



**United Nations
Environment
Programme**



UNEP(OCA)/MED WG.107/4
5 March 1996

Original: ENGLISH

MEDITERRANEAN ACTION PLAN

Second Meeting of Legal and Technical Experts
to examine Amendments to the Protocol for
the Protection of the Mediterranean Sea
against Pollution from Land-based Sources

Syracuse, Italy, 3-4 March 1996

REPORT OF THE

**SECOND MEETING OF LEGAL AND TECHNICAL EXPERTS
TO EXAMINE AMENDMENTS TO THE PROTOCOL FOR
THE PROTECTION OF THE MEDITERRANEAN SEA
AGAINST POLLUTION FROM LAND-BASED SOURCES**

TABLE OF CONTENTS

	Pages
REPORT	1 - 3
Annex I : List of participants	
Annex II : Agenda	
Annex III : Amendments to the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources	

Introduction

1. The Second Meeting of Legal and Technical Experts to examine amendments to the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources was held in Syracuse from 3-4 March 1996. The Meeting was hosted and supported financially by the Government of Italy and the Province of Syracuse. The Facoltà dell'Arte e della Scienza, Rome, assisted with the organization of the Meeting.

Attendance

2. The Meeting was attended by experts designated by the following Contracting Parties to the Barcelona Convention: Albania, Croatia, Cyprus, European Community, France, Greece, Israel, Italy, Libyan Arab Jamahiriya, Malta, Monaco, Morocco, Slovenia, Spain, Tunisia and Turkey.

3. The following United Nations specialized agencies and intergovernmental and non-governmental organizations were represented by observers: Food and Agriculture Organization of the United Nations (FAO), World Health Organization (WHO), Commission internationale pour l'exploration scientifique de la Mer Méditerranée (CIESM), International Park Documentation Centre (CEDIP), European Chemical Industry Council (CEFIC), Centre for Cleaner Production Initiatives, EcoMediterranea, Greenpeace International, Institut méditerranéen de l'Eau (IME-MEDWAN), Facoltà dell'Arte e della Scienza (FAS) and the World Wide Fund for Nature International (WWF).

4. The list of participants appears as annex I to this report.

Agenda item 1. Opening of the Meeting

5. Mr M. Cavallaro, President of the Province of Syracuse, welcomed the participants and thanked the Italian Ministry of Foreign Affairs for having entrusted the City of Syracuse with the responsibility of hosting the Second Meeting of Legal and Technical Experts and the Conference of Plenipotentiaries. He briefly recalled the vulnerability of the Mediterranean ecosystem, the difficulties encountered in implementing existing legislation and environmental programmes, the scarcity of funding available for preventive measures and the lack of effective information programmes. It was therefore of great importance to adopt improved strategies to safeguard the Mediterranean Sea through the common endeavours of the countries concerned.

6. Mr F. Marri-Caciotti welcomed the participants on behalf of the Italian Ministry of Foreign Affairs. He affirmed that the Mediterranean Sea had been showing clear symptoms of environmental crisis over recent years and stressed the importance of the role played by the MAP in promoting action to combat these problems. He reminded participants that pollution from land-based sources and activities accounted for a very large proportion of marine pollution in the Mediterranean. Following the revision of the Barcelona Convention and two of its Protocols in 1995, it was important to complete the process of reviewing the Land-based Sources Protocol in order to align it with recent global decisions and events. Italy was therefore pleased to be able to host these important meetings and intended to

increase its contribution to the work of the MAP and develop its cooperation with the coastal States of the Mediterranean, particularly in the field of prevention.

7. Mr S. Illuminato, President of the Facoltà dell'Arte e della Scienza, recalled that his organization had been cooperating with the MAP and supporting its work for the past six years, particularly as regards negotiations between Mediterranean governments on environmental matters. He emphasized the fundamental role of communication in raising awareness of environmental problems. He therefore urged the participants to identify appropriate media for the dissemination of information with a view to promoting an environmental culture as a determining social and economic factor.

8. Mr L. Chabason, Coordinator of the Mediterranean Action Plan, expressed his pleasure at returning to Syracuse and his thanks to the Italian Ministry of Foreign Affairs, the Province of Syracuse and the Facoltà dell'Arte e della Scienza for their continuing financial and practical support. He said that between the First and Second Meetings of Legal and Technical Experts the Secretariat had worked on the basis of instructions from the Contracting Parties and prepared a number of documents containing amendments proposed by the Contracting Parties or suggested by the Secretariat, with a view to improving the content and presentation of the Protocol; all the amendments proposed complied fully with the spirit and decisions of the First Meeting and he hoped that discussions could therefore be brief and concise. Adoption of the amendments to the Protocol by the Conference of Plenipotentiaries to be held in Syracuse on 6 and 7 March 1996 would represent an important step forward in promoting sustainable development in the Mediterranean region.

Agenda item 2. Rules of Procedure

9. The Meeting noted that the Rules of Procedure adopted for Meetings and Conferences of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its Protocols (UNEP(OCA)/IG.43/6, Annex XI), as amended by the Eighth Ordinary Meeting, would apply to its deliberations.

Agenda item 3. Election of officers

10. The Meeting elected the following Officers by acclamation:

Chairperson:	Mr Ferruccio Marri-Caciotti (Italy)
Vice-Chairpersons:	Ms Elhem Laabidi (Tunisia) and Ms Marie-Christine Van Klaveren (Monaco)
Rapporteur:	Mr Philip Grech (Malta)

Agenda item 4. Adoption of the Agenda and organization of work

11. The agenda proposed in document UNEP(OCA)/MED WG.107/1 was adopted (annex II).

Agenda item 5. Information on the Global Programme of Action for the Protection of the Mediterranean Environment from Land-based Activities and other related Activities

12. The Deputy Coordinator introduced the information paper prepared by the Secretariat (UNEP(OCA)/MED WG.107/Inf.3) which described briefly the background to the Global Programme of Action and the activities being undertaken for its implementation. He then reported on the decision to develop specific actions as well as a global legally binding instrument for the reduction and/or elimination of emission and discharges of persistent organic pollutants (POPs).

13. Mr Jeftic also informed the Meeting of the activities being carried out in relation to the holding of a Meeting on Toxics Reduction in the Mediterranean Sea which was planned for 2-4 October in Marseilles

14. The meeting took note of the information paper.

Agenda item 6. Review of the draft amendments to the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources

15. The Chairman drew attention to documents UNEP(OCA)/MED WG.107/3 and Adds 1 and 2, which contained the amendments already approved by the First Meeting of Legal and Technical Experts, held in Syracuse from 4-6 May 1995, and amendments proposed by Italy, Spain and the Secretariat.

16. The Meeting reviewed article by article all the proposed amendments and agreed on a text which could be transmitted to the Meeting of Plenipotentiaries for final adoption. The adopted text is attached as annex III¹.

Agenda item 7. Other business

17. There was no discussion under this agenda item.

Agenda item 8. Adoption of the report of the meeting

18. At its last session extended to the morning of 5 March 1996, the Meeting adopted its report and the annexes thereto.

Agenda item 9. Closure of the Meeting

19. After the customary exchange of courtesies, the Chairman declared the Meeting closed on Tuesday, 5 March 1996 at 13.00 hours.

¹ During the discussion on article 4, in response to a request by a participant, the Chairman confirmed that in mentioning "watercourses", sea water straits were not included.

ANNEX I

LIST OF PARTICIPANTS LISTE DES PARTICIPANTS

**ALBANIA
ALBANIE**

Mr Agron Jana
Chemist/Expert
Directorate of Air, Water Quality and
Waste Management
Committee of Environmental Protection
c/o Ministry of Health & Environmental
Protection
Bulevardi Bajram Curri
Tirana
Albania

Tel: 355 42 30682 - 35229
Fax: 355 42 35229 - 30682 - 34632
Tlx: 604-4201 KMRPSSH AB

**CROATIA
CROATIE**

Mr Andrija Randic
Director
Office for the Adriatic
State Directorate for the Environment
2 Uzarska
HR 51000 Rijeka
Croatia

Tel: 385 51 213499
Fax: 385 51 214324

**CYPRUS
CHYPRE**

Mr Loizos Loizides
Fisheries Officer
Fisheries Department
Ministry of Agriculture, Natural Resources
and Environment
13 Aeolou Street
Nicosia
Cyprus

Tel: 357 2 303576
Fax: 357 2 365955
Tlx: 605-4660 MINAGRI CY

**EUROPEAN COMMUNITY
COMMUNAUTE EUROPEENNE**

M. Tanino Dicorrado

Coordinator for the Mediterranean
Technical Cooperation with third countries
Directorate General XI
Environment, Nuclear Safety and Civil
Protection
European Community
Rue de la Loi 200
B-1049 Brussels
Belgium

Tel: 32 2 2969147 - 2969509

Fax: 32 2 2994123

Tlx: 21877 COMEU B

M. Jacques Vaccarezza

Conseiller
Direction affaires générales et
internationales
Direction générale de l'environnement,
sécurité nucléaire et protection civile
Commission Européenne
200 rue de la Loi
1049 Bruxelles
Belgique

Tel: 32 2 7621777

**FRANCE
FRANCE**

Mme Pascale Boizard

Ingénieur du Génie rural, des eaux et des
forêts, adjointe au sous-directeur de la
coordination et de la réglementation
de l'eau
Direction de l'eau
Ministère de l'environnement
20 Avenue de Ségur
75007 Paris Cedex 07 SP
France

Tel: 33 1 42191263

Fax: 33 1 42191269

Tlx: 42-620602 DENVIR F

Mme Patricia Rieutord

Chargée de mission
Direction Générale de l'Energie et des
Matières Premières
Service des Affaires Nucléaires
Ministère de l'Industrie
97-99-101 rue de Grenelle
75007 Paris Cedex 07
France

Tel: 33 1 43193306

Fax: 33 1 43192500

**GREECE
GRECE**

Mr Alexandros Lascaratos

MAP Liaison Officer
University of Athens
Department of Applied Physics
Laboratory of Meteorology and
Oceanography
33 Ippocratous Str.
106 80 Athens
Greece

Tel: 30 1 3613504

Fax: 30 1 3608518

Ms Anastasie Lazarou

National Coordinator for MED POL
Head
Water Section
Ministry of the Environment, Physical
Planning and Public Works
147 Patisision Street
112 51 Athens
Greece

Tel: 30 1 8650106

Fax: 30 1 8650106 - 8647420

Ms Anneta Mantziafou

University of Athens
Department of Applied Physics
Laboratory of Oceanography
Tilemahou 11
114 72 Athens
Greece

Tel: 30 1 3613514

Fax: 30 1 3608518

**ISRAEL
ISRAEL**

Mr Elik Adler

Head
Marine & Coastal Environment Division
Ministry of the Environment
P.O. Box 34033
5 Kanfei Nesharim Street
95464 Jerusalem
Israel

Tel: 972 2 6553825/6

Fax: 972 2 6553823

**ITALY
ITALIE**

Mr Ferruccio Marri-Caciotti

Counsellor
Head Environment Office
Directorate General of Economic Affairs
Ministry of Foreign Affairs
1 Piazzale della Farnesina
00194 Rome
Italy

Tel: 39 6 3236352

Fax: 39 6 3222851

Tlx: 43-612409 MEENG I

Mr Giovanni Guerrieri

Servizio Acqua Rifiuti Suolo
Ministero dell'Ambiente
33 Via Ferratella in Laterano
00184 Rome
Italy

Tel: 39 6 70362219/26

Fax: 39 6 77257012

Mr Tullio Scovazzi

Legal Advisor (Ministry of Foreign Affairs)
Università di Milano
29 Via Alfonso Cossa
20138 Milan
Italy

Tel: 39 2 7610149

Fax: 39 2 7610149

Mr Lorenzo Villa

National Coordinator for MED POL
Dipartimento di Sanità Pubblica
Facoltà di Medicina
Università di Tor Vergata
Cattedra di Igiene
Edificio E/SUD
Via di Tor Vergata 135
00133 Rome
Italy

Tel: 39 6 2025285

Fax: 39 6 2025285

Mr Massimo Avancini

Vice Dirigente
Ispettorato Centrale Difesa Mare
Ministero Ambiente
Viale Dell'Arte 16
00128 Rome
Italy

Tel: 39 6 59084691/06

Fax: 39 6 59084111

Mr Giuseppe Italiano

Vice Dirigente
Ispettorato Centrale Difesa Mare
Ministero Ambiente
Viale Dell'Arte 16
00128 Rome
Italy

Tel: 39 6 59084545

Fax: 39 6 59084111

Mr Sergio Illuminato

Presidente
La Facoltà dell'Arte e della Scienza
Piazza della Libertà, 10
00192 Rome
Italy

Tel: 39 6 3230206 - 3201021

Fax: 39 6 3217777

**LIBYAN ARAB JAMAHIRIYA
JAMAHIRIYA ARABE LIBYENNE**

Mr Abdul Fatah Boargob
Environment Expert
Head of the Department of Environmental
Studies
Technical Centre for Environment
Protection
P.O. Box 83618
Tripoli
Libyan Arab Jamahiriya

Tel: 218 21 4445795 - 4448452
Fax: 218 21 3338098
Tlx: 901-20138 TCEP LY

**MALTA
MALTE**

Mr Philip Grech
Director
Drainage Department
Ministry for the Environment
7 Pinto Wharf
Floriana VLT 01
Malta

Tel: 356 247236
Fax: 356 247220
Eml: gattks@keyworld.mt

**MONACO
MONACO**

Mme Marie-Christine Van Klaveren
Chef de Division
Service de l'Environnement
3 avenue de Fontvieille
MC-98000 Monaco
Principauté de Monaco

Tel: 33 93158963
Fax: 33 92052891
Eml: VanKlave@hermes.unice.fr

**MOROCCO
MAROC**

M. Ahmed Bouhaouli
Secrétaire Général du Ministère
Ministère de l'environnement
36 avenue Al Abtal-Agdal
Rabat
Maroc

Tel: 212 7 777697 - 772759
Fax: 212 7 777697

Mme Ouafae El Moukhliiss

Chargée d'Etudes
Ministère de l'environnement
36 avenue Al Abtal-Agdal
Rabat
Maroc

Tel: 212 7 772634/5

Fax: 212 7 772640

M. El Kébir Mdarhri Alaoui

Chef de la Division de l'Observation
et des Etudes
Ministère de l'environnement
75, Rue Sebou
Rabat Agdal
Maroc

Tel: 212 7 681500/02

Fax: 212 7 769578

M. Rahhal Maarouf

Directeur
Direction de la Réglementation et du
Contrôle
Ministère de l'environnement
36 avenue Al Abtal-Agdal
Rabat
Maroc

Tel: 212 7 670617

Fax: 212 7 777697

**SLOVENIA
SLOVENIE**

Ms Helena SenekoviæMarchisetti

Assistant to the Director
National Protection Authority
of the Republic of Slovenia
Ministry of Environment and Physical
Planning
1B Vojkova
1000 Ljubljana
Slovenia

Tel: 386 61 1784546 - 1784000

Fax: 386 61 1784611

**SPAIN
ESPAGNE**

M. Joaquín Ros

Asesor Ejecutivo
Secretaria de Estado de Medio Ambiente
y Vivienda
Ministerio de Obras Públicas,
Transportes y Medio Ambiente
Plaza de San Juan de la Cruz, s/n
28071 Madrid
Espagne

Tel: 34 1 5976005

Fax: 34 1 5976437

M. Victor Escobar

Jefe de Servicio
Dirección general de Política Ambiental
Secretaria de Estado de Medio Ambiente
y Vivienda
Ministerio de Obras Públicas,
Transportes y Medio Ambiente
P. de la Castellana 67
28071 Madrid
Espagne

Tel: 34 1 5978697

Fax: 34 1 5978513

M. Valentin Bou

Profesor Derecho Internacional
Facultad de Derecho
Universidad de Valencia
Avda Blasco Ibañez s/n
46071 Valencia
Espagne

Tel: 34 6 3864453

Fax: 34 6 3864443

Eml: Valentin.Bou@uv.es

**TUNISIA
TUNISIE**

Mme Ilhem Laabidi

Directeur du Contentieux
Agence Nationale de Protection de
l'Environnement (ANPE)
Ministère de l'Environnement et de
l'Aménagement du Territoire
Centre Urbain Nord Bâtiment I. C. F.
B.P. 52
2080 Ariana - Tunis
Tunisie

Tel: 216 1 708120 - 718239

Fax: 216 1 708230

**TURKEY
TURQUIE**

Ms Bilgi Yücel

Division Chief

Ministry of Environment

Eskisehir Yolu 8 km

06100 Ankara

Turkey

Tel: 90 312 2879963

Fax: 90 312 2855875

**UNITED NATIONS BODIES AND SECRETARIAT UNITS
SECRETARIAT DES NATIONS UNIES**

UNITED NATIONS ENVIRONMENT
PROGRAMME
COORDINATING UNIT FOR THE
MEDITERRANEAN ACTION PLAN
PROGRAMME DES NATIONS UNIES
POUR L'ENVIRONNEMENT
UNITE DE COORDINATION DU PLAN
D'ACTION POUR LA MEDITERRANEE

Mr Lucien Chabason
Coordinator

Mr Ljubomir Jeftic
Deputy Coordinator

Mr Francesco-Saverio Civili
First Officer

Mr Adnan Aksel
Computer Operations Officer

Mr Evangelos G. Raftopoulos
Professor of International Law
MAP Legal Advisor

Coordinating Unit for the Mediterranean
Action Plan
P. O. Box 18019
48, Vassileos Konstantinou Avenue
116 10 Athens
Greece

Tel: 30 1 7253190-5
Fax: 30 1 7253196-7
Tlx: 222564 - 222611 MEDU GR
Eml: unepmedu@compulink.gr

**REPRESENTATIVES OF UNITED NATIONS SPECIALIZED AGENCIES AND OTHER
INTERGOVERNMENTAL ORGANIZATIONS
REPRESENTANTS DES INSTITUTIONS SPECIALISEES DES NATIONS UNIES
ET AUTRES ORGANISATIONS INTERGOUVERNEMENTALES**

FOOD AND AGRICULTURE
ORGANIZATION OF THE UNITED
NATIONS (FAO)
ORGANISATION DES NATIONS UNIES
POUR L'ALIMENTATION ET
L'AGRICULTURE

Mr Gabriel P. Gabrielides
Senior Fishery Officer
(Marine Pollution)
FAO Project Office
Coordinating Unit for the Mediterranean
Action Plan
P.O. Box 18019
48, Vassileos Konstantinou Avenue
116 10 Athens
Greece

Tel: 30 1 7253190-5
Fax: 30 1 7253196-7
Tlx: 601-222564 - 222611 MEDU GR
Eml: faomedu@compulink.gr

WORLD HEALTH ORGANIZATION
(WHO)
ORGANISATION MONDIALE DE LA
SANTE (OMS)

Mr George Kamizoulis
Senior Scientist
WHO/EURO Project Office
Coordinating Unit for the Mediterranean
Action Plan
P.O. Box 18019
48, Vassileos Konstantinou Avenue
116 10 Athens
Greece

Tel: 30 1 7253190-5
Fax: 30 1 7253196-7
Tlx: 601-222564 - 222611 MEDU GR
Eml: whomed@compulink.gr

COMMISSION INTERNATIONALE POUR
L'EXPLORATION SCIENTIFIQUE
DE LA MER MEDITERRANEE
(CIESM)

Mr Victor Axiak
Vice-Chairman
CIESM Expert Group on Marine Pollution
16, bd de Suisse
MC 98000 Monaco

Tel: 33 93303879
Fax: 33 92161195
Eml: ciesm@unice.fr

**NON-GOVERNMENTAL ORGANIZATIONS
ORGANISATIONS NON GOUVERNEMENTALES**

INTERNATIONAL PARK
DOCUMENTATION CENTRE (CEDIP)

Mr Giovanni Valdè
Chair
International Park Documentation Centre
(CEDIP)
Villa Demidoff
50036 Pratolino
Firenze
Italy

Tel: 39 55 409051
Fax: 39 55 476116

EUROPEAN CHEMICAL INDUSTRY
COUNCIL (CEFIC)

Mr Philippe Feron

Executive Director
Euro Chlor
European Chemical Industry Council
(CEFIC)
4 avenue E. Van Nieuwenhuysse
1160 Bruxelles
Belgique

Tel: 32 2 6767350

Fax: 32 2 6767241

Tlx: 42-62444

Mr Antonio Pasquinucci

Manufacturing Manager
Euro Chlor
European Chemical Industry Council
(CEFIC)
Via Taramelli 26
20124 Milano
Italy

Tel: 39 2 69778377

Fax: 39 2 69778469

Tlx: 314215 Enichm I

Mr Emilio Tijero

Euro Chlor
European Chemical Industry Council
(CEFIC)
C/Corcega 301
08080 Barcelona
Spain

Tel: 34 3 4159000

Fax: 34 3 4158084

Tlx: 42-62444

Mr Jacques Verdier

Public Affairs Environment
Euro Chlor
European Chemical Industry Council
(CEFIC)
4 avenue E. Van Nieuwenhuysse
1160 Bruxelles
Belgique

Tel: 32 2 6767211

Fax: 32 2 6767241

Tlx: 42-62444

**CENTRE FOR CLEANER PRODUCTION
INITIATIVES**

Mr Victor Macià

Director
Centre for Cleaner Production Initiatives
Travessera de Gràcia 56-4 art
08006 Barcelona
Spain

Tel: 34 3 4147090

Fax: 34 3 4144582

ECOMEDITERRANIA

Ms Maria del Mar Sivill Capdet

Mediterranean Program Coordinator
Fundació EcoMediterrània
643 Gran via de les Corts Catalanes
08010 Barcelona
Spain

Tel: 34 3 4125599

Fax: 34 3 4124622

GREENPEACE INTERNATIONAL

Mr Fabrizio Fabbri

Coordinator
Greenpeace International
28 Viale Manlio Gelsomini
00135 Rome
Italy

Tel: 39 6 5782484

Fax: 39 6 5783531

Tlx: GPITA 616312

Eml: FABBRI.FABRIZIO@GREEN2.GREENPEACE.ORG

Ms Ruth Stringer

Greenpeace International
Greenpeace Research Labs
Earth Resources Centre
University of Exeter
North Park Road
Exeter EX4 4QE
United Kingdom

Tel: 44 1392 263782

Fax: 44 1392 263907

Ms Domitilla Senni

Greenpeace International
28 Viale Manilio Gelsomini
00135 Rome
Italy

Tel: 39 6 5780479

Fax: 39 6 5783531

Tlx: GPITA 616312

INSTITUT MEDITERRANEEN DE L'EAU
(I.M.E.- MEDWAN)

M. Louis Potié
Délégué Général
Institut Méditerranéen de l'Eau
Palais du Pharo
58 bd Charles Livon
13007 Marseille
France

Tel: 33 91593841
Fax: 33 91593840

M. Aurelio Aureli
Secrétaire Général
(CEMPE Commission Européenne
Méditerranéenne de l'Eau) I.M.E.
Via S. Paolo 66
95128 Catania
Italy

Tel: 39 95 7311763
Fax: 39 95 7311763

LA FACOLTA DELL'ARTE E DELLA
SCIENZA

Ms Ginella Vocca
Direttore
La Facoltà dell'Arte e della Scienza
Piazza della Libertà, 10
00192 Rome
Italy

Tel: 39 6 3230206 - 3201021
Fax: 39 6 3217777

Ms Alessandra De Sena-Plunkett
Coordinator
La Facoltà dell'Arte e della Scienza
Piazza della Libertà, 10
00192 Rome
Italy

Tel: 39 6 3230206 - 3201021
Fax: 39 6 3217777

WORLD WIDE FUND FOR NATURE
INTERNATIONAL (WWF)

Mr Paolo Guglielmi
Mediterranean Programme Coordinator
c/o WWF Italia
57 Via Garigliano
00198 Rome
Italy

Tel: 39 6 84497359 - 844971
Fax: 39 6 8413866
Eml: mc2248@mclink.it

Ms Domitilla Senni

Mediterranean Programme

c/o WWF Italia

57 Via Garigliano

00198 Rome

Italy

Tel: 39 6 84497359 - 844971

Fax: 39 6 8413866

Mr Aldo Iacomelli

Head

Energy and Resource Officer

Mediterranean Programme

c/o WWF Italia

57 Via Garigliano

00198 Rome

Italy

Tel: 39 6 84497359 - 844971

Fax: 39 6 8413866

ANNEX II

AGENDA

1. Opening of the meeting
2. Rules of procedure
3. Election of officers
4. Adoption of the Agenda and organization of work
5. Information on the Global Programme of Action for the Protection of the Mediterranean Environment from Land-based Activities and other related Activities
6. Review of the draft amendments to the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources
7. Other business
8. Adoption of the report of the meeting
9. Closure of the Meeting

ANNEX III

AMENDMENTS TO THE PROTOCOL FOR THE PROTECTION OF THE MEDITERRANEAN SEA AGAINST POLLUTION FROM LAND-BASED SOURCES

A. TITLE

The title of the Protocol is amended as follows:

PROTOCOL FOR THE PROTECTION OF THE MEDITERRANEAN SEA AGAINST
POLLUTION FROM LAND-BASED SOURCES AND ACTIVITIES

B. PREAMBULAR PARAGRAPHS

The first preambular paragraph of the Protocol is amended as follows:

Being Parties to the Convention for the Protection of the Mediterranean Sea against Pollution, adopted at Barcelona on 16 February 1976 and amended on 10 June 1995,

The third preambular paragraph of the Protocol is amended as follows:

Noting the increasing environmental pressures resulting from human activities in the Mediterranean Sea Area, particularly in the fields of industrialization and urbanization, as well as the seasonal increase in the coastal population due to tourism,

The fourth preambular paragraph of the Protocol is amended as follows:

Recognizing the danger posed to the marine environment, living resources and human health by pollution from land-based sources and activities and the serious problems resulting therefrom in many coastal waters and river estuaries of the Mediterranean Sea, primarily due to the release of untreated, insufficiently treated or inadequately disposed of domestic or industrial discharges containing substances that are toxic, persistent and liable to bioaccumulate,

The following paragraph is added as the fifth preambular paragraph:

Applying the precautionary principle and the polluter pays principle, undertaking environmental impact assessment and utilizing the best available techniques and the best environmental practices, including clean production technologies, as provided for in article 4 of the Convention,

The sixth preambular paragraph of the Protocol is amended as follows:

Determined to take, in close cooperation, the necessary measures to protect the Mediterranean Sea against pollution from land-based sources and activities,

The following paragraph is added as the seventh preambular paragraph:

Taking into consideration the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities, adopted in Washington, D.C., on 3 November 1995,

C. ARTICLE 1

A title is inserted and the text is amended as follows:

GENERAL PROVISION

The Contracting Parties to this Protocol (hereinafter referred to as "the Parties") shall take all appropriate measures to prevent, abate, combat and eliminate to the fullest possible extent pollution of the Mediterranean Sea Area caused by discharges from rivers, coastal establishments or outfalls, or emanating from any other land-based sources and activities within their territories, giving priority to the phasing out of inputs of substances that are toxic, persistent and liable to bioaccumulate.

D. ARTICLE 2

A title is inserted, and the texts of paragraphs (a) and (d) are amended as follows:

DEFINITIONS

- (a) "The Convention" means the Convention for the Protection of the Mediterranean Sea against Pollution, adopted at Barcelona on 16 February 1976 and amended on 10 June 1995;
- (d) The "Hydrologic Basin" means the entire watershed area within the territories of the Contracting Parties, draining into the Mediterranean Sea Area as defined in article 1 of the Convention.

E. ARTICLE 3

A title is inserted and the following new paragraph is added:

PROTOCOL AREA

(abis) (renumbered as b))

(b) The hydrologic basin of the Mediterranean Sea Area;

Paragraph (b) is re-numbered as paragraph (c). Paragraph (c) is re-numbered as paragraph (d) and amended as follows:

(d) Brackish waters, salt waters and ground waters communicating with the Mediterranean Sea.

F. ARTICLE 4

A title is inserted and the texts of paragraphs 1(a) and (b) are amended as follows:

PROTOCOL APPLICATION

1. This Protocol shall apply:

(a) To discharges originating from land-based point and diffuse sources and activities within the territories of the Contracting Parties that may affect directly or indirectly the Mediterranean Sea Area. These discharges shall include those which reach the Mediterranean Area, as defined in article 3(a), (c) and (d) of this Protocol, through coastal disposals, rivers, outfalls, canals, or other watercourses, including ground water flow, or through run-off and disposal under the seabed with access from land;

(b) To inputs of polluting substances transported to the Mediterranean Sea Area from land-based sources or activities within the territories of the Contracting Parties under the conditions defined in annex III to this Protocol.

The following new paragraph is added:

3. The Parties shall invite States that are not parties to the Protocol and have in their territories parts of the hydrologic basin of the Mediterranean Area to cooperate in the implementation of the Protocol.

G. ARTICLE 5

A title is inserted and the texts of paragraphs 1, 2, and 4 are amended as follows:

GENERAL OBLIGATIONS

1. The Parties undertake to eliminate pollution deriving from land-based sources and activities, in particular to phase out toxic, persistent and bioaccumulative inputs of the substances listed in annex I.

2. To this end, they shall elaborate and implement, individually or jointly, as appropriate, national and regional action plans and programmes, containing measures and timetables for their implementation.

Paragraph 3 is deleted

4. **(re-numbered as 3)**

The priorities and timetables for implementing the action plans, programmes and measures shall be adopted by the Parties taking into account the elements set out in annex I and shall be periodically reviewed.

The following new paragraphs are added:

4. When adopting action plans, programmes and measures, the Parties shall take into account, either individually or jointly, the best available techniques and the best environmental practice including, where appropriate, clean production technologies, taking into account the criteria set forth in annex IV.

5. The Parties shall take preventive measures to reduce to the minimum the risk of pollution caused by accidents.

H. ARTICLE 6

A title is inserted and the text is replaced by the following:

AUTHORIZATION OR REGULATION SYSTEM

1. Point source discharges into the Protocol Area, and releases into water or air that reach and may affect the Mediterranean Area, as defined in article 3(a), (c) and (d) of this Protocol, shall be strictly subject to authorization or regulation by the competent authorities of the Parties, taking due account of the provisions of this Protocol and annex II thereto, as well as the relevant decisions or recommendations of the meetings of the Contracting Parties.

2. To this end, the Parties shall provide for systems of inspection by their competent authorities to assess compliance with authorizations and regulations.

3. The Parties may be assisted by the Organization, upon request, in establishing new, or strengthening existing, competent structures for inspection of compliance with authorizations and regulations. Such assistance shall include special training of personnel.

4. The Parties establish appropriate sanctions in case of non-compliance with the authorizations and regulations and ensure their application.

I. ARTICLE 7

A title is inserted. The texts of paragraph 1(e) and paragraph 3 are amended as follows:

COMMON GUIDELINES, STANDARDS AND CRITERIA

1. ..

(e) Specific requirements concerning the quantities of the substances discharged (listed in annex I), their concentration in effluents and methods of discharging them.

3. The action plans, programmes and measures referred to in articles 5 and 15 of this Protocol shall be adopted by taking into account, for their progressive implementation, the capacity to adapt and reconvert existing installations, the economic capacity of the Parties and their need for development.

J. ARTICLE 8

A title is inserted and the text is amended as follows:

MONITORING

Within the framework of the provisions of, and the monitoring programmes provided for in article 12 of the Convention, and if necessary in cooperation with the competent international organizations, the Parties shall carry out at the earliest possible date monitoring activities and make access to the public of the findings in order:

(a) Systematically to assess, as far as possible, the levels of pollution along their coasts, in particular with regard to the sectors of activity and categories of substances listed in annex I, and periodically to provide information in this respect;

(b) To evaluate the effectiveness of action plans, programmes and measures implemented under this Protocol to eliminate to the fullest possible extent pollution of the marine environment.

K. ARTICLE 9

A title is inserted and the text is amended as follows:

SCIENTIFIC AND TECHNICAL COOPERATION

In conformity with article 13 of the Convention, the Parties shall cooperate in scientific and technological fields related to pollution from land-based sources and activities, particularly research on inputs, pathways and effects of pollutants and on the development of new methods for their treatment, reduction or elimination, as well as the development of clean production processes to this effect. To this end, the Parties shall, in particular, endeavour to:

The following new paragraph is added:

- (c) Promote access to, and transfer of, environmentally sound technology including clean production technology.

L. ARTICLE 10

A title is inserted and the text is amended as follows:

TECHNICAL ASSISTANCE

1. The Parties shall, directly or with the assistance of competent regional or other international organizations, bilaterally or multilaterally, cooperate with a view to formulating and, as far as possible, implementing programmes of assistance to developing countries, particularly in the fields of science, education and technology, with a view to preventing, reducing or, as appropriate, phasing out inputs of pollutants from land-based sources and activities and their harmful effects in the marine environment.

2. Technical assistance would include, in particular, the training of scientific and technical personnel, as well as the acquisition, utilization and production by those countries of appropriate equipment and, as appropriate, clean production technologies, on advantageous terms to be agreed upon among the Parties concerned.

M. ARTICLE 11

A title is inserted as follows:

TRANSBOUNDARY POLLUTION

N. ARTICLE 12

A title is inserted and the text of paragraph 1 is amended as follows:

SETTLEMENT OF DISPUTES

1. Taking into account article 28, paragraph 1, of the Convention, when land-based pollution originating from the territory of one Party is likely to prejudice directly the interests of one or more of the other Parties, the Parties concerned shall, at the request of one or more of them, undertake to enter into consultation with a view to seeking a satisfactory solution.

O. ARTICLE 13

A title is inserted. The texts of paragraph 1, the first sentence of paragraph 2 and sub-paragraph (d) of paragraph 2 are amended as follows:

REPORTS

1. The Parties shall submit reports every two years, unless decided otherwise by the Contracting Parties, to the meetings of the Contracting Parties, through the Organization, of measures taken, results achieved and, if the case arises, of difficulties encountered in the application of this Protocol. Procedures for the submission of such reports shall be determined at the meetings of the Parties.

2. Such reports shall include, *inter alia*:

(d) Action plans, programmes and measures implemented in accordance with articles 5, 7 and 15 of this Protocol.

P. ARTICLE 14

A title is inserted. The texts of paragraph 1 and of sub-paragraphs (a), (c) and (f), of paragraph 2 are amended as follows:

MEETINGS

1. Ordinary meetings of the Parties shall take place in conjunction with ordinary meetings of the Contracting Parties to the Convention held pursuant to article 18 of the Convention. The Parties may also hold extraordinary meetings in accordance with article 18 of the Convention.

2. ...

(a) To keep under review the implementation of this Protocol and to consider the efficacy of the action plans, programmes and measures adopted;

- (c) To formulate and adopt action plans, programmes and measures in accordance with articles 5, 7 and 15 of this Protocol;
- (f) To consider the reports submitted by the Parties under article 13 of this Protocol.

Q. ARTICLE 15

A title is inserted and the text of paragraph 1 is amended as follows:

ADOPTION OF ACTION PLANS, PROGRAMMES AND MEASURES

1. The meeting of the Parties shall adopt, by a two-thirds majority, the short-term and medium-term regional action plans and programmes containing measures and timetables for their implementation provided for in article 5 of this Protocol.

The text of paragraph 2 is replaced by the following:

2. Regional action plans and programmes as referred to in paragraph 1 shall be formulated by the Organization and considered and approved by the relevant technical body of the Contracting Parties within one year at the latest of the entry into force of the amendments to this Protocol. Such regional action plans and programmes shall be put on the agenda for the subsequent meeting of the Parties for adoption. The same procedure shall be followed for any additional action plans and programmes.

The following new paragraphs are added:

3. The measures and timetables adopted in accordance with paragraph 1 of this article shall be notified by the Secretariat to all the Parties. Such measures and timetables become binding on the one hundred and eightieth day following the day of notification for the Parties which have not notified the Secretariat of an objection within one hundred and seventy-nine days from the date of notification.

4. The Parties which have notified an objection in accordance with the preceding paragraph shall inform the meeting of the Parties of the provisions they intend to take, it being understood that these Parties may at any time give their consent to these measures or timetables.

R. ARTICLE 16

A title is inserted and the text of paragraph 2 is amended as follows:

FINAL PROVISIONS

2. The rules of procedure and the financial rules adopted pursuant to article 24 of the Convention shall apply with respect to this Protocol, unless the Parties to this Protocol agree otherwise.

The text of the last paragraph is amended as follows:

DONE at Athens on 17 May 1980 and amended at Syracuse on 7 March 1996 in a single copy in the Arabic, English, French and Spanish languages, the four texts being equally authoritative.

ANNEX I

Annex I is replaced by a new Annex I as follows:

ANNEX I

ELEMENTS TO BE TAKEN INTO ACCOUNT IN THE PREPARATION OF ACTION PLANS, PROGRAMMES AND MEASURES FOR THE ELIMINATION OF POLLUTION FROM LAND-BASED SOURCES AND ACTIVITIES

This annex contains elements which will be taken into account in the preparation of action plans, programmes and measures for the elimination of pollution from land-based sources and activities referred to in articles 5, 7 and 15 of this Protocol.

Such action plans, programmes and measures will aim to cover the sectors of activity listed in section A and also cover the groups of substances enumerated in section C, selected on the basis of the characteristics listed in section B of the present annex.

Priorities for action should be established by the Parties, on the basis of the relative importance of their impact on public health, the environment and socio-economic and cultural conditions. Such programmes should cover point sources, diffuse sources and atmospheric deposition.

In preparing action plans, programmes and measures, the Parties, in conformity with the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, adopted in Washington, D.C. in 1995, will give priority to substances that are toxic, persistent and liable to bioaccumulate, in particular to persistent organic pollutants (POPs), as well as to wastewater treatment and management.

A. SECTORS OF ACTIVITY

The following sectors of activity (not listed in order of priority) will be primarily considered when setting priorities for the preparation of action plans, programmes and measures for the elimination of the pollution from land-based sources and activities:

1. Energy production;
2. Fertilizer production;
3. Production and formulation of biocides;
4. The pharmaceutical industry;
5. Petroleum refining;
6. The paper and paper-pulp industry;
7. Cement production;
8. The tanning industry;

9. The metal industry;
10. Mining;
11. The shipbuilding and repairing industry;
12. Harbour and marina operations;
13. The textile industry;
14. The electronic industry;
15. The recycling industry;
16. Other sectors of the organic chemical industry;
17. Other sectors of the inorganic chemical industry;
18. Tourism;
19. Agriculture;
20. Animal husbandry;
21. Food processing;
22. Aquaculture;
23. Treatment and disposal of hazardous wastes;
24. Treatment and disposal of domestic waste water;
25. Management of municipal solid waste;
26. Disposal of sewage sludge;
27. The waste management industry;
28. Incineration of waste and management of its residues;
29. Works which cause physical alteration of the natural state of the coastline;
30. Transport.

B. CHARACTERISTICS OF SUBSTANCES IN THE ENVIRONMENT

For the preparation of action plans, programmes and measures, the Parties should take into account the characteristics listed below:

1. Persistence;
2. Toxicity or other noxious properties (e.g. carcinogenicity, mutagenicity, teratogenicity);
3. Bioaccumulation;
4. Radioactivity;
5. The ratio between observed concentrations and no observed effect concentrations (NOEC);
6. The risk of eutrophication of anthropogenic origin;
7. Health effects and risks;
8. Transboundary significance;
9. The risk of undesirable changes in the marine ecosystem and irreversibility or durability of effects;
10. Interference with the sustainable exploitation of living resources or with other legitimate uses of the sea;
11. Effects on the taste and/or smell of marine products for human consumption;
12. Effects on the smell, colour, transparency or other characteristics of seawater;
13. Distribution pattern (i.e. quantities involved, use patterns and probability of reaching the marine environment).

C. CATEGORIES OF SUBSTANCES

The following categories of substances and sources of pollution will serve as guidance in the preparation of action plans, programmes and measures:

1. Organohalogen compounds and substances which may form such compounds in the marine environment. Priority will be given to Aldrin, Chlordane, DDT, Dieldrin, Dioxins and Furans, Endrin, Heptachlor, Hexachlorobenzene, Mirex, PCBs and Toxaphene;
2. Organophosphorus compounds and substances which may form such compounds in the marine environment;
3. Organotin compounds and substances which may form such compounds in the marine environment;

4. Polycyclic aromatic hydrocarbons;
5. Heavy metals and their compounds;
6. Used lubricating oils;
7. Radioactive substances, including their wastes, when their discharges do not comply with the principles of radiation protection as defined by the competent international organizations, taking into account the protection of the marine environment;
8. Biocides and their derivatives;
9. Pathogenic microorganisms;
10. Crude oils and hydrocarbons of petroleum origin;
11. Cyanides and fluorides;
12. Non-biodegradable detergents and other non-biodegradable surface-active substances;
13. Compounds of nitrogen and phosphorus and other substances which may cause eutrophication;
14. Litter (any persistent manufactured or processed solid material which is discarded, disposed of, or abandoned in the marine and coastal environment);
15. Thermal discharges;
16. Acid or alkaline compounds which may impair the quality of water;
17. Non-toxic substances that have an adverse effect on the oxygen content of the marine environment;
18. Non-toxic substances that may interfere with any legitimate use of the sea;
19. Non-toxic substances that may have adverse effects on the physical or chemical characteristics of seawater.

ANNEX II

Annex II is deleted.

ANNEX III

Annex III is re-numbered as Annex II. A title is added and the introductory paragraph is amended as follows:

ANNEX II

ELEMENTS TO BE TAKEN INTO ACCOUNT IN THE ISSUE OF THE AUTHORIZATIONS FOR DISCHARGES OF WASTES

With a view to the issue of an authorization for the discharges of wastes containing substances referred to in article 6 to this Protocol, particular account will be taken, as the case may be, of the following factors:

The title and paragraphs 1, 2, 3, 6 and 7 of section A are amended as follows:

A. CHARACTERISTICS AND COMPOSITION OF THE DISCHARGES

1. Type and size of point or diffuse source (e.g. industrial process).
2. Type of discharges (e.g. origin, average composition).
3. Form of waste (e.g. solid, liquid, sludge, slurry).
6. Concentrations with respect to relevant constituents of substances listed in annex I and of other substances as appropriate.
7. Physical, chemical and biochemical properties of the waste discharges.

The title of section B is amended and a new paragraph is added.

B. CHARACTERISTICS OF DISCHARGE CONSTITUENTS WITH RESPECT TO THEIR HARMFULNESS

7. All other characteristics as listed in annex I, section B.

The title and paragraph 3 of section C are amended as follows:

C. CHARACTERISTICS OF DISCHARGE SITE AND RECEIVING ENVIRONMENT

3. Initial dilution achieved at the point of discharge into the receiving environment.

ANNEX IV

Annex IV is re-numbered as Annex III. A title is added and paragraphs 1, 2, 3 and 5 are amended as follows:

ANNEX III

**CONDITIONS OF APPLICATION TO POLLUTION TRANSPORTED
THROUGH THE ATMOSPHERE**

1. This Protocol shall apply to polluting discharges into the atmosphere under the following conditions:
 - (a) the discharged substance is or could be transported to the Mediterranean Sea Area under prevailing meteorological conditions;
 - (b) the input of the substance into the Mediterranean Sea Area is hazardous for the environment in relation to the quantities of the same substance reaching the Area by other means.
2. This Protocol shall also apply to polluting discharges into the atmosphere affecting the Mediterranean Sea Area from land-based sources within the territories of the Parties and from fixed man-made offshore structures, subject to the provisions of article 4.2 of this Protocol.
3. In the case of pollution of the Mediterranean Sea Area from land-based sources through the atmosphere, the provisions of articles 5 and 6 of this Protocol shall apply progressively to appropriate substances and sources listed in annex I to this Protocol as will be agreed by the Parties.
5. The provisions of annex II to this Protocol shall apply to pollution through the atmosphere whenever appropriate. Air pollution monitoring and modelling using acceptable common emission factors and methodologies shall be carried out in the assessment of atmospheric deposition of substances, as well as in the compilation of inventories of quantities and rates of pollutant emissions into the atmosphere from land-based sources.

ANNEX IV

A new Annex IV is added as follows:

ANNEX IV

CRITERIA FOR THE DEFINITION OF BEST AVAILABLE TECHNIQUES AND BEST ENVIRONMENTAL PRACTICE

A. BEST AVAILABLE TECHNIQUES

1. The use of the best available techniques shall emphasize the use of non-waste technology, if available.

2. The term "best available techniques" means the latest stage of development (state of the art) of processes, of facilities or of methods of operation which indicate the practical suitability of a particular measure for limiting discharges, emissions and waste. In determining whether a set of processes, facilities and methods of operation constitute the best available techniques in general or individual cases, special consideration shall be given to:

- (a) comparable processes, facilities or methods of operation which have recently been successfully tried out;
- (b) technological advances and changes in scientific knowledge and understanding;
- (c) the economic feasibility of such techniques;
- (d) time limits for installation in both new and existing plants;
- (e) the nature and volume of the discharges and emissions concerned.

3. It therefore follows that what is "best available techniques" for a particular process will change with time in the light of technological advances, economic and social factors, as well as changes in scientific knowledge and understanding.

4. If the reduction of discharges and emissions resulting from the use of best available techniques does not lead to environmentally acceptable results, additional measures have to be applied.

5. "Techniques" include both the technology used and the way in which the installation is designed, built, maintained, operated and dismantled.

B. BEST ENVIRONMENTAL PRACTICE

6. The term "best environmental practice" means the application of the most appropriate combination of environmental control measures and strategies. In making a selection for individual cases, at least the following graduated range of measures should be considered:

- (a) the provision of information and education to the public and to users about the environmental consequences of choice of particular activities and choice of products, their use and ultimate disposal;
- (b) the development and application of codes of good environmental practice which cover all aspects of the activity in the product's life;
- (c) the mandatory application of labels informing users of environmental risks related to a product, its use and ultimate disposal;
- (d) saving resources, including energy;
- (e) making collection and disposal systems available to the public;
- (f) avoiding the use of hazardous substances or products and the generation of hazardous waste;
- (g) recycling, recovery and re-use;
- (h) the application of economic instruments to activities, products or groups of products;
- (l) establishing a system of licensing, involving a range of restrictions or a ban.

7. In determining what combination of measures constitute best environmental practice, in general or individual cases, particular consideration should be given to:

- (a) the environmental hazard of the product and its production, use and ultimate disposal;
- (b) the substitution by less polluting activities or substances;
- (c) the scale of use;
- (d) the potential environmental benefit or penalty of substitute materials or activities;
- (e) advances and changes in scientific knowledge and understanding;
- (f) time limits for implementation;
- (g) social and economic implications.

8. It therefore follows that best environmental practice for a particular source will change with time in the light of technological advances, economic and social factors, as well as changes in scientific knowledge and understanding.

9. If the reduction of inputs resulting from the use of best environmental practice does not lead to environmentally acceptable results, additional measures have to be applied and best environmental practice redefined.