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MEDITERRANEAN ACTION PLAN

Second Meeting of Government-designated Experts to examine
a Strategic Action Programme to Address Pollution from
Land-based Activities

Athens, Greece, 13-16 October 1997

REPORT

**SECOND MEETING OF GOVERNMENT-DESIGNATED EXPERTS
TO EXAMINE A STRATEGIC ACTION PROGRAMME TO ADDRESS
POLLUTION FROM LAND-BASED ACTIVITIES**

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Introduction

1. The Second Meeting of Government-designated Experts to examine a Strategic Action Programme to Address Pollution from Land-based Activities was held at the Athens Golf Club, Glyfada (Greece), from 13 to 16 October 1997.

Participants

2. Experts from the following Contracting Parties to the Barcelona Convention attended the Meeting: Albania, Algeria, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, European Community, France, Greece, Israel, Italy, Lebanon, Libyan Arab Jamahiriya, Malta, Monaco, Slovenia, Spain and Turkey.

3. The following United Nations bodies and specialized agencies were represented: World Health Organization (WHO) and UNEP/GEF Coordination Unit.

4. The following non-governmental organizations were represented: CEFIC/EUROCHLOR (European Chemical Industry), Europe Conservation (represented by WWF), Greenpeace International, Hellenic Marine Environment Protection Association (HELMPEPA), Mediterranean Information Office for Environment, Culture and Sustainable Development (MIO-ECSDE) and World Wide Fund for Nature (WWF).

5. The list of participants is attached as Annex I to this report.

Agenda item 1. Opening of the Meeting

6. Mr Lucien Chabason, the Coordinator of the Mediterranean Action Plan, declared opened the Second Meeting of Government-designated Experts to examine a Strategic Action Programme to Address Pollution from Land-based Activities (UNEP(OCA)/MED WG.136/3). He recalled that the first version of the Strategic Action Programme had been discussed at the Meeting held on Ischia, Italy, in June 1997 as part of a project development grant provided by GEF. The successful work carried out on that occasion had allowed the Secretariat to revise the draft Strategic Action Programme on the basis of the observations that the Experts had made and the comments submitted in writing since then. The Ischia Meeting had also demonstrated the will to give effect to the commitments undertaken in Syracuse in 1996 with the signature of the revised LBS Protocol. If the Strategic Action Programme were approved by the present Meeting, it would be submitted for adoption by the Contracting Parties at their Tenth Ordinary Meeting in Tunis in November 1997. Its adoption would then allow the Secretariat to submit to GEF a proposal for a full project, which would provide a solid basis for the implementation of the Strategic Action Programme. However, he emphasized that the principal responsibility for taking concrete action to implement the Programme lay with the countries themselves.

7. Finally, Mr Chabason wished the Meeting every success in its work and welcomed Mr John Pernetta, representative of UNEP/GEF, whom he invited to take floor.

8. Mr Pernetta gave a brief overview of GEF and the way it functioned. UNEP's role in GEF - alongside UNDP and the World Bank - had increased in the past 18 months, and as GEF itself reached the end of its first phase with discussions under way to replenish it, there was an expectation that it would be receiving increased funds. GEF was the interim financial mechanism for the two conventions on biodiversity and climatic change, which each received 36 percent of its funds, and in both areas GEF interventions were usually on a single-country

basis. Its international waters portfolio, which received 14 percent of its funding, involved multi-country interventions. The balance of GEF funding went to its ozone portfolio. GEF project development facility grants enabled countries to determine their own priorities which were based on the assumption that a full GEF programme would develop from them. A grant required the drawing up of a transboundary diagnostic analysis and a strategic action programme. In the case of the Mediterranean both were directed towards land-based activities. National government financial commitments were a requirement for approval of GEF grants: GEF would not fund a project without country endorsement.

Agenda item 2. Rules of Procedure

9. The Secretariat informed the participants that the rules of procedure adopted for the meetings and conferences of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related Protocols (UNEP(OCA)/G.43/6 Annex XI) would apply *mutatis mutandis* to the Meeting.

Agenda item 3. Election of Officers

10. The Meeting unanimously elected the following officers:

Chairperson	:	Mr Alexandros Lascaratos (Greece)
Vice Chairpersons	:	Ms Marie-Christine Van Klaveren (Monaco)
		Mr Ali Ibrahim El-Beltagy (Egypt)
Rapporteur	:	Mr Naji Kodeih (Lebanon)

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

11. The Meeting adopted the proposed agenda contained in document (UNEP(OCA)/MED WG.136/1), which appears as Annex II to this report.

Agenda item 5. Background and Scope of the Meeting

12. Mr F.S. Civili, First Officer, outlined the background and scope of the Meeting, which was principally called upon to examine and approve a Strategic Action Programme to Address Pollution from Land-based Activities for submission to the Meeting of the Contracting Parties to be held in Tunis in November 1997 for adoption. He briefly reviewed the action taken, with substantial support from GEF, to develop the Strategic Action Programme which was now before the Meeting and emphasized the contribution it would make to the implementation of the LBS Protocol.

Agenda item 6. Review of draft Strategic Action Programme to Address Pollution from Land-Based Activities

13. Mr Civili introduced document UNEP(OCA)/MED WG.136/3. He noted that the Strategic Action Programme had already been reviewed by a first Meeting of Government-designated

Experts held in Ischia, Italy, in June 1997. The comments made by the participants at that Meeting, as well as subsequent comments submitted in writing, had been taken into account in the preparation of a new version of the Strategic Action Programme.

14. Responding to certain questions concerning the figures contained in the new chapter entitled "Investment Portfolio and Mobilization of Financial Resources", the MAP Coordinator emphasized that, although they were only indicative, they ensured that the Programme was a practical tool, and not just a theoretical document.

15. In response to a number of other comments by the Experts, Mr Civili specified that no mention of the involvement of the MAP structure had been made in the Programme. In fact, it seemed evident that the entire MAP structure and MED POL in particular, which is in charge of the coordination of the LBS-related activities, would play a very important role in assisting the various countries with the implementation of the Programme, and in particular in activities at the regional level. On the question of a periodic review and revision of the Programme, he proposed that a special paragraph should be added to the Programme on this matter, but warned that a five-year review period might be more appropriate than a shorter period. He also assured the participants that the Secretariat would make every effort to ensure the necessary coordination and synergy between the relevant regional and sub-regional programmes and activities, including those of IGOs.

16. In a paragraph by paragraph discussion of the Programme, several experts said the text too often gave the impression that the activities carried out at the regional level in various fields had not been taken into consideration, whereas in practice many relevant programmes and measures had already been adopted at both the national and regional levels. It was therefore decided that the text would take into account the fact that measures had already been taken.

17. As for introducing differentiated target dates for different countries, which some experts had proposed, the MAP Coordinator said it had always been the practice to treat countries on an equal basis, even where there were substantial differences in their resources. A number of speakers pointed to discrepancies between the dates given in certain sections of the Programme as proposed targets and those indicated for proposed activities at the regional and national levels. The Secretariat indicated that it would review the Programme as a whole to rectify such discrepancies.

18. The Expert from France pointed out that the time available for consultation regarding the working document did not allow an adequate verification of these target dates which could lead to specific constraints and thus he expressed reservation on their approval.

19. One observer expressed a serious reservation about the way the text in some cases tended simply to re-use the language of the 1992 Rio Declaration. At the review conference held in June 1997, there had been general agreement that progress had been inadequate, so it was not sufficient for the Programme merely to rely on the terms of the Rio Declaration. In his opinion, in paragraph (a) of the chapter entitled "Principles and Obligations" the text should not refer to "cost-effective" measures to prevent environmental degradation. Even if the term "cost-effective" had been taken from the Rio text it should be deleted from the Programme because it was in his new inconsistent with the precautionary principle as such and it was well known how certain industries interpreted it. The MAP Coordinator said in reply that investment in the environment had to be made in as cost-effective a manner as possible, and that had been an exhortation from UNCED itself.

20. Many speakers raised the problem of the precise meaning in English and French of the terms used in the Strategic Action Programme, and indeed in environmental matters in general.

They referred in particular to the translation of the term 'disposal' by the French word '*élimination*'. Other terms were also problematic, such as 'sensitive areas' and 'environments', and 'recycling' and the French term '*valorisation*'. A number of speakers proposed that the meaning of the most important terms used in the Programme could be explained in footnotes or in a glossary at the end of the document. However, the Secretariat noted in this connection that the correspondence between terms in the various working languages had been examined thoroughly by MAP and other international environmental organizations and that their usage had been established by common agreement and used in international and regional instruments, as in the case of 'disposal' and '*élimination*'.

21. The Meeting also discussed the meaning to be attributed to 'large' and 'medium-sized' cities. In order to avoid misunderstanding, it was therefore agreed to use the term 'agglomerations', qualified by the number of inhabitants. In this connection, several Experts said that account should also be taken of the fact that at certain times of the year the population of a town or a city could increase substantially due to the seasonal influx of tourists.

22. In the examination of the section of the Programme concerning the urban environment, one Expert called for the deletion of the specific reference to 'plastics' in the part concerning urban solid waste, in view of the many other substances of concern which were not mentioned. However, most speakers called for the retention of the reference, since plastics were a very important component of urban waste which illustrated the gravity of the problem. Finally, the Experts also called for the incorporation into this section of the Programme of the concept of the minimization of waste at source and its selective collection in order to achieve a long-term solution to the problem, as well as the problems related to touristic activities.

23. In the debate on the section of the Programme covering air pollution, several speakers suggested that greater emphasis should be placed on the priority that needed to be given to promoting the use of public transport, as well as the transport of goods by rail. One Expert also mentioned the impact of air pollutants when they were collected by rain and reached the sea either through drainage systems or natural drainage. In addition to promoting the use of gaseous fuel, other alternatives should be suggested, such as 'green' fuels and electrically powered vehicles.

24. In a discussion of the section of the Programme dealing with substances that were toxic, persistent and liable to bioaccumulate (TPBs), it was decided that a general reference should be made to their effects as endocrine disruptors in the introductory paragraphs.

25. It was also made clear that TPBs had harmful effects not only on human health but also on biodiversity and ecosystems. Several Experts raised the question as to whether there existed sufficient effective indicators to measure the proposed reductions, also in view of the fact that certain countries had already made progress in this respect. While the starting point for such reductions could be identified through national inventories of point source discharges and emissions, consideration might be given to the introduction of the concept of self-regulation or voluntary agreements for reduction targets.

26. During the discussion of the section of the Programme related to POPs, one Expert expressed a reservation concerning the use of the term "phase out inputs" in view of the difficulty of monitoring the effectiveness of the proposed action. Instead he suggested the use of the term "phase out discharges, emissions and losses", which could be more easily and effectively monitored.

27. With regard to the list of the most important sources of dioxins and furans one observer noted that the manufacture of PVC and chlorinated solvents through oxychlorination should be added.
28. With regard to the section of the Programme on heavy metals, a number of representatives pointed out that only point sources of such metals were identified. Reference should also be made to diffuse sources of such metals, even though point sources accounted for a very large proportion of their incidence.
29. The Expert from Israel suggested the reduction of the limit values for mercury and cadmium.
30. One Expert drew attention to the pollution effects of aquaculture, which was described as a local rather than a regional problem. It was agreed that aquaculture could be considered a land-based activity, in the sense that it involved providing fish with feed that had been obtained from the land. It was therefore decided to include references to the effect of intensive aquaculture in the section dealing with agriculture.
31. In a discussion of the section dealing with hazardous wastes, several Experts favoured the inclusion of a proposed target or activity at national level which would encourage the Contracting Parties to sign or ratify the Hazardous Wastes Protocol, the Basel Convention and other related legal instruments. One Expert dissented from the proposal, and it was decided that it would be more appropriate in the Programme to encourage the ratification and implementation solely of the Hazardous Wastes Protocol, which was a Barcelona instrument.
32. There was a discussion of the harm done to the environment by the excessive use of batteries and it was agreed that at the national level encouragement should be given to reducing of their use and promoting the substitution of batteries or the use of longer-lasting, rechargeable and less polluting batteries.
33. With regard to the section of the Programme concerning physical alterations and destruction of habitats, one Expert noted that this heading referred to the results of activities, rather than to the activities themselves. After the Secretariat had explained that the heading reflected precisely the wording of the Global Action Programme adopted in Washington, the Meeting agreed to maintain it. It also accepted another proposal to extend the concept of conservation of the biodiversity in the proposed targets and include species in addition to habitats. With regard to the proposed activities at the national level, several Experts stated that Environmental Impact Assessments involved a prolonged and regulated procedure related to substantial development projects and therefore agreed in addition to include reference to studies of potential effects on the environment, which involved a more flexible procedure that could be applied more easily to smaller development projects, of which the impact on coastal areas was very localized.
34. During the examination of the chapter on monitoring, it was decided to add to the introduction of the chapter a paragraph recalling the recently adopted MED POL - Phase III Programme which covered all the aspects of monitoring, including trends, compliance and the monitoring of impacts of pollution using biological effects. The activities proposed under the Strategic Action Programme would therefore be understood as an extension and confirmation of the action taken in the context of MED POL.
35. In the discussion of the chapter on capacity-building, the Meeting emphasized the role that all MAP structures should play in coordinating and implementing activities at the regional level.

36. With regard to the chapter on public participation, several Experts called for emphasis to be placed on the access of the public to information, and not just on the provision of information to the public. Emphasis should also be placed on the role of NGOs in following up the implementation of the programme and on the assistance that should be provided to them so that they could fulfill their mission of public awareness-raising, information and participation.

37. During the discussion on the chapter "Investment Portfolio and Mobilization of Financial Resources", Mr Civili pointed out that the figures it contained had been gathered entirely from country reports. When requested, MAP Experts had visited countries and with the support of national coordinators had compiled a list of hot spots and sensitive areas and produced indicative figures for the cost of dealing with them. They were therefore general, first-order estimates which had been prepared by the countries themselves.

38. There was general praise for what was seen as a very useful first attempt, albeit with faults, to produce a complete picture of Mediterranean hot spots and sensitive areas and the estimated cost of dealing with them, and emphasis was given to the importance of all countries providing the information required as soon as possible. Although it was suggested that the chapter should contain a list of developing countries needing donor assistance and a separate list of developed countries which would be providing their own finance, the Meeting agreed that such a distinction should not appear in the Programme.

39. In a long discussion, some Experts pointed to a lack of homogeneity in the presentation of the figures. One Expert said the chapter should state clearly that its contents did not in any way commit countries, that the data it contained presented some inconsistencies and that there were other financing mechanisms than those to which it referred. In response to a proposal by one Expert that the chapter should be produced as a separate document, the Chairman explained that there could be no Strategic Action Programme without the financial indications contained in the investment portfolio. Countries should submit amendments to the text of the chapter to the Secretariat within one week.

40. In examining the section dealing with the cleaning-house mechanisms, the Meeting stressed that such mechanisms should be established on existing sub-regional, regional or national research centres which are already linked with national institutions and NGOs.

41. In concluding the discussion on the contents of the Programme, the Meeting agreed that, after incorporation by the Secretariat of the changes called for by the Experts, the Strategic Action Programme would be submitted for adoption to the Contracting Parties. It therefore recommended that the Secretariat should submit it for adoption to the Meeting of the Contracting Parties in Tunis in November 1997.

42. Introducing the Draft Transboundary Diagnostic Analysis (TDA) for the Mediterranean Sea (document UNEP(OCA)/MED WG.136/Inf.3), Mr Civili noted that it had already been submitted to the Experts at the Meeting in Ischia. It was one of the main products of the activities supported by GEF and one of the principal bases for the development of the Strategic Action Programme. As a result of the discussions held at Ischia, its three main sections now designated the perceived major problems in the region and analysed their root causes in a more detailed manner. In addition, following the comments made by the Experts in Ischia, substantial changes had also been made to the structure and content of the TDA, including the removal of its financial evaluations as well as the list of proposed actions. Although there was no need for the present Meeting or the Contracting Parties formally to adopt the document, some kind of endorsement of the link between the TDA and the Strategic Action Programme was required as one of the conditions for the continuation of support by GEF for activities in the region.

43. Mr Pernetta, representative of UNEP/GEF, added that the development of a Strategic Action Programme had no sense without the analytical basis provided by the TDA. A Programme that was developed without adequate links with the identification of the root causes of the major problems was unlikely to receive further funding from GEF. However, approval of the detailed analysis contained in the TDA was not necessary. It was recognized that such an analysis would be further developed over time and that the details would necessarily change. It would be sufficient to provide some form of endorsement of the general analysis of the major problems of the region, such as the summary contained in Table 1.1.

44. In a lengthy discussion of the TDA and its status with regard to the Strategic Action Programme, many speakers expressed appreciation of the document and the effort made by the Secretariat to produce it over a relatively short period. However, all speakers acknowledged the need further to develop the TDA in order to overcome certain gaps and problems. In view of the need to endorse the link between the two documents, for the purposes of future collaboration with GEF, it was proposed that Table 1.1, which gave some indication of the main findings of the TDA, should be included as amended for information purposes either in the introductory part of the Strategic Action Programme or in an annex to it. Several speakers pointed out in this regard that the analysis of the major problems contained in the TDA did not necessarily apply to all countries, many of which had already adopted measures and taken action to varying degrees to combat these problems. Moreover, with regard to the order of significance indicated in the Table for the root causes and areas of proposed action to address the perceived major problems in the region, some Experts warned that the identification of priorities for action in this connection could still require a lengthy process of consultation between the Contracting Parties. It was decided to include the Table in a new section of the introduction to the Strategic Action Programme with a footnote explaining that it did not necessarily apply to individual Contracting Parties. Such a note would also be included in the introduction of the TDA or at the beginning of each section of the document. In conclusion, it was stressed that the TDA did not have to be adopted by the Meeting, that it would be available at the Contracting Parties Meeting in Tunis as an information document and that it would not be submitted for adoption.

45. The representative of WHO introduced the report on the "Identification of Priority Pollution Hot Spots and Sensitive Areas in the Mediterranean" (UNEP(OCA)/MED WG.136/Inf.4), pointing out that it had been formulated following comments and corrections made during the Meeting of Government-designated Experts held in Ischia, Italy, in June 1997 to which the first draft report had been presented. By the beginning of 1998 the document would be reproduced, including the information that was currently lacking. Several Experts offered additional information and proposed amendments. It was noted in this respect that the information provided by Monaco in response to the questionnaires showed that pollution levels in that country did not warrant its inclusion in the list of countries with hot spots or sensitive areas. The Meeting took note of the document.

Agenda item 7. Review of follow up action

46. Mr Civili introduced the agenda item by saying that, under the terms of the provision of a GEF project development grant, a donors' conference would have to be convened after the adoption of the Programme by the Contracting Parties. However, a full Meeting of potential donors at that stage would be premature, and in agreement with GEF the next stage after adoption of the Strategic Action Programme would be the preparation of a project brief for submission to its Secretariat to fund the second stage of the activity. That phase could be covered by a full GEF project, which could involve a sum of between US\$ 4 million and US\$ 6 million, on the assumption that a minimum of between 20 and 25 per cent of that sum was

covered by additional national and international donors, including MAP. GEF wanted to ensure that the project was a combination of activities that were really wanted by the countries of the region themselves. In view of the fact that the funds could not possibly cover the implementation of the whole of the Strategic Action Programme, the project had to address certain priorities, in order to prepare the ground for its full implementation. As part of the project, a number of priority hot spots of transboundary significance would be therefore selected for a detailed feasibility study and cost analysis, and a number of regional activities would be selected that were designed to attract both national support for the execution of the Programme and donor support for specific activities in developing countries. The full GEF project should also include an incremental cost analysis, including an estimate of the existing baseline and an indication of the additional funding that would be allocated by national governments to address issues and problems identified as priorities. It was therefore planned to convene a Meeting of Government-designated Experts at the beginning of 1998 to agree on the content of the full GEF project before submitting it to the GEF Secretariat.

Agenda item 8. Other Business

47. In response to the comments of one observer who referred to the need to urge Contracting Parties to ratify the revised Convention and Protocols, Mr Civili replied that, although it would not be appropriate to set a deadline for the Contracting Parties, they had already been contacted formally to remind them of the need to ratify outstanding protocols. A recommendation to this effect would also be submitted to the Tunis Meeting.

48. In response to a request by an Expert for clarification, Mr Civili reminded the participants that the Strategic Action Programme would be submitted to the Contracting Parties in Tunis in November 1997 for adoption on the basis of Articles 5, 6 and 7 of the LBS Protocol at present in force. Once the new revised Protocol came into force, the procedures for the adoption and implementation of the Strategic Action Programme under Article 15 of the revised Protocol would immediately be set in motion.

Agenda item 9. Adoption of the report of the Meeting

49. After making a number of amendments to the draft report before it, the meeting adopted its report.

Agenda item 10. Closure of the Meeting

50. Mr Civili thanked the participants for the active and constructive role they had played during the debates. He also stressed the importance of the results obtained by the Meeting in view of the expected adoption of the Strategic Action Programme by the Contracting Parties in Tunis in November 1997.

51. After the customary exchange of courtesies, the Chairman declared the Meeting closed on Thursday, 16 October 1997, at 18.00 hours.

ANNEX I

**PROVISIONAL LIST OF PARTICIPANTS
LISTE PROVISOIRE DES PARTICIPANTS**

**ALBANIA
ALBANIE**

Mr Emil Gjika
Expert
Research Institute of Chemical Technology
Blloku "Vasil Shanto"
Tirana, Albania

Tel/Fax: (355) (42) 23466

**ALGERIA
ALGERIE**

Mr Youssef Zennir
Sous-Directeur
Direction Générale de l'environnement
Ministère de l'Intérieur, des Collectivités
locales, de l'Environnement et de la
Réforme administrative
Palais du Gouvernement
6, Place et Qods, Hydra
Alger 16000
Algérie

Tel: (213)(2) 693889

Fax: (213)(2) 605072

**BOSNIA AND HERZEGOVINA
BOSNIE-HERZEGOVINE**

Ms Dalila Nuhic
Technical Assistant
Hydro-engineering Institute
Stjepana Tomića 1 Street
71000 Sarajevo
Bosnia and Herzegovina

Tel: (387)(71) 533438

Fax: (387)(71) 207949

E-mail: Dnuhic@utic.net.ba.

**CROATIA
CROATIE**

Mr Matija Franković
Head of Department
State Directorate for Environment
Ulica grada Vukovara 78
10000 Zagreb
Croatia

Tel: (385) (1) 6118970 - 6133444
Fax: (385) (1) 6118970 - 537203
Email: mfrankov@duzo.tel.hr

**CYPRUS
CHYPRE**

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

Tel: (357) (2) 303576
Fax: (357) (2) 365955

**EGYPT
EGYPTE**

Mr Ali Ibrahim El-Beltagy
Chairman
Shore Processes Laboratory
National Institute of Oceanography
and Fisheries
Kayet Bay
Alexandria
Egypt

Tel: (20) (3) 4801189
Fax: (20) (3) 4801189
Email: tsm@idsc.gov.eg

**EUROPEAN COMMUNITY
COMMUNAUTE EUROPEENNE**

Mr Tanino Dicorrado
Administrateur Principal
Direction générale de l'environnement,
sécurité nucléaire et protection civile
Commission Européenne
200 rue de la Loi
1049 Bruxelles
Belgium

Tel: (32) (2) 2969147, 2969509
Fax: (32) (2) 2994123
Tlx: COMEU B 21877

FRANCE
FRANCE

Mr Philippe Maire
Direction de l'eau
Ministère de l'Environnement
100 Avenue de Suffren
F-75015 Paris Cedex 07 SP
France

Tel: (33) (1) 42191217

Fax: (33) (1) 42191222

E-mail: jean.marie.massin@environnement.go
uv.fr

GREECE
GRECE

Mr Alexandros Lascaratos
MAP Liaison Officer
Department of Applied Physics
Laboratory of Meteorology and Oceanography
University of Athens (Buildings-PHYS-V)
Panepistimioupolis
15784 Athens
Greece

Tel: (30) (1) 7284839

Fax: (30) (1) 7295281

Email: alasc@pelagos.ocean.uoa.ariadne-t.gr

Ms Anastasia Lazarou
National Coordinator for MED POL
Head of Water Section
Ministry of Environment, Physical Planning
and Public Works
147 Patission Street
112 51 Athens
Greece

Tel: (30) (1) 8650106

Fax: (30) (1) 8647420

**ISRAEL
ISRAEL**

Ms Mira Fine
Assistant to Head
Marine and Coastal Environment
Division
Ministry of the Environment
Technion City
P.O. Box 33583
31333 Haifa
Israel

Tel: (972) (4) 8622702
Fax: (972) (4) 8623524
Email miraf@netvision.net.il

**ITALY
ITALIE**

Mr Giovanni Guerrieri
ENEA Expert
Ministry of Environment
Department of Water, Waste, Soil
33 Via Ferratella in Laterano
00184 Rome
Italy

Tel: (39) (6) 70362219 - 26
Fax: (39) (6) 77257012
Email: guerrieri@flashnet.it

**LEBANON
LIBAN**

Mr Najj Kodeih
Ministry of Environment
P.O. Box 70-1091
Antelias
Lebanon

Tel: (961)(1) 521039
Fax: (961)(1) 521037-8
Email nkodeih@moe.gov.lb

**LIBYAN ARAB JAMAHIRIYA
JAMAHIRIYA ARABE LIBYENNE**

Mr Abdul Fatah Boargob
Head of Dept. of Studies
National Coordinator for MED POL
Technical Centre for Environment
P.O. Box 83618
Tripoli
Libyan Arab Jamahiriya

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

**MALTA
MALTE**

Mr Joseph Callus
Principal Environment Officer
Pollution Control Coordinating Unit
Environment Protection Department
Ministry of Foreign Affairs
and the Environment
Starkey Annexe
Vittoriosa
Malta

Tel: (356) 678034, 676395
Fax: (356) 660108
Email: PCCU@Waldonet.net.mt

**MONACO
MONACO**

Ms Marie-Christine Van Klaveren
Chef de Division
Service de l'environnement
Département des travaux publics et des
affaires sociales
3 avenue de Fontvieille
MC-98000 Monaco
Principauté de Monaco

Tel: (377) 93158963
Fax: (377) 92052891
Email: PVK@mcn.mc

**SLOVENIA
SLOVENIE**

Ms Lidija Globevnik
Vodnogospodarski Inštitut
Hajdrihova 28
Ljubljana
Slovenia

Tel: (386) (61) 1775307
Fax: (386) (61) 1264162
Email: Lidija.Globevnik@guest.arnes.si

**SPAIN
ESPAGNE**

Mr Victor Escobar
Head of Service
Sub-directorate of Legislative Affairs and
Institutional Coordination
(General Directorate of Quality and
Environmental Assessment)
Ministerio de Medio Ambiente
Plaza de San Juan de la Cruz s/n
28071 Madrid
Spain

Tel: (34) (1) 5976356
Fax: (34) (1) 5975980

**TURKEY
TURQUIE**

Ms Kumru Adanali
Division Chief
Ministry of the Environment
Foreign Relations Department
Eskisehir Yolu 8.km.
06100 Ankara
Turkey

Tel: (90) (312) 2851705
Fax: (90) (312) 2853739
Email: cbdi-d@servis.net.tr

**REPRESENTATIVES OF UNITED NATIONS SPECIALIZED AGENCIES
REPRESENTANTS DES INSTITUTIONS SPECIALISEES DES NATIONS UNIES**

**WORLD HEALTH ORGANIZATION
(WHO)
ORGANISATION MONDIALE DE LA
SANTÉ (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
Email: whomed@compulink.gr

**NON-GOVERNMENTAL ORGANIZATIONS
ORGANISATIONS NON GOUVERNEMENTALES**

CEFIC/EUROCHLOR
(European Chemical Industry)

Mr Carlo Trobia
Federchimica
Via Accademia 33
I - 20131 Milano
Italy

Tel: (39)(2) 26810224
Fax: (39)(2) 26810311
E-mail: carlo_trobia@hq.enichem.geis.com

Mr Jacques Verdier
CEFIC/Euro-chlor
c/o Elf Atochem
4 Cours Michelet la Défense 10
F-92091 Paris la Défense
France

Tel: (33)(1) 49008665
Fax: (33)(1) 49008665

Mr Mihalis Skandalidis
EUROCHLOR
Environmental Affairs
EKO
P.O. Box 10044
Thessaloniki
Greece

Tel: (30)(31) 760246

EUROPE CONSERVATION

Represented by WWF

Europe Conservation Italia
via del Maccao, 9
00185 Rome
Italy

Tel: (39)(6) 4741241/2
Fax: (39)(6) 4744671

GREENPEACE INTERNATIONAL

Mr Remi Parmentier
Greenpeace International
Political Unit
Keizersgracht 176
1016 DW Amsterdam
The Netherlands

Tel: (31)(20) 5236242
Fax: (31)(20) 5236200
E-mail: remi.parmentier@diala.greenpeace.org

**HELLENIC MARINE ENVIRONMENT
PROTECTION ASSOCIATION
(HELMEPA)**

Mr Stelios Volakis
Geologist/Oceanographer
Technical Department
Hellenic Marine Environment Protection
Association (HELMEPA)
5 Pergamou Street
Nea Smirni
17121 Athens
Greece

Tel: (301) 9343088, 9341227, 9326277
Fax: (301) 9353847
E-mail: helmepa@ath.forthnet.gr

**MEDITERRANEAN INFORMATION
OFFICE FOR ENVIRONMENT,
CULTURE AND SUSTAINABLE
DEVELOPMENT (MIO-ECSDE)**

Mr Michael J. Scoullos
President

Ms Despina Andronikidou
Programme Officer

MIO-ECSDE
28 Tripodon Street
10558 Athens
Greece

Tel: (30)(1) 3247267, 3247490
Fax: (30)(1) 3225240
E-mail: mio-ee-env@ath.forthnet.gr

WORLD WIDE FUND FOR NATURE
(WWF)

Mr Paolo Guglielmi
WWF Mediterranean Programme
Marine Officer
Mediterranean Programme Office
Via Garigliano 57
00198 Rome
Italy

Tel: (39)(6) 84497358
Fax: (39)(6) 8413866
E-mail: mc2248@mclink.it

Mr Aldo Iacomelli
Energy and Resources Unit
WWF Italy
Mediterranean Programme Office
Via Garigliano 57
00198 Rome
Italy

Tel: (39)(6) 84497370
Fax: (39)(6) 84497396
E-mail: aldo.Jacomelli@wwf.it

**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 Francesco-Saverio Civili
First Officer

Mr Ljubomir Jeffic
Consultant

Mr Joaquin Ros
Consultant

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
Email: unepmedu@compulink.gr

Mr John Pernetta
Senior Programme Officer
International Waters
UNEP/GEF Coordinating Unit
UNEP Headquarters
P.O. Box 30552
Nairobi
Kenya

Tel: (002542) 624153
Fax: (002542) 623162/520825
E-mail: John.Pernetta@unep.org

ANNEX II

AGENDA

1. Opening of the Meeting
2. Rules of Procedures
3. Election of Officers
4. Adoption of the Agenda and Organization of Work
5. Background and Scope of the Meeting
6. Review of draft Strategic Action Programme to Address Pollution from Land-Based Activities
7. Review of follow up action
8. Other Business
9. Adoption of the Report of the Meeting
10. Closure of the Meeting