa</i> (Esper) Lemoine#] <i>Titanoderma ramosissimum</i> (Heydrich) Bressan & Cabioch* (Synon. <i>Goniolithon byssoides</i>) [<i>Titanoderma trochanter</i> (Bory) Benhissoune et al.#] |
| Porifera |
| <i>Aplysina</i> sp. plur. <i>Asbestopluma hypogea</i> Vacelet & Boury-Esnault, 1995 <i>Axinella cannabina</i> (Esper, 1794) <i>Axinella polypoides</i> Schmidt, 1862 <i>Geodia cydonium</i> (Jameson, 1811) <i>Petrobiona massiliana</i> (Vacelet & Lévi, 1958) <i>Sarcotragus foetidus</i> Schmidt, 1862* (synon. <i>Ircina foetida</i>) <i>Sarcotragus pipetta</i> (Schmidt, 1868)* (synon. <i>Ircinia pipetta</i>) <i>Tethya</i> sp. plur. |
| Cnidaria |
| <i>Astroides calycularis</i> (Pallas, 1766) <i>Errina aspera</i> (Linnaeus, 1767) <i>Savalia savaglia</i> Nardo, 1844* (synon. <i>Gerardia savaglia</i>) |
| Bryozoa |
| <i>Hornera lichenoides</i> (Linnaeus, 1758) |

* Amendments made according to taxonomic changes. Species included in the Annex in 2009. During the MAP Focal Points meeting (Athens, 7-10 July 2009), two Contracting Parties have entered reservations: the EC, pending the European Council approval and Malta with regards to two species included in Annex II (*Cymodocea nodosa*, *Cystoseiras* species).

²⁰ It was proposed to replace all the *Cystoseira* species (5 yet included in Annexe II and 23 proposed for inclusion in 2009) by the genus *Cystoseira* excepted the species *Cystoseira compressa*

| |
|---|
| Mollusca |
| <i>Charonia lampas</i> (Linnaeus, 1758) (= <i>Ch. Rubicunda</i> = <i>Ch. Nodifera</i>) <i>Charonia tritonis variegata</i> Lamarck, 1816 (= <i>Ch. Seguenziae</i>) <i>Dendropoma petraeum</i> (Monterosato, 1884) <i>Erosaria spurca</i> (Linnaeus, 1758) <i>Gibbula nivosa</i> A. Adams, 1851 <i>Lithophaga lithophaga</i> (Linnaeus, 1758) <i>Luria lurida</i> (Linnaeus, 1758) (= <i>Cypraea lurida</i>) <i>Mitra zonata</i> Marryat, 1818 <i>Patella ferruginea</i> (Gmelin, 1791) <i>Patella nigra</i> (Da Costa, 1771) <i>Pholas dactylus</i> (Linnaeus, 1758) <i>Pinna nobilis</i> (Linnaeus, 1758) <i>Pinna rudis</i> (= <i>P. pernula</i>) (Linnaeus, 1758) <i>Ranella olearia</i> (Linnaeus, 1758) <i>Schilderia achatidea</i> (Gray in G.B. Sowerby II, 1837) <i>Tonna galea</i> (Linnaeus, 1758) <i>Zonaria pyrum</i> (Gmelin, 1791) |
| Crustacea |
| <i>Ocypode cursor</i> (Linnaeus, 1758) <i>Pachylasma giganteum</i> (Philippi, 1836) |
| Echinodermata |
| <i>Asterina pancerii</i> (Gasco, 1870) <i>Centrostephanus longispinus</i> (Philippi, 1845) <i>Ophidiaster ophidianus</i> (Lamarck, 1816) |

| |
|---|
| Pisces |
| <i>Acipenser naccarii</i> (Bonaparte, 1836) <i>Acipenser sturio</i> (Linnaeus, 1758) <i>Aphanius fasciatus</i> (Valenciennes, 1821) <i>Aphanius iberus</i> (Valenciennes, 1846) [<i>Carcharias taurus</i> (Rafinesque, 1810)#] <i>Carcharodon carcharias</i> (Linnaeus, 1758) <i>Cetorhinus maximus</i> (Gunnerus, 1765) [<i>Dipturus batis</i> (Linnaeus, 1758)#] [<i>Gymnura altavela</i> (Linnaeus, 1758)#] <i>Hippocampus guttulatus</i> (Cuvier, 1829)* (synon. <i>Hippocampus ramulosus</i>) <i>Hippocampus hippocampus</i> (Linnaeus, 1758) <i>Huso huso</i> (Linnaeus, 1758) [<i>Isurus oxyrinchus</i> (Rafinesque, 1810)#] [<i>Lamna nasus</i> (Bonnaterre, 1788)#] <i>Lethenteron zanandreaei</i> (Vladykov, 1955) [<i>Leucoraja circularis</i> (Couch, 1838)#] [<i>Leucoraja melitensis</i> (Clark, 1926)#] <i>Mobula mobular</i> (Bonnaterre, 1788) [<i>Odontaspis ferox</i> (Risso, 1810)#] [<i>Oxynotus centrina</i> (Linnaeus, 1758)#] <i>Pomatoschistus canestrini</i> (Ninni, 1883) <i>Pomatoschistus tortonesei</i> (Miller, 1969) [<i>Pristis pectinata</i> (Latham, 1794)#] [<i>Pristis pristis</i> (Linnaeus, 1758)#] [<i>Rostroraja alba</i> (Lacépède, 1803)#] [<i>Sphyrna lewini</i> (Griffith & Smith, 1834)#] [<i>Sphyrna mokarran</i> (Rüppell, 1837)#] [<i>Sphyrna zygaena</i> (Linnaeus, 1758)#] [<i>Squatina aculeata</i> (Dumeril, in Cuvier, 1817)#] [<i>Squatina oculata</i> (Bonaparte, 1840)#] [<i>Squatina squatina</i> (Linnaeus, 1758)#], <i>Valencia hispanica</i> (Valenciennes, 1846) <i>Valencia letourneuxi</i> (Sauvage, 1880) |
| Reptiles |
| <i>Caretta caretta</i> (Linnaeus, 1758) <i>Chelonia mydas</i> (Linnaeus, 1758) <i>Dermochelys coriacea</i> (Vandelli, 1761) <i>Eretmochelys imbricata</i> (Linnaeus, 1766) <i>Lepidochelys kempii</i> (Garman, 1880) <i>Trionyx triunguis</i> (Forskål, 1775) |

| Aves |
|--|
| <i>Calonectris diomedea</i> (Scopoli, 1769) |
| <i>Ceryle rudis</i> (Linnaeus, 1758)# |
| <i>Charadrius alexandrinus</i> (Linnaeus, 1758)# |
| <i>Charadrius leschenaultii columbinus</i> (Lesson, 1826)# |
| <i>Falco eleonora</i> (Géné, 1834) |
| <i>Halcyon smyrnensis</i> (Linnaeus, 1758)# |
| <i>Hydrobates pelagicus</i> (Linnaeus, 1758) |
| <i>Larus armenicus</i> (Buturlin, 1934)# |
| <i>Larus audouinii</i> (Payraudeau, 1826) |
| <i>Larus genei</i> (Breme, 1839)# |
| <i>Larus melanocephalus</i> (Temminck, 1820)# |
| <i>Numenius tenuirostris</i> (Viellot, 1817) |
| <i>Pandion haliaetus</i> (Linnaeus, 1758) |
| <i>Pelecanus crispus</i> (Bruch, 1832) |
| <i>Pelecanus onocrotalus</i> (Linnaeus, 1758) |
| <i>Phalacrocorax aristotelis</i> (Linnaeus, 1761) |
| <i>Phalacrocorax pygmeus</i> (Pallas, 1773) |
| <i>Phoenicopterus ruber</i> (Linnaeus, 1758) |
| ²¹ <i>Puffinus mauretanicus</i> (Lowe, PR, 1921)* |
| <i>Puffinus yelkouan</i> (Brünnich, 1764)* |
| <i>Sterna albifrons</i> (Pallas, 1764) |
| <i>Sterna bengalensis</i> (Lesson, 1831) |
| <i>Sterna caspia</i> (Pallas, 1770)# |
| <i>Sterna nilotica</i> (Gmelin, JF, 1789)# |
| <i>Sterna sandvicensis</i> (Latham, 1878) |
| Mammalia |
| <i>Balaenoptera acutorostrata</i> (Lacépède, 1804) |
| <i>Balaenoptera borealis</i> (Lesson, 1828) |
| <i>Balaenoptera physalus</i> (Linnaeus, 1758) |
| <i>Delphinus delphis</i> (Linnaeus, 1758) |
| <i>Eubalaena glacialis</i> (Müller, 1776) |
| <i>Globicephala melas</i> (Trail, 1809) |
| <i>Grampus griseus</i> (Cuvier G., 1812) |
| <i>Kogia simus</i> (Owen, 1866) |
| <i>Megaptera novaeangliae</i> (Borowski, 1781) |
| <i>Mesoplodon densirostris</i> (de Blainville, 1817) |
| <i>Monachus monachus</i> (Hermann, 1779) |
| <i>Orcinus orca</i> (Linnaeus, 1758) |
| <i>Phocoena phocoena</i> (Linnaeus, 1758) |
| <i>Physeter macrocephalus</i> (Linnaeus, 1758) |
| <i>Pseudorca crassidens</i> (Owen, 1846) |
| <i>Stenella coeruleoalba</i> (Meyen, 1833) |
| <i>Steno bredanensis</i> (Cuvier in Lesson, 1828) |
| <i>Tursiops truncatus</i> (Montagu, 1821) |
| <i>Ziphius cavirostris</i> (Cuvier G., 1832) |

²¹ *Puffinus yelkouan* at the time of its inscription on Annex II, two sub-species were included: *Puffinus mauretanicus* et *Puffinus yelkouan* which today are considered as two different species

List of species whose exploitation is regulated – Annex III. *

| |
|---|
| Porifera |
| <i>Hippospongia communis</i> (Lamarck, 1813) <i>Spongia (Spongia) lamella</i> (Schulze, 1872)* (synon. <i>Spongia agaricina</i>) <i>Spongia (Spongia) officinalis adriatica</i> (Schmidt, 1862)* <i>Spongia (Spongia) officinalis officinalis</i> (Linnaeus, 1759)* <i>Spongia (Spongia) zimocca</i> (Schmidt, 1862) |
| Cnidaria |
| <i>Antipathes</i> sp. plur. <i>Corallium rubrum</i> (Linnaeus, 1758) |
| Crustacea |
| <i>Homarus gammarus</i> (Linnaeus, 1758) <i>Maja squinado</i> (Herbst, 1788) <i>Palinurus elephas</i> (Fabricius, 1787) <i>Scyllarides latus</i> (Latreille, 1803) <i>Scyllarus arctus</i> (Linnaeus, 1758) <i>Scyllarus pygmaeus</i> (Bate, 1888) |
| Echinodermata |
| <i>Paracentrotus lividus</i> (Lamarck, 1816) |
| Pisces |
| [<i>Alopias vulpinus</i> (Bonnaterre, 1788)#] <i>Alosa alosa</i> (Linnaeus, 1758) <i>Alosa fallax</i> (Lacépède, 1803) <i>Anguilla anguilla</i> (Linnaeus, 1758) [<i>Carcharhinus plumbeus</i> (Nardo, 1827)#] [<i>Centrophorus granulosus</i> (Bloch & Schneider, 1801)#] <i>Epinephelus marginatus</i> (Lowe, 1834) [<i>Galeorhinus galeus</i> (Linnaeus, 1758)#] [<i>Heptranchias perlo</i> (Bonnaterre, 1788)#] <i>Lampetra fluviatilis</i> (Linnaeus, 1758) [<i>Mustelus asterias</i> (Cloquet, 1821)#] [<i>Mustelus mustelus</i> (Linnaeus, 1758)#] [<i>Mustelus punctulatus</i> (Risso, 1826)#] <i>Petromyzon marinus</i> Linnaeus, 1758 <i>Prionace glauca</i> (Linnaeus, 1758) [<i>Raja undulata</i> (Lacépède, 1802)#] [<i>Rhinobatos cemiculus</i> E. Geoffroy (Saint-Hilaire, 1817)#] [<i>Rhinobatos rhinobatos</i> (Linnaeus, 1758)#] <i>Sciaena umbra</i> (Linnaeus, 1758) [<i>Squalus acanthias</i> (Linnaeus, 1758)#] <i>Thunnus thynnus</i> (Linnaeus, 1758) <i>Umbrina cirrosa</i> (Linnaeus, 1758) <i>Xiphias gladius</i> (Linnaeus, 1758) |

* Amendments made according to taxonomic changes

Draft decision XI**"Regarding a regional working programme for the coastal and marine protected areas in the Mediterranean including the High Sea"**

The 16th Meeting of the Contracting Parties,

Recalling the objectives of the strategic plan of the Convention on Biological Diversity and of the Millennium Development Goals with regard to the protection of biodiversity and the creation of marine protected areas, approved and adopted in 2002, and also the recommendations adopted by the Contracting Parties to the Barcelona Convention on implementation of the Mediterranean Strategy for Sustainable Development and of the Strategic Action Programme for the Conservation of Biological Diversity in the Mediterranean,

Taking into account the recommendation adopted during the 14th ordinary meeting of Contracting Parties to the Barcelona Convention (Portoroz, november 2005) which invited the Regional Activity Centre for Specially Protected Areas, called RAC/SPA hereinafter, to elaborate a programme of work for the development of marine protected areas (MPAs) aimed at supporting the Mediterranean countries to achieve the CBD's 2012 target by establishing a representative network of MPAs in the Mediterranean Sea,

Recalling the Almeria declaration, adopted during the 15th meeting of the Contracting Parties (Almeria 2008) to identify by 2011 the coastal and marine species and habitats that are most sensitive to the changes that will result from the various scenarios described by the Intergovernmental Panel on Climate Change and to promote measures for the establishment of a comprehensive and coherent Mediterranean network of coastal and marine protected areas by 2012

Decides to adopt the regional working programme elaborated by RAC/SPA and its partners, as hereinafter included,

Invites the Contracting Parties to implement this working programme,

Requests SPA/RAC in coordination with the partner organizations, to support countries with the technical and, where possible, financial assistance to undertake the activities of the programme of work.

Annex
**Proposal regarding a regional working programme for the Coastal and Marine
Protected Areas in the Mediterranean Sea**

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FOREWORD

The Parties to the CBD agreed in 2004 to take action to address the under representation of marine ecosystems in the global network of protected areas. In this context, they adopted the 2012 target for MPAs that invites countries to achieve by 2012 a global network of comprehensive, representative and effectively managed national and regional protected area system.

During their 14th ordinary meeting (Portoroz, Slovenia, November 2005) the Contracting Parties to the Barcelona Convention invited the Regional Activity Centre for Specially Protected Areas (RAC/SPA) to elaborate a programme of work for the development of marine protected areas (MPAs) aimed at supporting the Mediterranean countries to achieve the CBD's 2012 target by establishing a representative network of MPAs in the Mediterranean Sea.

The draft programme of work presented hereinafter was elaborated by RAC/SPA in consultation with the IUCN Centre for Mediterranean Cooperation, WWF-MedPo, MedPAN and ACCOBAMS. It takes into account the information on MPAs available in the databases and documentation of these organisations. The 9th Meeting of the NFP for SPA (Malta, 3-6 June 2009) reviewed the draft programme and decided to submit it for adoption to the Contracting Parties.

After the adoption of this programme of work, the onus will be on the national authorities of the Contracting Parties to implement it. The partner organisations that participated in its elaboration will provide the Mediterranean countries, upon their request, with the technical and, where possible, financial assistance to undertake the activities of the programme of work.

The first step in the implementation of the programme of work will be an Assessment of the representativity and effectiveness of the existing Mediterranean network of marine and coastal Protected Areas.

Section 1: Designing Ecological Networks of MPAs in the Mediterranean Sea

EXECUTIVE SUMMARY

With this document we identify sets of criteria to aid in the creation of representative networks of marine protected areas (MPAs) in the Mediterranean Sea. Such action is needed to enable the RAC/SPA to comply with the request made in 2005 by the Contracting Parties to the Barcelona Convention, to develop a programme of work for the development of marine protected areas (MPAs) aimed at supporting the region's nations to implement by 2012 a representative network of MPAs in the Mediterranean Sea.

We recommend adopting a three-step hierarchical planning approach, which begins at the large scale and focuses in on ever-smaller scales. 1. At the widest scale, in this case that of the Mediterranean Basin, the baseline for designing an ecological network will involve the identification of large scale ecological units. The purpose of this is to recognize ecological distinctions between different parts of the Sea, and ensure that something that is called a "Mediterranean Network of MPAs" is truly comprehensive and representative of all of its sub-regions. 2. At the next scale, priority conservation areas should be identified within each ecological unit. These areas would not constitute MPAs themselves, but would be focal areas for individual MPA networks. 3. Once such priority conservation areas are identified, the task of identifying sites to develop true ecological networks can be initiated. Individual MPAs within these networks should protect what is ecologically most important – i.e., they should focus on habitats where a concentration of ecological processes results in a high diversity of species. To become a network, it will be important not only to establish MPAs to protect these key areas, but also to maintain the ecological linkages between these areas.

To address the selection of priority areas, we require a review of existing classifications, defining the nesting strategy considering from the finest classification scale to the regional scale. We describe steps related to production of maps; the set of variables with adequate set of data and environmental drivers; using as a principle data if these are available and if not use proxies; defining synergies and overlaps with any existing sub-regional classifications. We also intend to provide a brief overview of the general principles for the two realms (pelagic/benthic) and the different classification systems, making explicit which criteria were used by the benthic group to separate the two bathyal zones: the upper and lower bathyal; and make explicit the role of biological data leading to the results.

Concerning the identification of *priority conservation areas* within each ecological units seven criteria which have been previously proposed could be used in the Mediterranean: uniqueness or rarity; special importance for life history stages of species; importance for threatened, endangered or declining species and/or habitats; vulnerability, fragility, sensitivity or slow recovery; biological productivity; biological diversity; and naturalness.

Once the Mediterranean priority conservation areas have been identified within each ecological unit, qualitative and/or quantitative techniques can be iteratively used to identify sites where MPAs should be established to constitute the network (third step). Area selection should proceed through two phases: first, selection should reflect the areas' recognised ecological importance, vulnerability, and address the requirements of ecological coherence through: representativity; connectivity; and replication. Second, the adequacy and viability of the selected sites should be assessed by considering their size, shape, boundaries, buffering, and appropriateness of the site management regime.

INTRODUCTION

Context

During their 14th Ordinary Meeting in Portoroz, Slovenia, in November 2005 the Contracting Parties to the Barcelona Convention requested the Regional Activity Centre for Specially Protected Areas (RAC/SPA) to develop a programme of work for the development of marine protected areas (MPAs) aimed at supporting the region's nations to implement by 2012 a representative network of MPAs in the Mediterranean Sea.

Complying with the request from the Barcelona Convention Parties will involve the implementation of a number of different actions, including a greater integration of SAP BIO in the RAC/SPA actions, in particular concerning the creation of networks of MPAs, the strengthening of existing MPAs and the establishment of new MPAs.

Within this framework, we have been requested by the RAC/SPA to support its efforts by identifying criteria for the establishment of a representative network of MPAs in the Mediterranean, as well as proposing guidelines of a medium-term (5 years) programme of work designed to facilitate the creation of new MPAs to integrate the networks.

There is growing consensus in the marine conservation community that strategically designed MPA networks confer huge advantages over single MPAs. Networks can potentially provide maximal conservation benefit by providing the strictest possible protections for the most ecologically important areas, the most environmentally sensitive habitats, and/or the most vulnerable species. Heightened protections may be more feasible through MPA networks than through individual MPAs because while the total target area spanning a network may be large, the actual amount of restricted access or use over that large area is relatively small.

Networks have other benefits as well. They collectively constitute a spatial management tool that can be used to conserve highly migratory or mobile species, wherein key habitats for various life stages of a target organism are preserved. Alternatively, networks can be used to ensure that all representative habitat types within a country's jurisdiction or within a region are conserved. Networks can provide economies of scale for training personnel and provide a mechanism for linking individuals and institutions, facilitate cross-project learning, and allow more integrated research and sharing of scientific data.

This much is clear. It is also clear that the parties to the Barcelona Convention and its Protocol on Specially Protected Areas and Biological Diversity have made serious commitments to establish representative networks of MPAs throughout the Mediterranean. But how could such networks be constructed, and are there universal lessons that can guide MPA network development in the Mediterranean?

It is important to note that the design of any MPA within an ecological network must be developed with socio-economic and socio-political feasibility in mind. In other words, although a scientific spatial planning process may be used to identify potential sites within an ecological network of MPAs, science alone cannot drive decisions on what kind of MPA is instituted, how large it is, or how it will be managed. These decisions must be made with the individual circumstances of a place in mind, and preferably through a participatory process. Although this report only focuses on the ecological aspects of establishing a regional network of MPAs, it is today common wisdom that the success of MPAs can only derive from addressing a balanced combination between ecological and socio-economic concerns.

Ecological MPA networks

It is useful, in fact necessary, to distinguish various kinds of MPA networks. Creating a system of MPAs by pulling together all existing MPAs in a region and calling it a network is often done, but this does not constitute a true network. Rather it is a conglomeration of MPAs, many opportunistically designated, often with many different objectives. In order for MPA networks to make ecological sense, they must be systematically planned with the same goal in mind. One can imagine a network of MPAs being the subject of a single spatial management plan with the individual MPAs within the network acting as the focal points for conservation.

Just as geographic proximity of already existing MPAs is not a good criterion for determining whether an ecological network is being built, so neither does putting all existing MPAs into a single legal or institutional framework. In the Mediterranean, SPAMI (Specially Protected Areas of Mediterranean Importance) sites are proposed by contracting parties to the Barcelona Convention. While these sites are extremely important to raising awareness and generating political will, the SPAMI list in and of itself does not constitute an ecological network.

This is not to say that linking MPAs, or MPA managers, within a region does not confer conservation benefits. Such “networking” is extremely important, and MedPAN as a network of practitioners shows the value of learning from one another. But true ecological networks of MPAs require a systematic and strategic planning effort to identify what areas are ecologically most important and protect them through MPA establishment.

MPA NETWORK DESIGN

Planning often occurs at larger scales than management or conservation interventions, and the end result can be that management on the ground is more *ad hoc* than the “management dreams” of regional planners. For this reason, a three-step hierarchical planning approach is recommended, which begins at the large scale and focuses in on ever-smaller scales.

1. At the largest scale, in this case that of the Mediterranean Basin, the first recommended step in designing an ecological network is the **identification of large scale ecological units**. The purpose of this is to recognize ecological distinctions between different parts of the Sea, and ensure that something that is called a “Mediterranean Network of MPAs” is truly comprehensive and representative of all of its sub-regions.
2. At the next scale, **priority conservation areas** should be identified within each unit. These areas would not constitute MPAs themselves, but would be focal areas for individual MPA networks. Such areas may exhibit high biodiversity or have marine species of conservation concern (vulnerable, rare, or highly valued marine species), or they may have a unique or unusual combination of marine habitats (exhibiting high Beta diversity).
3. Once such priority conservation areas are identified, the task of identifying **sites to develop true ecological networks** can be initiated. Individual MPAs within these networks should protect what is ecologically most important – i.e., they should focus on habitats where a concentration of ecological processes results in a high diversity of species. Such areas might include spawning grounds for fishes, highly productive areas such as upwelling areas, estuaries, or *Posidonia* beds, aggregating areas such as seamounts, and the like. To become a network, it will be important not only to establish MPAs to protect these key areas, but also to maintain the ecological linkages between these areas. These linkages are made possible by the flow of water through currents and by the movement of organisms through larval dispersion of propagules or movement of adults or juveniles.

We feel there has been some mixing of criteria that are being used for different purposes in most of these methodologies, and propose a division of site-selection criteria and protected area design criteria. Site-selection criteria are meant to highlight areas, due to their biological/ecological value, their potential in filling gaps of representativity, and the degree to which they are threatened and thus need protection (Step 2 above). Design criteria then can direct planners to developing the most efficacious protected area for the site (Step 3 above).

Subdivision of the Mediterranean into ecological units

Identifying the subdivision of the Mediterranean into marine ecological units is necessary to the designing of a balanced network of MPAs. Bio-regionalisation at the sub-regional level to create key base data layers is an important step towards the identification and selection of components of representative networks of MPAs, to provide greater understanding of biological patterns and processes at the regional level. Existing global and regional or sub-regional marine regionalization efforts include those by Ekman (1953), Hedgpeth (1957), Briggs (1974), Hayden *et al.* (1984), Sherman and Alexander (1989), Kelleher *et al.* (1995), Longhurst (1998), Bailey (1998), Dinter (2001), Spalding *et al.* (2007), and Ivanov and Spiridonov 2007.

“Ecoregion is a large unit of land or water containing a geographically distinct assemblage of species, natural communities, and environmental conditions. The boundaries of an ecoregion encompass an area within which important ecological and evolutionary processes most strongly interact” (WWF 2003). Ecoregion conservation “is an evolution in thinking, planning, and acting at the spatial and temporal scales best suited for successful biodiversity conservation” (WWF 2003).

A subdivision of the Mediterranean into seven distinct ecoregions was tentatively proposed by Spalding *et al.* (2007; see UNEP/CBD/COP/8/INF/34). For the Mediterranean region the subdivision of the Mediterranean Sea in the following four areas was agreed within the framework of the elaboration of the concept of Ecosystem Approach : 1. Western Mediterranean; 2. Adriatic Sea; 3. Ionian Sea – Central Mediterranean; 4. Aegean Sea – Levantine Sea (UNEP(DEPI)/MED WG 326/3).

Building upon the results of a workshop organised in Mexico City in Jan. 2007 (UNEP 2008), it may be advisable to approach benthic and pelagic systems separately.

In the pelagic realm to consider the use of fuzzy boundaries for each province; consider the description of transition zones, boundary currents, upwelling systems as main features; and recognize the importance of hotspots and migratory species.

In the benthic realm to start with a habitat/functional classification system and then overlay available species composition and distribution patterns, and consider the connectivity between the benthic and pelagic realms in a second step.

Further work is needed to align and nest such subdivision process based on agreed principles. We recommend that methodologies and tools used are examined to review the existing classification; define the nesting strategy considering from the finest classification scale to the regional scale; describe steps related to produce the maps; provide a set of variables with adequate set of data and environmental drivers, use as a principle data if these are available and if not use proxies; define synergies and overlaps with any existing sub-regional classifications; provide a brief overview of the general principles for the two realms (pelagic/benthic) and the different classification systems; make explicit which criteria were used by the benthic group to separate the two bathyal zones: the upper and lower bathyal; and make explicit the role of biological data leading to the results.

Identification of priority conservation areas within ecological units

Once distinct ecological units are identified in the Mediterranean and agreed upon, the process of identifying priority conservation areas within each ecoregion can begin. Areas relevant because of biodiversity richness or the presence of protected species may qualify as priority conservation areas if they meet special criteria.

A number of efforts have recently been devoted to identify, list and describe such criteria. We here refer mostly to the most recent attempt (Convention on Biological Diversity 2007), resulting from a workshop organized in the Azores in 2007, in which the following seven criteria for identifying ecologically or biologically significant marine areas in need of protection, in open ocean waters and deep sea habitats, are recognized:

Uniqueness or rarity;

Special importance for life history stages of species;

Importance for threatened, endangered or declining species and/or habitats;

Vulnerability, fragility, sensitivity or slow recovery;

Biological productivity;

Biological diversity;

Naturalness.

These criteria are further analysed in Table 1, adapted to the Mediterranean from CBD (2007).

Criteria for site selection

There are several guidelines available in the literature and among the materials put out by various organizations that can steer the site selection process that is the formative planning step in constructing truly effective, ecologically coherent, and comprehensive MPA networks. Thus only certain criteria help elucidate the choice of new sites to form a representative network. These criteria include: representativeness, resilience, shape and size of individual MPAs, connectivity, viability, permanence, replication and degree to which precautionary principles were invoked in designing individual MPAs. Of these, representativeness, viability (or some combination of viability and resilience, which are very similar concepts), connectivity, and replication seem to be the most important considerations in selecting sites for ecologically coherent networks. Achieving representativeness and replication are relatively straightforward, but being able to do so will mean compiling existing information on habitat type and distribution within the study or planning area. Measuring resilience or viability and determining connectedness or connectivity is somewhat more difficult, and we feel that percentage no-take areas are not a good metric to use in this regard.

OSPAR has reformulated the IUCN/WCPA checklist to meet its needs in Northern Europe (OSPAR, 2007). This checklist may be applied at different scales; e.g., employing local, regional, national, or international study areas. It is recommended, however, that the scale of the assessment be made clear at the outset, and that one scale be applied throughout any given assessment.

Table 1 – Criteria for the selection of priority conservation areas in the Mediterranean (adapted from CBD 2007)

| Criteria | Definition | Rationale | Mediterranean examples | Consideration in application |
|--|---|---|--|--|
| Uniqueness or Rarity | Area contains either (i) unique (“the only one of its kind”), rare (occurs only in few locations) or endemic species, populations or communities, and/or (ii) unique, rare or distinct, habitats or ecosystems; and/or (iii) unique or unusual geomorphological or oceanographic features | Irreplaceable Loss would mean the probable permanent disappearance of diversity or a feature, or reduction of the diversity at any level. | Posidonia meadows Vermetid reefs | Risk of biased-view of the perceived uniqueness depending on the information availability Scale dependency of features such that unique features at one scale may be typical at another, thus a global and regional perspective must be taken |
| Special importance for life history stages of species | Areas that are required for a population to survive and thrive. | Various biotic and abiotic conditions coupled with species-specific physiological constraints and preferences tend to make some parts of marine regions more suitable to particular life-stages and functions than other parts. | Area containing (i) breeding grounds, spawning areas, nursery areas, juvenile habitat or other areas important for life history stages of species; or (ii) habitats of migratory species (feeding, wintering or resting areas, breeding, moulting, migratory routes). | Connectivity between life-history stages and linkages between areas: trophic interactions, physical transport, physical oceanography, life history of species Sources for information include: e.g. remote sensing, satellite tracking, historical catch and by-catch data, Vessel monitoring system (VMS) data. Spatial and temporal distribution and/or aggregation of the species |
| Importance for threatened, endangered or declining species and/or habitats | Area containing habitat for the survival and recovery of endangered, threatened, declining species or area with significant assemblages of such species. | To ensure the restoration and recovery of such species and habitats. | Areas critical for threatened, endangered or declining species and/or habitats, containing (i) breeding grounds, spawning areas, nursery areas, juvenile habitat or other areas important for life history stages of species; or (ii) habitats of migratory species (feeding, wintering or resting areas, breeding, moulting, migratory routes). | Includes species with very large geographic ranges. In many cases recovery will require reestablishment of the species in areas of its historic range. Sources for information include: e.g. remote sensing, satellite tracking, historical catch and by-catch data, vessel monitoring system (VMS) data |

| | | | | |
|--|--|--|--|---|
| <p>Vulnerability, Fragility, Sensitivity, or Slow recovery</p> | <p>Areas that contain a relatively high proportion of sensitive habitats, biotopes or species that are functionally fragile (highly susceptible to degradation or depletion by human activity or by natural events) or with slow recovery.</p> | <p>The criteria indicate the degree of risk that will be incurred if human activities or natural events in the area or component cannot be managed effectively, or are pursued at an unsustainable rate.</p> | <p>Vulnerability of species Inferred from the history of how species or populations in other similar areas responded to perturbations. Species of low fecundity, slow growth, long time to sexual maturity, longevity (e.g. sharks, etc). Species with structures providing biogenic habitats, such as deepwater corals, sponges and bryozoans; deep-water species. Vulnerability of habitats Areas susceptible to ship-based pollution. Ocean acidification can make deep sea habitats more vulnerable to others, and increase susceptibility to human induced changes.</p> | <p>Interactions between vulnerability to human impacts and natural events Existing definition emphasizes site specific ideas and requires consideration for highly mobile species Criteria can be used both in its own right and in conjunction with other criteria.</p> |
| <p>Biological productivity</p> | <p>Area containing species, populations or communities with comparatively higher natural biological productivity.</p> | <p>Important role in fuelling ecosystems and increasing the growth rates of organisms and their capacity for reproduction</p> | <p>Ligurian Sea permanent front Known Mediterranean upwelling areas Cold seeps Eratosthenes Seamounts</p> | <p>Can be measured as the rate of growth of marine organisms and their populations, either through the fixation of inorganic carbon by photosynthesis, chemosynthesis, or through the ingestion of prey, dissolved organic matter or particulate organic matter Can be inferred from remote-sensed products, e.g., ocean colour or process-based models Time series fisheries data can be used, but caution is required</p> |

| | | | | |
|-----------------------------|--|---|--|---|
| <p>Biological Diversity</p> | <p>Area contains comparatively higher diversity of ecosystems, habitats, communities, or species, or has higher genetic diversity.</p> | <p>Important for evolution and maintaining the resilience of marine species and ecosystems</p> | <p>Sea-mounts and canyons Fronts and convergence zones Cold coral communities (e.g. off Santa Maria di Leuca, Ionian Sea) Deep-water sponge communities</p> | <p>Diversity needs to be seen in relation to the surrounding environment Diversity indices are indifferent to species substitutions Diversity indices are indifferent to which species may be contributing to the value of the index, and hence would not pick up areas important to species of special concern, such as endangered species Can be inferred from habitat heterogeneity or diversity as a surrogate for species diversity in areas where biodiversity has not been sampled intensively.</p> |
| <p>Naturalness</p> | <p>Area with a comparatively higher degree of naturalness as a result of the lack of or low level of human-induced disturbance or degradation.</p> | <p>To protect areas with near natural structure, processes and functions To maintain these areas as reference sites To safeguard and enhance ecosystem resilience</p> | <p>Corsican-Ligurian-Provencal basin Alborán Sea Most ecosystems and habitats have examples with varying levels of naturalness, and the intent is that the more natural examples should be selected.</p> | <p>Priority should be given to areas having a low level of disturbance relative to their surroundings In areas where no natural areas remain, areas that have successfully recovered, including reestablishment of species, should be considered. Criteria can be used both in its own right and in conjunction with other criteria.</p> |

This checklist is called a “self-assessment” because it is expected that those directly involved in the design and management of a given network would best be able to judge the relative ratings for many of these questions. Nonetheless, it can be expected that different assessors will have different internalized standards by which they rate their networks, and thus two different assessors would likely produce somewhat different scores for the same network. In this light, making comparisons of scores between networks that have used different assessors should be applied with caution.

The checklist has been ordered according to the OSPAR requirement to assess ecological coherence, with the most applicable criteria in Table I, secondary criteria in Table II, and tertiary criteria in Table III. Table IV puts forward criteria that while not applicable to the assessment of ecological coherence, are recognized to be of importance to the long-term success of an MPA network (see Appendix 1). In looking to other parts of the world where ecological MPA networks have been designed or are being considered, (e.g. California, Canada, Great Barrier Reef, South Australia, New Zealand), it is apparent that scale of planning will greatly influence choice of criteria. In an area as large as the federal waters of Canada, one would have to work down through a hierarchy of scales to get to a scale (probably on the level of a National Marine Conservation Area) where one could then design one or more ecologically coherent MPA networks. Similarly in the Mediterranean, a representative system would be one in which representation and replication occur at the scale of habitats within ecoregions, but where connectivity and viability requirements are met at much finer scales. Scaling is thus important – and it needs to be said that not all criteria will be relevant to all scales.

Belgium may have the most useful template to guide MPA network design and site selection, though the criteria used in the country’s “biological valuation” project were not designed with the intent of creating MPA networks. Derous *et al.* (2006) describe first order and second order criteria for ranking the relative value of marine sites: rarity, aggregation, fitness consequences (main criteria), naturalness and proportional importance (modifying criteria). We think a combination of criteria from WCPA and Derous *et al.* (2006), applied at appropriate scales, will create a robust set of representative MPA networks for the Mediterranean region.

There is currently some controversy regarding whether distance between boundaries of individual MPAs provides a good measure of the strength of linkage between MPAs. Distance is a crude proxy for determining ecological linkage, since some very close MPAs may have little to no physical or biotic linkages between them, while other very distant MPAs may be closely linked by the movement of, and use of space by, highly mobile species. For this reason, it may be better to answer the question about how well linkages are preserved by looking to see if there is any existing or prospective activity between (i.e. outside of) MPAs that could interrupt the flow of nutrients, the communications among organisms, or the movement of organisms themselves between one MPA and another in the network. If so, then management will have to be directed at such potentially disruptive activities to ensure the network operates as an effective ecological network.

At the 2007 Azores workshop (CBD 2007; Table 2), the following consolidated set of scientific criteria for representative networks of marine protected areas, including in open ocean waters and deep-sea habitats, was identified:

Ecologically and biologically significant areas;

Representativity;

Connectivity;

Replicated ecological features;

Adequate and viable sites.

Table 2. Scientific criteria to select areas to establish a representative network of MPAs (from CBD 2007)

| Required network criteria | Definition | Applicable site-specific considerations (inter alia) |
|---|--|---|
| Ecologically and biologically significant areas | Ecologically and biologically significant areas are geographically or oceanographically discrete areas that provide important services to one or more species/populations of an ecosystem or to the ecosystem as a whole, compared to other surrounding areas or areas of similar ecological characteristics, or otherwise meet the criteria as identified in Table 1. | Uniqueness or rarity Special importance for life history stages of species Importance for threatened, endangered or declining species and/or habitats Vulnerability/ fragility/ sensitivity/ slow recovery Biological productivity Biological diversity Naturalness |
| Representativity | Representativity is captured in a network when it consists of areas representing the different biogeographical subdivisions of the global oceans and regional seas that reasonably reflect the full range of ecosystems, including the biotic and habitat diversity of those marine ecosystems. | A full range of examples across a biogeographic habitat or community classification; relative health of species and communities; relative intactness of habitat(s); naturalness |
| Connectivity | Connectivity in the design of a network allows for linkages whereby protected sites benefit from larval and/or species exchanges, and functional linkages from other network sites. In a connected network, individual sites benefit one another. | Currents; gyres; physical bottlenecks; migration routes; species dispersal; detritus; functional linkages. Naturally unconnected sites may also be included (e.g., isolated seamount communities) |
| Replicated ecological features | Replication of ecological features means that more than one site shall contain examples of a given feature in the given biogeographic area. The term <i>features</i> means "species, habitats and ecological processes" that naturally occur in the given biogeographic area. | Accounting for uncertainty, natural variation and the possibility of catastrophic events. Features that exhibit less natural variation or are precisely defined may require less replication than features which are inherently highly variable or are only very generally defined. |
| Adequate & Viable sites | Adequate & viable sites indicate that all sites within a network should have size and protection sufficient to ensure the ecological viability and integrity of the feature(s) for which they were selected. | Size; shape; buffers; persistence of features; threats; surrounding environment (context); physical constraints; scale of features/processes; spillover/compactness; |

As a way of proceeding, we suggest that first qualitative and/or quantitative techniques be iteratively used to identify sites to include in a network. Their selection for consideration of enhanced management should reflect their recognised ecological importance, vulnerability, and address the requirements of ecological coherence through:

Representativity;
Connectivity;
Replication.

Secondly, the adequacy and viability of the selected sites should be assessed. Consideration should be given to their size, shape, boundaries, buffering, and appropriateness of the site management regime. Design criteria can direct planners to developing the most efficacious protected area for the site. Such design criteria would address questions of size, shape, management regime, including whether the MPA should be a no-take or multiple use area.

We feel that such design criteria, captured in other methodologies under headings such as "adequacy" and "management effectiveness", should come in a second phase of the project, once key sites for Mediterranean MPA networks have been determined.

MANAGEMENT CONSIDERATIONS

Perhaps the best known is the IUCN/WCPA checklist for MPA networks (Day and Laffoley, 2007), which allows assessment of the relative "value" of sites to a network once that network has been designed. Many of the criteria evaluate how well each individual MPA might perform in meeting its own objectives – a checklist to assess whether best management practices are being utilized, much like Staub and Hatziolos (2004) or Corrales (2005).

CONCLUSION

One can imagine a time in the future when the marine biodiversity of the Mediterranean is truly protected through an ecological network (or networks) of MPAs. In this scenario, each of the seven or eight ecoregions of the Mediterranean would have priority conservation areas demarcated, and within these priority conservation areas, systematically designated and linked individual MPAs within ecological networks.

These networks would be built from existing MPAs by determining which areas are most ecologically critical, and establishing new MPAs in places where MPAs do not already exist. In addition, the integrity of the networks would be maintained by management measures outside MPAs that aim to preserve linkages.

The individual MPAs within any network in any ecoregions of the Mediterranean could be no-take areas, multiple use sanctuaries, biosphere reserves, nature preserves, or any number of other MPA management categories. But the cumulative effect of having these different sorts of MPAs all linked within a network would be to create a whole greater than the sum of its parts, with all MPAs working towards a common goal of biodiversity conservation.

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APPENDIX. OSPAR MPA NETWORK RAPID SELF-ASSESSMENT CHECKLIST

| Ecological Coherence Criteria | | | |
|--|---------|-------|----------|
| Assessment Criterion 1: Adequacy / Viability | | | |
| Size & Shape | | Score | Comments |
| Specific consideration was given to the size and shape of the sites within the MPA network when it was designed and implemented in order to maximize the effectiveness of the network to achieve its ecological objectives. | 3 | | |
| Some consideration was given to the size and shape of the sites within the MPA network when it was designed, and some consideration overall to achieving its ecological objectives. | 2 | | |
| Some consideration was given to the size and/or shape of the sites within the MPA network when it was designed, but no consideration overall to achieving its ecological objectives. | 1 | | |
| Little or no consideration was given to the size and/or shape of the sites within the MPA network; nor any consideration of the effectiveness of the network to achieve its ecological objectives. | 0 | | |
| Consideration was given to edge effects of the sites within the MPA network when it was designed. | Bonus 1 | | |
| Viability | | Score | Comments |
| The MPA network includes many self-sustaining viable no-take areas, which are all geographically dispersed within the study area ensuring viability at all levels (i.e. at the ecosystem, species and genetic levels) within natural cycles of variation | 3 | | |
| The MPA network includes some no-take areas geographically dispersed within the study area, some of which are designed to be self-sustaining. | 2 | | |
| The MPA network includes a few no-take areas geographically dispersed within the study area. | 1 | | |
| The MPA network includes no or only a single no-take area. | 0 | | |
| Assessment Criterion 2: Representativity | | Score | Comments |
| The MPA network represents all or almost all (~80-100%) of the range of species and/or habitats and/or ecological processes within the study area. | 3 | | |
| The MPA network represents most (~30-80%) of the range of species and/or habitats and/or ecological processes known in the study area. | 2 | | |
| The MPA network represents some (~10 -30%) of the known range of species and/or habitats and/or ecological processes in the study area. | 1 | | |
| The MPA network comprises only one or two types of marine species and/or habitats known in the study area (e.g. only coral reefs are protected in the network) | 0 | | |
| Assessment Criterion 3: Replication | | Score | Comments |
| The MPA network includes highly protected spatially-separated replicates of 80% or more of the features occurring within the study area (i.e. almost all known features within your network are replicated to spread any risk). | 3 | | |
| The MPA network includes spatially-separated replicates of highly protected areas within 25 - 80% of the features occurring within the study area | 2 | | |
| The MPA network includes some spatially-separated replicates of | 1 | | |

| | | | |
|---|---------|--------------|-----------------|
| highly protected areas, but they represent less than 25% of the features occurring within the study area | | | |
| The MPA network does not have any spatially-separated replicates of highly protected areas within the study area. | 0 | | |
| Systematic replication is occurring throughout every ecological region in the study area, e.g. cross shelf and long-shore replication | Bonus 1 | | |
| Assessment Criterion 4: Connectivity | | Score | Comments |
| The MPA network has been purposefully designed to maximize all / most key ecological processes (spatial and/or temporal) in the study area | 3 | | |
| The MPA network was purposefully designed and does consider some of the key ecological processes (spatial and/or temporal) in the study area | 2 | | |
| The MPA network was purposefully designed and does consider a few (one or more) of the key ecological processes (spatial and/or temporal) in the study area | 1 | | |
| The design of the MPA network took little or no account of any key ecological processes in the study area | 0 | | |
| The MPA network has been purposefully designed to maximize and enhance most of the physical linkages between individual MPAs in the network. | Bonus 1 | | |
| Table I Total (out of a possible 18) | | | |
| Eco-Coherence Weighted Total (total given above x 3) | | | |

| | | | |
|---|---------|--------------|-----------------|
| Factors Influencing Eco-Coherence | | | |
| Resilience | | Score | Comments |
| The MPA network has been specifically designed so 30% or more of the study area is free from extractive activities or habitat-altering activities, or other significant human-induced stresses. | 3 | | |
| Between 10-30% of the study area is free from extractive activities, habitat-altering activities, or other significant human-induced stresses. | 2 | | |
| Only a small part the study area (<10%) is free from extractive activities, habitat-altering activities, or other significant human-induced stresses. | 1 | | |
| Virtually none of the study area is free from extractive activities, habitat-altering activities, or other significant human-induced stresses. | 0 | | |
| The MPA network has been specifically designed to maximize the resilience of the network in the face of long-term geophysical and/or biochemical changes; | Bonus 1 | | |
| Precautionary design | | Score | Comments |
| The MPA network is configured to take into consideration all or most of the known threats occurring within the study area. | 3 | | |
| The MPA network considers several of the known threats occurring within the study area. | 2 | | |
| The MPA network considers a couple of the known threats occurring within the study area. | 1 | | |
| MPA network does not consider any of the known threats occurring within the study area. | 0 | | |
| The MPA network has been effectively designed to cope with a lack of comprehensive data. | Bonus 1 | | |
| External spatial & temporal considerations | | Score | Comments |

| | | | |
|--|---------|--|--|
| The design of the MPA network considered a wide range of external spatial and temporal considerations including ecological processes, connectivity and other external influences; and managers continue to consider these as part of ongoing implementation. | 3 | | |
| The design of the MPA network did consider some external spatial and temporal issues; and managers continue to consider each of these issues as part of ongoing implementation. | 2 | | |
| The design of the MPA network did consider one or more external spatial or temporal issues; and some of these are still considered by managers in the ongoing implementation of the network. | 1 | | |
| External spatial and temporal issues were not considered in the design or in the ongoing implementation of the MPA network. | 0 | | |
| There is good historical baseline information (or historic data) to determine whether there are 'shifting baselines' for a range of issues. | Bonus 1 | | |
| Table II Total (out of a possible 12) | | | |
| Eco-Coherence Weighted Total (total given above x 2) | | | |

| Factors Influencing the Assessment of Eco-Coherence | | | |
|--|---------|--------------|-----------------|
| | | Score | Comments |
| Clearly defined objectives | | | |
| There is a range of clear, achievable and measurable objectives (including ecological, social and economic objectives) defined for the MPA network and derived from the legislation; | 3 | | |
| There are various objectives for the MPA network which are clear, achievable and measurable; addressing at least two of the relevant aspects in the necessary range (i.e. ecological, social or economic objectives); | 2 | | |
| There are some objectives for the MPA network; but only one or two can be considered as clear, achievable and measurable; AND the objectives do not address the necessary range (i.e. ecological, social and economic objectives). | 1 | | |
| There are no clear objectives for the MPA network. | 0 | | |
| These objectives were determined through an open, transparent and balanced process involving a wide range of stakeholders. | Bonus 1 | | |
| Scientific information | | Score | Comments |
| All available scientific information is used to support planning and management, and it is regularly updated and used for effective decision-making. | 3 | | |
| There is some scientific information to support planning and management, and whatever is available is used for decision-making. | 2 | | |
| There is limited scientific information to support planning and management, and it is sometimes used for decision-making. | 1 | | |
| There is little or no scientific information base to support planning and management; or, the available information is not used for decision-making. | 0 | | |
| There is an ability to incorporate new scientific information into subsequent planning or for ongoing management tasks. | Bonus 1 | | |

| Social & economic information | | Score | Comments |
|--|---|--------------|-----------------|
| All available social and economic information is used to support planning and management, and it is regularly updated and used | 3 | | |

| | | | |
|--|---------|--------------|-----------------|
| for effective decision-making. | | | |
| There is some social and economic information to support planning and management, and whatever is available is used for decision-making. | 2 | | |
| There is limited social or economic information to support planning and management, and it is sometimes used for decision-making. | 1 | | |
| There is little or no social or economic information base to support planning and management; or, the available information is not used for decision-making. | 0 | | |
| There is an ability to incorporate new social or economic information into subsequent planning or for ongoing management tasks. | Bonus 1 | | |
| Monitoring & assessment | | Score | Comments |
| A good monitoring and evaluation system exists, with progress against most if not all the objectives of the MPA network being monitored regularly and objectively, with the results being widely disseminated and used in adaptive management. | 3 | | |
| There is an agreed and implemented monitoring program, and progress against some of the objectives of the MPA network is objectively monitored periodically, with the results publicly available and/or used in adaptive management. | 2 | | |
| There is some ad hoc monitoring and progress against at least one of the objectives of the MPA network has been monitored and/or publicly reported. | 1 | | |
| Progress against the objectives of the MPA network is rarely monitored AND no assessment of MPA effectiveness has ever occurred or been reported. | 0 | | |
| Table III Total (out of a possible 15) | | | |
| Eco-Coherence Weighted Total (same as total above) | | | |

| | | | |
|---|---|--------------|-----------------|
| Factors Influencing Long-Term Success | | | |
| Adaptive management | | Score | Comments |
| The MPA network is readily able to incorporate changes such as new information becomes available (e.g. from 'in-the-field' experience, or as a result of changing external circumstances). | 3 | | |
| The MPA network has some ability to incorporate some changes when new information becomes available (e.g. 'in-the-field' experience, or as a result of changing external circumstances). | 2 | | |
| The MPA network is has a limited ability to incorporate occasional changes when new information becomes available (e.g. in the timeframe of several years). | 1 | | |
| The MPA network does not have management systems or any monitoring arrangements to determine system responses and provide a basis for adaptive management; NOR is it likely able to incorporate changes were new information to become available. | 0 | | |

| | | | |
|--|---|--------------|-----------------|
| Economic & social considerations | | Score | Comments |
| The design and implementation of the MPA network continues to consider the economic and socio-cultural setting, as well as the real benefits and costs of the network (including both tangible and intangible benefits and costs); | 3 | | |

| | | | |
|--|---------|-------|----------|
| The design and implementation of the MPA network initially considered the economic and socio-cultural setting, as well as the real benefits and costs of the network (and may have included tangible and intangible benefits and/or costs). | 2 | | |
| Some consideration was given to the economic and socio-cultural setting, or to the benefits or costs, when the MPA network was initially designed. | 1 | | |
| No consideration was given to the economic or socio-cultural setting, or to the benefits or costs, when the MPA network was initially designed, and little/no consideration occurs during implementation. | 0 | | |
| The MPA network has addressed the need for structural adjustment or compensation for lost benefits from foregone economic opportunities. | Bonus 1 | | |
| Institutional & governance considerations | | Score | Comments |
| The MPA network has well established mechanisms for the horizontal integration among all levels of government, and vertical integration among agencies with different mandates, as well as involving local communities, indigenous people and regional groups. | 3 | | |
| The MPA network has some mechanisms for the horizontal integration among different levels of government, and vertical integration among agencies with different mandates, as well as involving local communities, indigenous peoples and regional groups. | 2 | | |
| The MPA network has some legislative and administrative arrangements, but these do not provide both effective horizontal integration among different levels of government, and vertical integration between agencies. | 1 | | |
| The MPA network has little or no mechanisms for the horizontal integration among different levels of government, nor for any vertical integration among agencies with different mandates. | 0 | | |
| The MPA network has an effective legislative and administrative framework, including a 'nested governance' structure operating simultaneously at multiple scales and levels (integrating local aspirations, national strategies and/or international obligations). | Bonus 1 | | |
| Sustainable financing | | Score | Comments |
| The MPA network has a well-developed and periodically audited program of long-term funding (assessed, and if necessary, increased against a recognised financial index) in order to meet both core costs and emerging issues. | 3 | | |
| The MPA network has an adequate program of long-term funding for core costs and able to seek funding for emerging issues. | 2 | | |

| | | | |
|--|---------|--|--|
| The MPA network has poor and spasmodic program of long-term funding to meet core costs, and is sometimes able to seek funding for emerging issues. | 1 | | |
| The MPA network does not have a well-developed or periodically audited program of long-term funding. | 0 | | |
| The budget in the MPA is well managed; and all staff understand the financial situation. | Bonus 1 | | |
| Table IV Total (out of a possible 15) | | | |
| Eco-Coherence Weighted Total (zero: table not used) | 0 | | |

| | | |
|--|--|--|
| Grand Total of all Tables (out of a possible 60) | | Percentage: Grand Total x 100 / 60 = |
| Weighted Eco-Coh. Grand Total (out of a possible 93) | | Percent: Grand Weighted Total x 100 / 93 = |

| | |
|--|--|
| <p>Location / Extent of Study Area: the area under consideration in this survey. (For example, it may include the jurisdictional waters of a CP, region within a CP's waters, or it could include a particular biogeographic region.)</p> | |
| <p>Assessor(s) & Date:</p> | |

Section 2: Elements of the Programme of Work on Marine and Coastal Protected Areas in the Mediterranean Region

The Programme of work presented hereinafter is made of the following four elements:

Element 1: To Assess the representativity and effectiveness of the existing Mediterranean network of marine and coastal Protected Areas

Element 2: To make the Mediterranean Network of Marine and Coastal Protected Areas more comprehensive and more representative of the ecological features of the Region.

Element 3: To improve the management of the Mediterranean marine and coastal protected areas.

Element 4: To strengthen the protected area governance systems and further adapt them to national and regional contexts.

ELEMENT 1: TO ASSESS THE REPRESENTATIVITY AND EFFECTIVENESS OF THE EXISTING MEDITERRANEAN NETWORK OF MARINE AND COASTAL PROTECTED AREAS

Element 1 addresses a series of crosscutting issues; its results will facilitate the implementation of the activities suggested under the three other Elements.

Proposed activity 1.1: Evaluate, at national level, the status, the representativity and the effectiveness of the marine and coastal protected areas

Expected results: In each participating country, a comprehensive assessment of marine and coastal protected areas is carried out at national level (Analysis of strengths and gaps including: identification of underrepresented ecosystems, identification of areas in urgent need of rehabilitation and restoration of habitats, key threats to protected areas existing and potential forms of conservation, governance systems, lessons learned, identification of potential bilateral or multilateral protected areas, Evaluation of needs (technical assistance, financial, trainings, etc.).

The Criteria developed in Section 1 of this document will be used to assess the ecological representativity of the existing MPAs and to select MPA candidate sites. Where necessary, the assessment exercises will use also the results of the survey carried out by MedPAN to compile the Mediterranean Directory of MPAs.

Implementation Calendar

| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--------|--------|--------|--------|--------|
| | | | | |

This activity will be implemented by: National teams of experts, including MPA managers.

Proposed activity 1.2: Compile a regional synthesis on the status, the representativity and the effectiveness of the marine and coastal protected areas

Expected results: Gaps, strengths and needs of the Mediterranean network of marine and coastal protected areas evaluated on the basis of the outcomes of the national evaluations (Activity 1.1).

Implementation Calendar

| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--------|--------|--------|--------|--------|
| | | | | |

This activity will be implemented by: RAC/SPA, with the support of partners (IUCN, MedPAN, WWF-MedPO)

Proposed activity 1.3: Regional expert (Country representatives) meeting on the representativity of the Mediterranean network of MPAs.

Expected results: Needs and actions required for the development of a comprehensive and ecologically representative system of Mediterranean marine and coastal protected areas identified, taking into account the views and opinions of the country representative experts.

The partner organisations will be invited to attend the expert meeting.

Implementation Calendar:

| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--------|--------|--------|--------|--------|
| | | | | |

This activity will be implemented by: RAC/SPA, with the support of partners (ACCOBAMS, IUCN and MedPAN)

ELEMENT 2: TO MAKE THE MEDITERRANEAN NETWORK OF MARINE AND COASTAL PROTECTED AREAS MORE COMPREHENSIVE AND MORE REPRESENTATIVE OF THE ECOLOGICAL FEATURES OF THE REGION.

Proposed activity 2.1: Identification of preliminary priority conservation areas

Expected results: The areas which are most ecologically critical for the Mediterranean are identified, including High Seas areas, transboundary areas and areas suitable for ecological corridors. This will be done according to the methodology and the criteria described in Section 1 of this document, including the subdivision of the Mediterranean into ecoregions.

Implementation Calendar

| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--------|--------|--------|--------|--------|
| | | | | |

This activity will be implemented by: RAC/SPA, the results of this activity will be reviewed by the Expert meeting to be organised under Activity 1.3 and then submitted to the Meeting of the NFP for SPA, with the support of: ACCOBAMS, IUCN, MedPAN

Proposed activity 2.2: Strengthening of the Mediterranean network of marine and coastal protected areas through the creation of new protected areas, and where appropriate the extension of existing ones, in accordance with the results of the Activity 2.1 (Identification of priority conservation areas).

Expected results: The creation by 2012 of a coherent and ecologically representative Mediterranean network of marine and coastal protected areas.

Implementation Calendar

| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--------|--------|--------|--------|--------|
| | | | | |

This activity will be implemented by: The relevant national authorities of the Contracting Parties, with the support of partners (ACCOBAMS, IUCN, WWF-MedPO).

ELEMENT 3: TO IMPROVE THE MANAGEMENT OF THE MEDITERRANEAN MARINE AND COASTAL PROTECTED AREAS.

Proposed activity 3.1: Evaluation of the management of each Mediterranean marine and coastal protected area.

Expected results: (i) The management effectiveness of the Mediterranean marine and coastal protected areas is evaluated and (ii) recommendations for the improvement of the management of the Mediterranean MPAs.

Implementation Calendar

| Year 1 | | Year 2 | | Year 3 | | Year 4 | | Year 5 | |
|--------|--|--------|--|--------|--|--------|--|--------|--|
| | | | | | | | | | |

This activity will be implemented by: The relevant national authorities of the Contracting Parties, with the support of: partners (IUCN, WWF-MedPO, MedPAN)

Proposed activity 3.2: Training of the managers and other staff categories of Mediterranean marine and coastal protected areas. This activity will be carried out through the development and implementation of a regional training project whose components will be defined taking into account the gaps and needs identified under the Activity 1.1.

Expected results: The skills and qualifications of the managers and other categories of staff involved in the management of the Mediterranean marine and coastal protected areas are improved. As part of activity 3.2, a regional programme for the training of protected area staff will be developed.

Implementation Calendar

| Year 1 | | Year 2 | | Year 3 | | Year 4 | | Year 5 | |
|--------|--|--------|--|--------|--|--------|--|--------|--|
| | | | | | | | | | |

This activity will be implemented by: RAC/SPA, ACCOBAMS through the programme “training to trainers”, sponsored by Italy, IUCN, MedPAN

Proposed activity 3.3: Elaboration of a regional strategy for the early warning, mitigation of an adaptation to the impacts of Climate change and Invasive species in the Mediterranean MPAs.

Expected results: The Mediterranean MPAs are adequately prepared to face the issues of Climate Change and Biological Invasions.

Implementation Calendar

| Year 1 | | Year 2 | | Year 3 | | Year 4 | | Year 5 | |
|--------|--|--------|--|--------|--|--------|--|--------|--|
| | | | | | | | | | |

This Activity will be implemented by: RAC/SPA, with the support of: partners (ACCOBAMS, IUCN, MedPAN)

Proposed activity 3.4: Establish a framework for exchange between Mediterranean MPA Managers.

Expected results: Exchange and technical mutual assistance between the Mediterranean MPAs managers improved.

Implementation Calendar

| Year 1 | | Year 2 | | Year 3 | | Year 4 | | Year 5 | |
|--------|--|--------|--|--------|--|--------|--|--------|--|
| | | | | | | | | | |

This activity will be implemented by: RAC/SPA and MedPAN)

ELEMENT 4: TO STRENGTHEN THE PROTECTED AREA GOVERNANCE SYSTEMS AND FURTHER ADAPT THEM TO NATIONAL AND REGIONAL CONTEXTS.

Proposed activity 4.1: Evaluate the existing protected area governance types in the Mediterranean countries.

Expected results: The protected areas governance systems analysed (strengths, weaknesses, lessons learned) and options for their improvement/strengthening evaluated.

Implementation Calendar

| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--------|--------|--------|--------|--------|
| | | | | |

This activity will be implemented by: RAC/SPA. It will include assistance to countries to improve their national legislation in relation with the protected areas and the financing systems of their marine and coastal protected areas, with the support of partners (ACCOBAMS, IUCN, WWF-MedPO, MedPAN).

Proposed activity 4.2: Identify opportunities for the Mediterranean marine and coastal protected areas to contribute to the social and economic development at local and national scale, including poverty alleviation..

Expected results: Guidelines available to managers of marine and coastal protected areas on how better integrate their protected areas with their local context.

Implementation Calendar

| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--------|--------|--------|--------|--------|
| | | | | |

This activity will be implemented by RAC/SPA. Further activities will be implemented by other partners (ACCOBAMS, IUCN, MedPAN, WWF MedPO).

Draft decision XII

**"Inclusion in the SPAMI List of:
the Natural Reserve of Bouches de Bonifacio (France), the Marine Protected Area
Capo Caccia-Isola Piana (Italy), the Marine Protected Area Punta Campanella (Italy)
and the Al-Hoceima National Park (Morocco)"**

The 16th Meeting of the Contracting Parties,

Recalling Article 8 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, hereinafter referred to as the Protocol, on the establishment of the List of Specially Protected Areas of Mediterranean Importance (SPAMIs),

Having regard to Annex I to the Protocol, related to the Common Criteria for the choice of protected marine and coastal areas that could be included in the SPAMI List,

Taking into account the requests made by France, Italy and Morocco pursuant to Article 9 paragraph 3 of the Protocol, to the Ninth Meeting of National Focal Points for Specially Protected Areas (Floriana, June 2009),

Considering the examination by the Regional Activity Centre for Specially Protected Areas (SPA/RAC) focal points meeting, in accordance with the requirements of Article 9 paragraph 4.a of the Protocol, on the conformity of the proposal with the criteria provided for in Article 16 of the Protocol, as contained in the Annex to this decision;

Decides to include the following sites in the SPAMI List:
the Natural Reserve of Bouches de Bonifacio (France),
the Marine Protected Area Capo Caccia-Isola Piana (Italy),
the Marine Protected Area Punta Campanella (Italy), and
the Al-Hoceima National Park (Morocco).

Requests the concerned Parties to take the necessary protection and conservation measures specified in its proposals in accordance with Article 9 paragraph 3 and Annex I to the Protocol.

Requests SPA/RAC to inform the competent international organisations of the newly adopted SPAMIs including the measures taken in these SPAMIs, as provided for in Article 9, paragraph 5 of the Protocol.

Annex

Synthesis of the documents submitted by France, Italy and Morocco, for the inclusion of the Natural Reserve of Bouches de Bonifacio, the Marine Protected Area Capo Caccia-Isola Piana, the Marine Protected Area Punta Campanella and the Al-Hoceima National Park in the SPAMI List.

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Natural Réserve of Bouches de Bonifacio (France)

General Features

The Bouches de Bonifacio Natural Reserve (RNBB) complies with several general criteria stipulated in article 8 of the SPA/BD Protocol for registration on the SPAMI list. The candidate area:

- contains local endemic species, endemic or threatened species with extinction on the Mediterranean level
- contains ecosystems specific to the Mediterranean such as Posidonia meadows and coralligenous formations
- is of scientific interest (monitoring of the fishing reserve effect), aesthetic (unique superficial rocky formations) and educational (centre for visitors and exploration paths for the public)
- presents a model of trans-border cooperation with the creation of the International Marine Park of Bouches de Bonifacio between France and Italy: the RNBB (Corsica) and the La Maddalena Archipelago National Park of (Sardinia)
- presents a sustainable management model (management of fishing resources by the fishermen).

Legal Status

The RNBB has a legal status guaranteeing for it a long term protection (Decree).

Protection, Planning and Management Measures

The RNBB has protection measures, a management (presented in the annexes of the candidature dossier) and monitoring plan, a management unit, permanent staff, management and follow-up means.

Conclusion

This site complies with the minimum required criteria and is thus eligible for inclusion in the SPAMI List.

Annex - Annotated format for the presentation reports for the areas proposed for inclusion in the SPAMI List – Abstract

The Bouches de Bonifacio Natural Reserve constitutes the French part of the International Marine Park which is being set up between Corsica and Sardinia (cf. Point 10, page 47).

It has a 79 460 ha surface area and stretches along the coast of the communes of Monaccia d'Aullene, Pianottoli-Caldarellu, Figari, Bonifacio and Porto-Vecchio, as well as along the following land sectors:

the Moines, Bruzzi, Lavezzi and Cerbicale archipelagos;
brackish ponds of Ventilegne, Testarella and Pisciu Cane;
Bruzzi peaks
cliffs of Bonifacio

It benefits from global land management comprising 79 190 ha of maritime public domain, as well as islets and isles (119 ha) plus the Tre Padule de Suartone Natural Reserve (217 ha) and land acquisitions of the Conservatoire du Littoral (3 8000 ha).

The land has two main geological formations, a granitic base formed before the separation of the Corsico-Sardinian micro-continent, forming massifs and chaos at the origin of most of the isles and archipelagos, tabular calcareous deposits of marine origin, cut with valleys and rias, forming the Bonifacio cliffs. Violent winds are very frequent and enhance the existence of strong currents and the mixing of Tyrrhenian and Algero-Provencal masses of water.

The main habitats are as follows:

Posidonia oceanica meadows, occupying a 9 604 ha surface area
lagoons with a fish endemic to Corsica (*Aphanius fasciatus*) and the European pond turtle (*Emys orbicularis*)
coastal vegetation cover characterized by the presence of Phoenician junipers (*Juniperis phoenicea* subsp. *Turbinata*) which is representative of the Mediterranean bio-geographical domain.

“Reef” habitat regrouping 5 basic habitats, 37 associations or facies harbouring a large number of species with a strong heritage and halieutic value (*Palinurus elephas* – spiny lobster, *Maja squinado* – spiny spider crab, *Epinephelus marginatus* – dusky grouper, the gorgonian *Paramuricea clavata* and *Eunicella* sp.).

Amongst the Mediterranean habitats, there are 26 biocenoses, facies or associations adopted within the MAP framework. Biodiversity is particularly high.

766 recorded plants, including 2 marine phanerogames and 356 algae.

numerous endemic species

plants characteristic of temporary pools

973 animal species, including 22 of Community interest necessitating strict protection measures and 11 of Community interest necessitating the designation of Special Conservation Zones.

74 birds registered in the “Birds” Directive, including 16 species nesting in the perimeter and 41 registered in Annex 1, namely the European shag (*Phalacrocorax desmaresti*) and Audouin’s gull for which there is an international action plan

64 marine animal species within the area are protected through international agreements, including 14 protected on a national level (*Patella ferruginea*, *Pinna nobilis*, *Tursiops truncatus*...)

several species (*Epinephelus marginatus*, *Hippocampus ramulosus*, *Palinurus elephas*, *Homarus gammarus*, *Maja squinado*) are protected on a local level.

Amongst all these species, 55 are in the annexes of the SPAMI Protocol, including 39 (6 marine plants and 33 animals) in Annex II. It should not be forgotten that this area was formerly occupied by the monk seal (*Monachus monachus*).

This area (approx. 15 000 inhabitants) where agriculture and stock farming was practised for a long time, has become agriculturally less important (less than 10% of the active population) and this has been partly compensated by the development of tertiary activities especially those linked to tourism.

residential accommodation especially concentrated around Porto Vecchio and Bonifacio, Figari airport (over 250 000 passengers per annum) and trading ports of Bonifacio (daily connections with Sardinia) and of Porto-Vecchio, representing approx. 300 000 passengers per annum.

pleasure ports of Bonifacio, Porto-Vecchio and Pianottoli-Caldarello, representing a fifth of the absorption capacity of Corsica

organized visits of the isles, caves and cliffs, from Bonifacio and Porto-Vecchio (and from Sardinia to a lesser degree)

underwater diving starting from Corsica or Sardinia.

Sea transport (all activities included) takes place under the control of semaphores of the French and Italian navy within the framework of regulations set up by the International Maritime Organisation (4 000 ships per year for approx. 80 000 t of dangerous materials).

With its low production and limited number of jobs (less than 100 direct jobs), artisanal fishing is a fragile activity but still important on a social level. Scientific monitoring over more than the last 20 years shows that the fishing is stable but still profitable and that the resource is not threatened. The management of this area is a model of sustainable development.

Apart from the pollution risk linked to sea trade and the dangerous nature of the straits, the main threats to the habitats and the species are linked to the high touristic frequentation in this area; anchorage of pleasure boats, trampling of meadows and dunes, leisure fishing, underwater fishing, high frequentation rate of some diving areas.... The regulations on the natural reserve which prohibit underwater fishing and regulates leisure fishing over 15 % of the area, information disseminated for the general public, the adoption of charters of behaviour by the divers or passenger transport enterprises, the organisation of mooring or the most frequented access points, nevertheless limit the impact of these activities.

A management plan has been established for the 2007-2011 period and validated by numerous bodies (Territorial Assembly of Corsica, Scientific Council, Consultative Committee...) and is meant to continue and strengthen the actions already underway.

The site's protection had started with the creation of natural reserves at the Cerbicale (1981) and Lavezzi (1982) isles, the adoption of decrees on biotopes of the Moines islets and the Bruzzi peninsula. The fishermen's association of Bonifacio had set up two fishing areas in Porto-Vecchio and under the Bonifacio cliffs. The Conservatoire du Littoral acquired 3 800 ha at the land interface of this area.

France and Italy, in 1993, as well as the Corsican and Sardinian Regions, adopted a protocol defining the implementation modalities of a "Bouches de Bonifacio International Marine Park" project in the Bouches de Bonifacion. Since then the work done has led to the creation of the Bouches de Bonifacio Nature Reserve (1999) managed by the Environment Office of Corsica. The latter has a permanent team of 30 to manage the protected area, including 5 for scientific monitoring, 3 for operations in a hyperbaric environment, 2 for awareness creation and information actions and 16 appointed and sworn officials as nature police.

Applying the regulation in this area makes it possible to preserve the fauna, flora and natural habitats as well as to control most of the activities:

professional and leisure fishing

underwater diving
underwater hunting
navigation and mooring
camping, bivouac
access to sensitive sites (landing prohibited on nesting islets...)

The Bouches de Bonifacio Natural Reserve is the French part of the International Marine Park project. Italy set up the La Maddalena Archipelago National Park and this constitutes the Italian part. This trans-border protection project has already contributed to setting up a monitoring and navigation assistance mechanism by the International Maritime Organisation (recommended route, compulsory reporting...). It is also under the protection of other international agreements: RAMOGE cooperation area (1976), Pelagos sanctuary for marine mammals in the Mediterranean (1999), decree for the creation of an Ecological Protection Zone along the Mediterranean French coasts (2004). There is also the classification and registration of the Bonifacio cliffs and the Lavezzi isles, as well as the sector's most remarkable environments in the inventory of the Natural Zone of Ecological interest, as well as Fauna and Flora (Z.N.I.E.F.F.), of the Special Protection Zone (Z.P.S.) in line with the "Birds" Directive and the inventory of the Special Conservation Zone (Z.S.C.) in line with the "Habitat" Directive.

The crystallisation of the Bouches de Bonifacio International Marine Park project should be based on the creation of the "Groupement European de Cooperation Territoriale – G.E.C.T (European Grouping of Territorial Cooperation), a European tool stemming from the EC Regulation No.1082/2006 adopted by the European Parliament and the Council on 5 July 2006. It was constituted at the initiative of its members as a legal entity, so that the G.E.C.T. has a real intervention capacity, to employ staff, make contracts, bids and manage a joint budget. Prior to its creation, it is necessary to adopt a European trans-border cooperation convention which would define its characteristics, the law applicable for its implementation, the statutes and working modalities. Several work meetings were organized in 2008 between the Environment Office of Corsica and the La Maddalena Archipelago National Park so as to agree on the modalities of setting up the G.E.C.T.

Marine Protected Area Capo Caccia – Isola Piana (Italy)

General Features

The MPA contains ecosystems specific to the Mediterranean area (Coralligenous, Posidonia meadow, formation with *Lithophyllum byssoides*) or the habitat of endangered species (*Corallium rubrum*, *Pinna nobilis*, *Hydrobates pelagicus*), and is of special interest at the scientific (Monitoring of the caves (emerged and submerged), particularly the colonies of *Corallium rubrum*), aesthetic (presence of higher peaks by Mesozoic cliffs with Triassic and cretaceous facies), cultural (existence of broad and deep caves and underground lakes historically used by humans / the “Grotte Verde” and, in particular, educational level (educational activities involving local public schools).

Legal Status

The MPA has an adequate legal status, Decree of the Ministry of Environnement and Territory, 23 March 2003.

Protection, Planning and Management Measures

There are Management bodies (Reserve Committee) and an annual management plan including the forecast of expenditure for the annual program, and on any suggestion for MPA zoning and perimeter.

Conclusion

This area fills the minima criteria requested and is eligible for inclusion in the SPAMI List.

Annex - Annotated format for the presentation reports for the areas proposed for inclusion in the SPAMI list - Abstract

The marine protected area of Capo Caccia – Isola Piana is characterized in its higher peaks by Mesozoic limestone cliffs, with Triassic and Cretaceous facies. Relict forms of a highly evolved continental paleo morphology, such as hanging valleys and truncated sides, are found in the promontory of Capo Caccia. Overall, the shapes of the relief show typical characters of limestone regions, with non-existent surface water drainage.

Due to the particular geomorphology, relatively deep bottoms are found in the submerged portion of the Promontory of Capo Caccia, while on the inner bay of Porto Conte, the bottom shows a more gentle slope.

The main mediolittoral habitat is the formation with *Lithophyllum byssoides*; its development seems to be favored by the limestone of cliffs, where intense hydrodynamic and wind conditions are present.

Posidonia oceanica beds are heterogeneous within MPA limits. On the western side of the MPA, the presence of *Posidonia oceanica* is limited, mainly spotted between 25 m and 35 m depth. Isolated shoots of *Posidonia oceanica* are also found on top of fallen boulders, frequently present on the bottom of this side.

Circalittoral habitats between 40 and 50 m depth are dominated by the biocenosis of coarse sands and fine gravels.

Posidonia oceanica meadow on the relatively sheltered Bay of Porto Conte is more extensive than the one on western cliffs; particularly, in Cala Tramariglio the local *P. oceanica* bed is well protected by SE winds, favoring its upper limit almost to the surface of the water (barrier reef).

Flowering of *P. oceanica* in the bay of Porto Conte coincides with that reported for other sites in the Mediterranean. The shallow circalittoral plan in this area, is characterized by fine homogeneous sand, and silt. Upper rocky infralittoral communities are dominated by calcareous red algae belonging to the genera *Jania* and *Corallina*. Middle infralittoral assemblages are well-structured with photophilous algae belonging to the families of Dictyotaceae and Gelidiaceae. Deeper assemblages on vertical or subvertical hard substrates are characterized by facies formed by *Halopteris*, *Dilophus* and various Corallinaceae and other species such as *Codium bursa*, *Acetabularia acetabulum*, *Padina pavonica*.

Another well-represented facies is formed by the algae *Halimeda tuna* and several species of the genus *Peyssonnelia*.

From a faunistic point of view, this part is rather scarce. *Crambe crambe* sponge is easily found as it prefers exposed to light environments. *Spirastrella cunctatrix* and *Axinella verrucosa* and *Reniera cratera* are also common.

Arbacia lixula and *Paracentrotus lividus*, followed by *Sphaerechinus granularis* and the sea star *Echinaster sepositus*, are the most common Echinoderms.

Deeper assemblages are often dominated by *Petrosa ficiformis*, with the associated nudibranch *Peltodoris atromaculata*, *Eunicella cavolinii*, *Leptopsammia pruvoti* and *Parazoanthus axinellae*. Other common sessile organisms are the Polichete *Serpula vermicularis*, the Sebellide *Bispira mariae*, the Gastropod *Bolma rugosa*, the Briozoans *Myriapora truncata* and *Sertella beaniana*, the Tunicates *Halocynthia papillosa*.

Underwater caves are rather common and are typically colonized in the outer or middle portions by sciaphylous forms, sometimes dominated by recent colonies of *Corallium rubrum* with small size and low density, suggesting recent processes of recolonization.

A biocoenoses characterized by green algae of the genus *Halimeda* and *Flabellia* and by the Celerata *Cerianthus membranaceus* and *Eunicella cavolinii* is easily reported below 18 meters depth, on the western side of the MPA that is still rocky with large scattered boulders.

At this depth, small spots of *Posidonia oceanica* can be found on top of boulders, as already described.

Sponges belonging to the genus *Axinella* can be observed also between 45 and 50 m depth (AIBA).

Common open water fish fauna are small banks of *Boops boops* and *Spicara smaris*, together with *Chromis Chromis* and *Oblada melanura*, while in close contact with the seabed, *Coris julis* and *Thalassoma pavo* are more abundant species.

Capo Caccia peninsula has been affected by important karstic events, resulting in the existence of broad and deep caves and underground lakes historically used by humans.

The « Grotta Verde », in fact, gives us evidence of the ancient Neolithic human presence (6000 - 4000 BC). Quaternary fossils are also found.

The terrestrial troglobian fauna show elements of biogeographical interest.

Among the most famous submerged caves « Grotta dei laghi », « Grotta Falco », « Grotta del Bisbe » together with « Grotta di Nereo » the largest submerged cave in Europe, need to be mentioned. Typical circalittoral animal species are not uncommon even in shallow water underwater caves.

Due to singular and unique conditions occurring in the cave, food chain is composed of secondary producers (animals that live by import organic matter), true consumers (animals that eat the organic material produced in the cave) and reducers (animals that use the dead fraction of the organic matter), but even the migrant fauna plays a role of primary importance including organisms with larger bodies.

The Crustacean *Dromia vulgaris*, which eats sponges, and the Nudibranch *Flabellina affinis*, which feeds on Hydroids can be found in underwater caves together with *Oligopus ater* and *Thorogobius ephippiatus*.

The Crustaceans *Hommarus gammarus*, *Palinurus elephas*, *Scyllarides latus*, *Scyllarus arctus* and the Fish *Sciaena umbra* are among the fauna that migrates to the outside together with different shrimp belonging to the families Stenopodidea, Alfeidea, Ippolitidea, Palemonidea.

Vegetal assemblages on underwater caves are composed exclusively of algae, and are distributed close to the entrance according to a light gradient.

The red algae *Lithophyllum stictaeforme*, and the green algae *Flabellia petioata*, *Valonia macrophysa* and the brown alga *Dictyopteris polypodioides* are the most common.

The Porifera *Petrosa ficiformis*, *Oscarella lobularis*, *Agelas oroides*, *Clathrina clathrus* and *Haliclona rosea*, the Celerata *Corallium rubrum*, *Parazoanthus axinellae*, *Leptosammia pruvoti*, *Caryophylli smithi*, *Hoplangia durotrix*; the polychaetes *Protula tubularia*, *Filograna* sp.; Briozoa *Adeonella calvet*, *Bugula avicularia*, *Membranipora membranacea* are the most abundant assemblages of submerged caves.

Marine Protected Area Punta Campanella (Italy)

General Features

The MPA of Punta Campanella has the aim to preserve one of the most beautiful and interesting traits of the Italian coast both for its terrestrial characteristics and for the marine peculiarities.

Presence of habitats that are critical to endangered, threatened or endemic species is clearly recorded in the documentation provided. There are 20 marine habitats in this MPA included in the Appendix B of the Standard Data-entry Form of the Barcelona Convention; Also, 47 threatened species present in the list of Annex II of the SPAMI Protocol, and 16 species present in the Annex III of the SPAMI Protocol. Common presence of many threatened sponges is a fact to remark.

The candidate has presented proof of particular values for activities of environmental education or awareness. Furthermore, the area has since 1871 represented an extremely valuable source of knowledge from the biological point of view and for marine sciences in general.

Legal Status

The Marine Protected Area of "Punta Campanella" was established with Decreto Ministeriale dated 12 December 1997 which warrants long term legal protection, and published in the G.U. n. 47 dated 26/02/1998, modified with Decreto Ministeriale dated 13 June 2000 and published in the G.U. n. 195 dated 22 August 2000.

At present, the protection rules are ratified by the provisional Disciplines of the Management Committee and by the Rule n. 44/02 of the Capitaneria di Porto of Castellammare di Stabia.

The MPA of Punta Campanella is included in the Site of Community Importance (SCI) named "Fondali marini di Punta Campanella e Capri" - D.M. 03/04/2004.

Within the MPA of Punta Campanella, all the activities that may compromise the protection of the environmental characteristics of the area, are forbidden by the art. 19, comma 3, of Law 6 December 1991, n. 394.

At present, a new Regulation of MPA, which takes into account results of past experiences and monitoring programmes, has been performed. According to the reporting candidate, it will be published in the next months by the Italian Ministry for the Environment and Protection of Territory and Sea.

Protection, Planning and Management Measures

The MPA of "Punta Campanella" pursues in particular:

- a) the environmental protection of the whole marine area;
- b) the protection and improvement of the biological and geomorphologic resources of the area;
- c) the diffusion and divulgation of ecological knowledge and biology of the marine environments of the MPA;
- d) the development of educational programmes for the cultural improvement in the field of ecology and marine biology;
- e) the realization of study and scientific research programs in ecology, marine biology, and environmental protection;
- f) the promotion of a sustainable socioeconomic development compatible with the naturalistic relevance of the area, favouring local traditional activities.

The Italian Ministry for the Environment and Protection of Territory (Ministero dell'Ambiente e della Tutela del Territorio) has committed the management of the MPA to a Consortium of 6 municipal districts (Massa Lubrense, Sorrento, Piano di Sorrento, Sant'Agello, Positano and Vico Equense).

Mayors of municipalities appoint their representatives in the Board of the Directors of the Consortium. Components of the Board of the Directors name, among them, the President of MPA, which chairs the Board.

The MPA Director is appointed by the Ministry of Environment, on the basis of a list of names proposed by the Board of the Directors.

The Commission of the Reserve, appointed by the Ministry of Environment, is an advisory board that helps the Board of the Directors of Consortium in all the activities involved with the management of the MPA. In particular, it supplies proposals and suggestions for the MPA functioning.

The "Scientific Committee" represents an informal advisory organ, composed by scientists, elaborating proposals concerning the MPA scientific programs and environmental monitoring.

The "Observatory on Environment and Legality" is a sort of coordination of MPA representatives (namely the President and the Director) with the environmental associations, the Coastal Guard and other Police Corps (Excise and Revenue Police, Carabinieri).

Every year the MPA President submits a management plan to the Ministry for the Environment for the approval. The Marine Protected Area is divided into 3 zones distinguished by a different degree of protection:

- A: Integral Reserve
- B: General Reserve
- C: Partial Reserve

An adequate system of buoys indicates in the sea the boundaries and the different zones of the MPA. Boundaries of the MPA are signed also on land. The MPA surveillance is committed to the Coastal Guard.

The management plan is prepared on the basis of financial assessment and previsions, and considering the results of monitoring activities and of meetings with stakeholder, environmentalists and police forces ("Observatory on Environment and Legality"). At present 10 people are employed at the MPA in: accountancy office, administrative office, information/reception office, monitoring and field activities, coastal waters cleaning, educational activities. Every year the Ministry for Environment and Territory provides a core founding for basic staff, protection and information measures. Currently this founding, although it is insufficient for training and research activities, is sufficient (moderate adequacy) for basic activities of protection, information and education.

Conclusion

The candidate site fulfils the criteria required to be included in the SPAMI List, and consequently is eligible as such.

Annexe - Annotated format for the presentation reports for the areas proposed for inclusion in the SPAMI List - Abstract

The MPA "Punta Campanella" was identified as potential MPA according to the National Laws n. 979 of 1982 and n. 394 of 1991; it was officially established with Ministry of Environment Law of 12.12.1997 (modified with ML of 13.06.2000).

The Italian Ministry for the Environment and Protection of Territory and Sea (Ministero dell'Ambiente e della Tutela del Territorio e del Mare) has committed the management of the MPA to a Consortium of local public administrations, formed by the 6 involved municipal districts (Massa Lubrense, Sorrento, Piano di Sorrento, Sant'Agnello, Positano, and Vico Equense). The Consortium for the MPA management has an Administrative Board, formed by representatives of local public administrations and chaired by a President. The Director of the AMP is the head of a 10 people staff, that carry into effect the policy of address decided by the Administrative Board.

All of the involved municipal districts (especially Sorrento and Positano) are among the most famous touristic places of the Mediterranean Sea, together with the close Island of Capri.

Tourism (over than 2.000.000 presences, in Summer) is by far the main economic activity of the area, but also biological agriculture of typical products (lemons, oil, vine) is well developed. In recent times, artisanal fishery activities strongly decrease and recreational fishing activities increase.

The MPA has the aim to preserve one of the most beautiful traits of the Italian coasts, tourists attractive and naturalistically interesting both for its terrestrial and marine characteristics. In fact, the MPA is comprised in a marine landscape of very high heterogeneity and in an area of bio-geographic convergence that has always attracted scientists from all over the world, supported by the presence, in the near city of Naples, of important scientific institutions as the six Universities, the CNR laboratories and the very famous Zoological Station, founded in XIXth century by Anton Dohrn. Since the first systematic studies on biological communities of captain Colombo (1871), the Sorrento-Amalfi Peninsula have been among the most studied Mediterranean places by scientists of the different branches of marine sciences, so the MPA also represents a site of paramount importance in the history of the oceanography.

That's why the area group together a number of very particular environmental characteristics (geo-morphological, hydrological and bio-geographical), that determine the very peculiar and varied typologies of benthic communities.

The coastal geomorphology of the Sorrento-Amalfi peninsula is very different from the adjoining volcanic and alluvial parts of the Gulfs of Naples and Salerno. In fact, it is characterized by steep calcareous cliffs, extending into the sea down to over 30-40 meters depth, where organogenous detritic bottoms extends till a wide muddy plain.

There are also differences between the Sorrento coast, overlooking the Gulf of Naples, and the Amalfi coast, overlooking the Gulf of Salerno. The former is formed by lower cliffs (few tens of meters) with relatively gentle erosive landscapes; the latter is, on the contrary, characterized by very high (even hundreds of meters) and steep cliffs, gradually increasing in height from distal to proximal part of the peninsula. There are a few exceptions from this general pattern of cliffs, mainly in proximity of stream outfalls. In these areas, typically found in small, shallow and sheltered coastal inlets, less steep slopes are present, and the coastline is formed by small pebbly or gravelly beaches, with the sea-bed composed by accumulated sediments (mostly pebbly, more rarely gravelly or sandy bottoms).

The very steep coastal slope has an enormous influence on the organization of the benthic communities because:

- it limits, in the littoral environment, the presence of soft substrata (sandy and muddy), determining the almost exclusive presence of rocky bottoms down to 30-40 m depth;
- it limits, within the same depth range, the surface area available to the settlement of benthic populations;
- it determines the widespread presence of particularly interesting species that usually are rare or absent on other substrata (i.e. the scleractinians *Astroides calycularis* and *Leptosammia pruvoti*, and the endolithic bivalve *Lithophaga lithophaga*, known as date mussel);

- it causes the scarcity of photophilic communities (typical of well illuminated habitats and characterized by the dominance of vegetal sessile organisms), and limits them to a narrow shallow stripe; on the opposite, it extends toward the sea surface the vertical distribution of sciaphilic communities (typical of scarcely illuminated environments and characterized by the dominance of animal sessile organisms), that generally are found in deeper habitats. For example, as a result of the steep slope, the coralligenous of rocky bottoms is present at a few meters depth, even though this biocenosis is typical of deeper environments.

The particular mineralogical composition of hard substrata (calcareous) influences the type of benthic assemblages because determines the formation of a complex of a number of caves, due to the intense karstic activity, many of them developing beneath the sea level, giving hospitality to a wide, interesting and rare range of very peculiar animals (i.e. *Halcampoides purpurea*, *Telmatactis forskali*, *Maasella edwardsi*, *Lysmata seticaudata*, *Plesionika narval*, *Oligopus ater*).

As far as the hydrology of the superficial water bodies of the Gulf of Naples is concerned, it is possible to pinpoint two systems: the coastal waters, a confined and polluted system, and the offshore waters, subject to a strong mix with unpolluted deep sea waters. The boundary between these two systems is variable and mostly depends on the climatic regime; however, the coastal superficial body of water rarely extends over the first 5-6 miles offshore the inmost coast (namely the bays of Naples and Castellammare), and reaches at the most 50 m depth. Conversely, the central part of the Gulf is more concerned with the unpolluted offshore waters, that also lap the outmost coastal zones, such as the Ischia and Procida islands, on the North side, and the Island of Capri with the distal part of Sorrento Peninsula (where the MPA is located), on the South side. Here, the prevailing presence of a nutrient rich water body coming from offshore and constantly remixed, generates a particular luxuriance of benthic communities (high biomass), with sessile organisms forming multilayer biological covers on hard substrata. On this sea-bottoms it is possible to encounter, at all depths, a particularly high variety of zoobenthic and phytobenthic species, also coming from different bio-geographic districts (bio-geographical convergence).

According to the particular animal or vegetal community, the most peculiar marine biological community typologies may be summarized as follows:

hard bottoms biocoenoses, of calcareous cliffs and of caves,
soft bottoms biocoenoses, of organogenous coarse sands and gravels,
 Posidonia oceanica meadows.

The biocoenoses of calcareous cliffs (falaise) are the most common. They are characterized only in the top meters (within 5-10 m) by photophilic communities, mostly seaweeds well adapted to an exposed environment with high light intensity and water movement. The dominant biota are vegetal, mostly brown algae such as *Cystoseira* spp.

The most characteristic phenomenon is the presence, at a few meters depth, of sciaphilic communities (*Coralligenous* biocoenoses), that usually are present at deeper levels, on rocky bottoms over than 30-40m deep. This is mainly due to the steep slope of the substratum that favours the formation of semi-dark habitats.

The sciaphilic assemblages (puzzle of communities) enrich the underwater landscape. The vegetal organisms, although still present as red algae such as *Peyssonnelia* spp., *Mesophyllum* spp. and *Jania rubens*, are not the main element of the community. The dominant element is now represented by sessile animals such as Sponges, both erect and encrusting, Hydroids, Bryozoans, Anthozoans (actinia, sea anemones, madreporarians, gorgonians) and Annelidea Serpulidea. Other amazing and biologically important species are *Astroides calicularis*, *Cladocora caespitosa* and more rarely *Leptosammia pruvoti* and *Parazoanthus axinellae*. In some areas, it is possible to find spectacular walls with white gorgonians (*Eunicella singularis*), yellow gorgonians (*Eunicella cavolinii*) and red gorgonians (*Paramuricea clavata*); the latter species is often parasitized by *Gerardia savaglia* or by *Alcyonium coralloides*.

The submarine caves may be considered uncommon and valuable laboratories for the study of life in atypical and extreme conditions. In the caves, a rapid extinction of the light intensity is evident; as a consequence, most of the living forms are of animal origin, which may be quite diverse, peculiar and even rare (therefore, very important for biodiversity studies). In particular, scientific studies on the life in the submarine caves of the Sorrento-Amalfi Peninsula are considered milestone of Mediterranean marine biology (e.g. Riedl's book *Biologie des Meereshohlen*). The MPA of Punta Campanella represents one of the richest area in the Mediterranean Sea in underwater caves. The caves are of a primary naturalistic marine richness, since they are habitats with peculiar physical-chemical and biological characteristics. Marine caves may give hospitality to a wide, interesting, and rare range of very peculiar animals (i.e. *Halcampoides purpurea*, *Telmatactis forskali*, *Maasella edwardsi*, *Lysmata seticaudata*, *Plesionika narval*, *Oligopus ater*) and may be considered uncommon and valuable laboratories for the study of life in atypical and extreme conditions. The species are very well adapted to semidarkness or total darkness, like the shrimps *Stenopus spinosus* and *Plesionika narval*.

The organogenous coarse sands and gravels are present mostly at the base of falaises and in the strait of Bocca Piccola, separating Punta Campanella from the Island of Capri. These sands are inhabited by quite particular animal communities such as the Amphioxus (*Branchiostoma lanceolatum*) community, increasingly rare, or the deeper calcareous red algae (Melobesioideae) that, encrusting the sediment particles, increase their size forming coarser living particles named *pralines* formations. Detritic bottoms and muddy detritic bottoms surrounds the MPA toward the offshore.

Posidonia oceanica does not form vast meadows in the MPA because there are few soft bottoms within the 30 m bathymetry, apart from some exceptions in the accumulating alluvial fan of sediment. However, the plant is quite common and shows a discontinuous distribution along the coastline.

Al-Hoceima National Park (Morocco)

General Features

The Al-Hoceima National Park (PNAH) complies with several of the general criteria stipulated in article 8 of the SPA/BD Protocol for registration on the SPAMI List. The candidate area:

- contains local endemic species (such as *Cystoseira elagans*, *Laminaria ochroleuca*, *Peyssonnelia squamaria*, etc.) and endemic or species threatened with extinction on a Mediterranean level (especially *Cystoseira amantacea* var. *stricta*, *Cystoseira zosteroides*, *Laminaria rodriguezii*, *Asteroides calycularis*, *Patella ferruginea*, *Pinna rudis*, *Caretta caretta*, *Phalacrocorax aristotelis*, etc.).
- contains ecosystems specific to the Mediterranean such as the *Cystoseira amantacea* associations and coralligenous formations.
- contains critical habitats for species which are disappearing, threatened or endemic, namely favourable habitats (suitable caves) for the monk seal, marine islets for limpets and Audouin's gulls, cliffs for reproduction and nesting for ospreys.
- is of scientific interest (presence of highly remarkable coralligenous formations of interest for their richness and spatial distribution, presence of sub-marine caves and ombrophilous species), of aesthetic interest (presence of sloping cliffs, islet and isles, spectacular and attractive beaches and bays. Landscapes within the Park provide a remarkable panorama with the rounded shapes of the hills separated by quite large valleys); of cultural interest (traces of an ancient civilisation, ruins of the Torres-de-Alcala fortifications (ex-town Jordana) from the XVIth century, mausolea and marabouts...) and of educational interest (presence of coralligenous in fairly shallow waters, favourable habitats for the monk seal and an overlap of Mediterranean and Atlantic species).

Legal Status

The PNAH has a legal status whereby long term protection is assured (via decree). This status will be further reinforced by law (underway) on protected areas which will constitute the legal arsenal pertaining to protected areas in Morocco.

Protection, Planning and Management Measures

PNAH has protection measures available for the two components, i.e. the land and the sea; namely two harmonious and coherent management plans for the two components (presented in the annexes of the candidature dossier) and a monitoring programme; a management unit; permanent staff and means for management and follow-up.

The protection, planning and management measures are to be further strengthened through programmes and initiatives underway which are supported on a local, national and international level.

Conclusion

This site complies with the minimum required criteria and is thus eligible for inclusion in the SPAMI List.

Annex - Annotated format for the presentation reports for the areas proposed for inclusion in the SPAMI list - Abstract

The Al Hoceima National Park is on Morocco's Mediterranean side, approx. 150 km to the east of the Straits of Gibraltar, close to the Al Hoceima town. This 48 460 ha coastal Park has a 10 600 ha marine section. It is mountainous with a rough relief, with a shore composed of cliffs, caves and several islets and rocks. The National Park's human population is estimated at over 15 000 inhabitants.

The site's ecological and biological interest was demonstrated in 1983. The coastal zone extends from Cala Iris to Al Hoceima and a Management and Development Master Plan was drafted for the land area and for the marine area and was completed in 1993. A management plan was set up in 2002 for managing solely the marine area within the framework of the MedMPA project.

The National Park was officially created in 2004 (Development and Management Decree for the Al Hoceima National Park) (Decree No. 2.04.781 of 8 October 2004) with the following global objectives:

- conservation of samples which are representative of the natural heritage of Morocco's Mediterranean side
- maintenance of natural balances and vital ecological processes
- preservation of biological diversity and complementarity of natural habitats of the whole Park
- information, education and awareness creation amongst the different sections of the public
- protection of the Park's characteristic landscapes
- setting up particularly appropriate conditions for local development and for improving the living standards through integrated and participative development programmes.
- scientific research through ecological monitoring and the development of scientific research in the Park.

Physical Environment

Most of the Al Hoceima National Park stretches over the mountainous massif of Bokkoya. To the north it is limited by the sea, to the west by the Mestassa valley and in the south and east by the geographical limit between the catchment areas of the Rhis oued. The Bokkoya massif is a mountainous mass stretching over approx. forty km between the Al Hoceima town to the east and the Torres village. With its blunted forms this morphology is quite compartmentalized with maximum altitudes varying between 500 and 700 m.

The maritime fringes of the Bokkoya Massif have a steeply sloping relief, with steep cliffs which in some places exceed 300 m in height and cut into the carbonated materials of the calcareous Dorsal.

Bays and beaches are relatively scarce, escarpments are steep and inaccessible. The extensions of this chain constitute a mainly calcareous marine bed with, along the protected coast, caves and shallow underwater openings which could become siphons.

Biological Interest

The biological richness of the Al Hoceima National Park puts it amongst the main protected areas on a Mediterranean scale. This is the sole National Park on Morocco's Mediterranean side.

Avifauna: nesting of high heritage value species such as the osprey, Audouin's gull, and other emblematic species such as the golden eagle, Bonelli's eagle, Imperial eagle and the long-legged buzzard.

A sound forest cover: numerous Mediterranean ligneous species represented in the area and especially the arar tree (*Tetraclinis articulate* Vahl - Thuya de Berberie).

Marine biodiversity: the Al Hoceima National Park is close to the Atlantic where the area is influenced by vortical currents. The benthic marine flora of the Al Hoceima National Park is composed of 264 taxons. The National Park also has a great specific diversity and numerous threatened species such as the limpet, red coral, lobster (*Scyllarus latus*), and the dusky grouper. The flora too is most rich (Laminaria, Cystoseira...)

The integrity of the submarine habitats has not been affected much by human activities. The coast still has submarine caves which could shelter the monk seal which today is no longer seen in the area.

Cultural and landscape interest

The landscapes are massive. Protected by the rough nature of the terrain and as it is enclaved, most of the National Park has retained its wild nature.

Pressures

Even before the existence of the National Park was formalized, the marine and land areas of the protected area were protected from any major harm. The creation of the National Park strengthened the preservation goals mainly on the land where the management unit which was set up and supported by the forestry staff ensures regular monitoring and awareness creation amongst the agro-forestry populations. Pastoral pressure and the use of natural resources seem to be mostly under control in this area.

Urban pressure is very low in the National Park even if it seems to get increasingly stronger on its periphery due to a clear policy of dis-enclavement and socio-economic development based on the Kingdom's Mediterranean coastal tourism in general and especially on the coastal tourism of the Al Hoceima Province.

At sea the pressures on the halieutic resources are still perceptible causing conflicts between the artisanal fishermen and the industrial fishermen.

Initiatives underway and good practices

On a national and local level, the "Haut Commissariat aux Eaux et Forêts et à la Lutte contre la Désertification" (High Commissioner for Water, Forests and for Combating Desertification) is stressing the importance of promoting the conservation and development of the Al Hoceima National Park through an internally financed and short term programme-project and through the support of foreign donors.

On a local level regular activities undertaken by civil society will be stressed and which are of benefit to the National Park's population by supporting good practices in terms of tourism and agriculture.

The importance of international institutions will be stressed as well, such as IUCN and bilateral cooperation by setting up projects linked to sustainable management of biodiversity in the National Park.

As for sustainable practices, there is the initiative "Pays d'Accueil Touristique" (Country of Welcome & Tourism), the project "DESTINATION" in support of sustainable tourism as well as the "CAMP Morocco" (Coastal Area Management Programme) to initiate an integrated management process of the coastal zone of the Al Hoceima and Chefchaouen provinces. Part of this project is devoted to the study and management of sensitive zones of the CAMP area including the Al Hoceima National Park coastal area and its western continuity until Oued Laou.

Draft decision XIII

"Adoption of the revised implementation timetable of the "Action Plan for the conservation of Cartilaginous Fish (chondrichthyans) in the Mediterranean "

The 16th Meeting of the Contracting Parties,

Recalling Article 11 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean hereinafter referred to as the "Protocol", on national measures for the protection and conservation of species;

Recalling Article 12 of the Protocol, on cooperative measures for the protection and conservation of species, and in particular its paragraph 3 on the formulation and implementation of action plans for their conservation and recovery;

Considering the "Action Plan for the conservation of Cartilaginous Fish (Chondrichthyans) in the Mediterranean" adopted by the Contracting Parties in Catania, December 2003, and more particularly its section C.7 concerning the Regional coordinating structure in the Chapter on Implementation measures;

Noting the work accomplished by the Regional Activity Centre for Specially Protected Areas (SPA/RAC) in close collaboration with the Contracting Parties, in evaluating the implementation of this Action Plan and proposing a new timetable for its implementation;

Decides to adopt the revised implementation timetable of the "Action Plan for the conservation of Cartilaginous Fish (Chondrichthyans) in the Mediterranean", as contained in Annexe to this Decision;

- ***Requests*** the Contracting Parties to take the necessary measures for the implementation of the updated Action Plan within the time limits set out in its updated timetable, and report on their implementation according to the cycle and format of the MAP reporting system

- ***Requests*** to SPA/RAC to assist the Parties in the implementation of this new calendar.

Annex

Action Plan for the Conservation of Cartilaginous Fish (Chondrichthyans) in the Mediterranean: Updated implementation timetable 2010–2013.

| Action | Deadline | By whom |
|--|---|--|
| Tools | | |
| 1. Establish directory of national, regional and international experts on chondrichthyan fish taxonomy, biology, stock assessment, conservation and management, supported by an external panel of experts. | 1 year after adoption | RAC/SPA, advised by IUCN Shark Specialist Group, ICES & ICCAT Shark Working Groups |
| 2. Develop, print and distribute regional and national field identification guides and sheets, highlighting diagnostic characteristics, for improved monitoring of elasmobranch fisheries and landings by government bodies and fishermen. Priority areas: i) Southern and eastern Mediterranean (in Arabic, French, Spanish); ii) Adriatic, Aegean, Ionian (in Croatian, Albanian, Italian, Greek, Turkish); iii) Northwestern Mediterranean (French, Spanish). | 1 year after adoption (basic ID sheets) 2–3 years (more detailed guides) | GFCM/FAO National scientific and management bodies Regional cooperation agencies |
| 3. Promote use of existing standard monitoring protocols and forms (RAC/SPA, FAO) for landings, discards and observations of threatened species; | Immediate & continuous | National scientific and management bodies, |
| 4. Develop protocols and programmes for improved compilation and analysis of data, for contribution to regional stock assessment initiatives. | 1 year after adoption | Regional cooperation agencies, |
| 5. Formalise/reinforce synchronous submission of catch, bycatch and discard data to both scientific and management bodies, and annually to the GFCM. | Immediate & continuous | GFCM and FAO |
| 6. Add further information on elasmobranch bycatch to national reports to GFCM, for incorporation in GFCM database, as recommended by GFCM workshop on bycatch (Rome, 2008) | 1 year after adoption | Contracting Parties, GFCM |
| 7. Undertake information campaigns, improve the provision of materials for publication, and disseminate more widely existing RAC/SPA, FAO and other products (e.g. the RAC/SPA <i>Guidelines for reducing the presence of sensitive species in by-catch</i>). These activities should target managers, researchers and the general public. | 2 years after adoption | AP Partners, Associates and donor agencies |
| 8. Develop guidelines and/or a code of conduct for the management of shark and ray fishing. These will promote catch and release, describe protocols for handling catches in order to minimise stress and improve survival, and encourage reporting of such catches. | 1 year after adoption | RAC/SPA, GFCM Scientific Committee |
| 9. Promote a shift in focus of shark and ray sport/recreational fishing towards catch and release, contributions to research activities (for example through engagement in tag and release programmes), and improved reporting of catches. | 2 years after adoption | Contracting Parties |
| Legal processes | | |
| 10. Establish strict legal protection for threatened and endangered species listed in Annex II through appropriate national laws and regulations. | As soon as possible | Contracting Parties |
| 11. Establish and promote national, sub-regional and regional plans or strategies for the conservation, recovery and/or management, as appropriate, of species listed in Annexes II and III. | 4 year after adoption | Contracting Parties, RAC/SPA, GFCM |
| 12. Support GFCM finning prohibition by enacting national regulations for the prohibition of finning at sea, transport, landing and transshipment of fins without corresponding carcass, by all vessels in national and international waters. | As soon as possible | Contracting Parties |
| 13. Protect critical habitats for chondrichthyan fishes, as soon as they are identified. | Continuous | Contracting Parties, MEAs, |

| Action | Deadline | By whom |
|---|--|--|
| Monitoring and data collection | | |
| 14. Promote existing research proposals developed under the RAC/SPA Action Plan (Eastern Adriatic, Balearics, Gulfs of Gabes and Sirta) by adapting them to funding proposals for the consideration of potential funding bodies, partners and Contracting Parties. | 1 year after adoption | RAC/SPA |
| 15. Initiate comprehensive programme/campaign to support data collection efforts in: i) Gulfs of Gabes and Sirta, Levantine basin (areas of highest biodiversity importance for chondrichthyan fishes in the Mediterranean and a high priority for development of precautionary management measures); and ii) Eastern Adriatic (an important region for demersal fisheries and for large rare Mediterranean elasmobranchs). | 2 years after adoption 3 years after adoption | National scientific bodies/institutes, Regional cooperation agencies, GFCM |
| 16. Promote input to the MEDLEM database under the appropriate protocol, to ensure shared access to information on chondrichthyan fishes across the Mediterranean. | Immediate, continuous | Contracting Parties, GFCM |
| 17. Complete and disseminate inventories of critical habitats (mating, spawning and nursery grounds) | 2 years after adoption | Contracting Parties |
| 18. Increase efforts to comply with obligations to collect and submit species-specific data on commercial chondrichthyan fish catch and bycatch to FAO and GFCM, including through increased use of observers on fishing vessels. | Immediate & continuous | Contracting Parties |
| 19. Comply with obligations under existing ICCAT/GFCM Recommendations to collect and submit data on pelagic shark catches. | Immediate | Contracting Parties |
| 20. Improve programmes for the collection of data from coastal fisheries. | Immediate | Contracting Parties |
| 21. Support the participation of relevant experts on the conservation of cartilaginous fishes in RFMO (e.g. ICCAT, GFCM) meetings and workshops, in order to share expertise and improve capacity to undertake data collection, stock assessment and bycatch mitigation. | Immediate | Contracting Parties, RFMO, RAC/SPA |
| Management and assessment procedures | | |
| 22. Review existing sources of data and undertake new studies if necessary to clarify the status of species that are/were not rare in the Mediterranean but are assessed as Data Deficient or Near Threatened, prioritising <i>inter alia</i> : <i>Raja radula</i> and other endemics, <i>Mustelus punctulatus</i> , <i>Carcharhinus</i> spp. and other large sharks | 2 years after adoption | Contracting Parties, Partners |
| 23. Monitor Critically Endangered, Endangered and endemic species | Continuous | Contracting Parties |
| 24. Provide to the GFCM an annual description of all national target and/or bycatch chondrichthyan fisheries, in the form of annual Shark Assessment Report. | Every year | Contracting Parties |
| 25. Develop and adopt as a matter of urgency where these do not exist national Shark Plans within the framework of the FAO IPOA–Sharks, incorporating specific regulations for fisheries exploiting chondrichthyans, whether target or bycatch. | 1 year after adoption | Contracting Parties individually and through GFCM |
| 26. Undertake discussions with GFCM with a view to promoting the eventual development of a Regional Shark Plan and associated fisheries management measures and regulations outside territorial waters, to complement and assist with the implementation of activities under the RAC/SPA Action Plan. | 2 years after adoption | Contracting Parties, GFCM |
| 27. Review national and regional Shark Plans every four years | 4 years after adoption | Contracting Parties, GFCM |
| 29. Implement a programme for the development of stock assessments, by area (Adriatic, Gulf of Gabes, Levantine Sea), and by species. | 2 years after adoption | Contracting Parties, GFCM |

Draft decision XIV**"Sound management of chemicals**"*****The 16th Meeting of Contracting Parties,***

Recalling Article 8 of the Barcelona Convention for the Protection of the Marine Environment and the coastal region of the Mediterranean as amended in Barcelona in 1995, herein after referred to as the Barcelona Convention,

Recalling Article 15 of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities, as amended in 1996, herein after referred to as the LBS Protocol,

Recalling also decision IG 17/8 of the 15th meeting of the Contracting Parties held in Almeria, Spain in January 2008 on the implementation of the NAPs and elaboration of the legally binding measures and programmes pursuant to Article 15 of the LBS protocol,

Noting the action list of chemicals agreed upon by the MED POL Meeting on the Implementation of NAPs and the Preparation of Legally Binding Measures and Timetables Required by Article 15 of the LBS Protocol which was held in Aix-en-Provence, 27-28 November 2008,

Noting the launch of the joint MED POL/CP RAC pilot project for the disposal of PCBs in the framework of the GEF Strategic Partnership,

Recalling the progress made at international level on the need to ensure coordination and cooperation between the chemicals conventions and programmes,

Recognizing that there is a need to ensure effective use of resources and coherence between the sectorial policies related to chemicals at the national level,

Welcoming the decision taken by the 4th meeting of the Conference of the parties to the Stockholm Convention that acknowledges the MAP regional Activity Centre on Cleaner Production (CP/RAC) as a Regional Centre under the Stockholm Convention for capacity building and technology transfer in the Mediterranean Region,

Appreciating the work carried out at CP/RAC on the transfer of technology and the capacity building in Mediterranean Countries on BAT, BEP and the Sound Chemical Management,

Recognizing the importance of ensuring cooperative action between centres working in the field of Cleaner Production and Chemicals in the Mediterranean.

Decides to:

a) **agree** to promote the role of CP/RAC, in matters related to the implementation of the LBS Protocol, as the facilitator to the necessary coordination of Mediterranean Regional Centres under the Stockholm and Basel Conventions and the centres working in the field of Cleaner Production in the Mediterranean Region with the aim of preparing joint programmes as appropriate.

*** This draft decision was provisionally adopted pending additional information from the Secretariat on its full legal, institutional and budgetary impact.**

b) **agree** to endeavour to ensure coherence between the different national chemicals strategies (National Implementation Plans of Stockholm Convention and National Profiles for SAICM) with the National Action Plans under the LBS protocol of Barcelona Convention.

The 16th Meeting of the Contracting Parties, urges the Contracting Parties to agree to start working with the support of MED POL and CP/RAC with a view to preparing Regional Plans/Programmes pursuant to Article 15 of the LBS Protocol, on the following:a) new POPs recently included in the Stockholm Convention, *inter alia* in relation to the production, use, trade articles and products and wastes containing those substances, and the stockpiles of the following substances:

- i. Alpha hexachlorocyclohexane
- ii. Beta hexachlorocyclohexane
- iii. Hexabromobiphenyl
- iv. Chlordecone
- v. Pentachlorobenzene
- vi. Tetrabromodiphenyl ether and Pentabromodiphenyl ether
- vii. Hexabromodiphenyl ether and Heptabromodiphenyl ether
- viii. Lindane
- ix. Perfluorooctane sulfonic acid and its salts and Perfluorooctane sulfonyl fluoride and its salts

b) Mercury, *inter alia* in relation to the production, use, trade articles and products and wastes containing those substances, and the stockpiles

c) BOD in the food sector,

Invites the Contracting Parties, to support the joint work by MEDPOL and CP/RAC on the above list of pollutants,

Requests the Secretariat, CP/RAC and MEDPOL to take necessary measures for the implementation of this decision,

Requests also the Secretariat, CP/RAC and MEDPOL to cooperate, with other Multilateral Environmental Agreements, in particular, Stockholm, Basel and Rotterdam Conventions with a view to avoiding duplication, improve the impact and ensure efficient use of resources with regard to the sound management of chemicals.