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MEDITERRANEAN ACTION PLAN

Meeting of experts on the preparation
of MED POL-Phase III

Izmir, 20-23 June 1994

**REPORT OF THE MEETING OF EXPERTS ON THE
PREPARATION OF MED POL-PHASE III**

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INTRODUCTION

The Meeting of Experts on the Preparation of MED POL-Phase III was convened by the Secretariat of the Mediterranean Action Plan (MAP) in Izmir, from 20 to 23 June 1994. The meeting was attended by twenty experts in their personal capacity, and twelve representatives of six specialized agencies of the United Nations system, UNEP, and international organizations (see annex I).

Agenda item 1. Opening of the meeting

1. The meeting was opened by Mr L. Jeftic, Deputy Coordinator of MAP who welcomed the participants and thanked the Government of Turkey for hosting the meeting and for the financial support provided towards the cost of the meeting.

2. Ms B. Yucel, on behalf of H.E. Mr R. Akcali, Minister of the Environment of Turkey, welcomed the participants and expressed the satisfaction of her Government to host in Turkey such an important meeting attended by so many distinguished experts. She also wished success to the meeting which was expected to contribute substantially to the efforts of MAP towards the protection of Mediterranean against pollution.

Agenda item 2. Background and purpose of the meeting

3. Mr L. Jeftic, in introducing this agenda item, recalled the decisions of the Contracting Parties to the Barcelona Convention to extend the MED POL activities until the year 2005 through a new programme (Phase III) taking into account the experience gained from the preceding phases of MED POL, the results of the recent evaluation of MED POL carried out by a group of independent experts, and the overall goals of the Convention as well as the Agenda 21 adopted in Rio de Janeiro in 1992. He reminded the participants that the present meeting was organized in accordance with the decision of the Contracting Parties, with the task to review and revise the first draft of the programme document for MED POL-Phase III ((UNEP(OCA)/MED WG.75/2). The revised (second) draft of the programme document will be submitted to the Joint Meeting of the Scientific and Technical Committee and Socio-Economic Committee for approval (January 1995), and transmitted to the meeting of the Contracting Parties for adoption (June 1995).

Agenda item 3. Election of officers

4. The meeting unanimously elected the following officers:

Chairman: Mr Orhan Uslu

Vice-Chairman: Mr Jean-Marie Massin

Rapporteur: Mr Ali El-Beltagy

Agenda item 4. Adoption of the agenda

5. The provisional agenda was adopted with amendment, by adding "Revision/Amendments to MAP, Barcelona Convention and its related Protocols" as a new agenda item (see Annex II).

Agenda item 5. Goals and principles for MED POL-Phase III

6. Before opening the discussion on the first draft of the programme document (UNEP(OCA)/MED WG.75/2), Mr L. Jeftic gave a detailed review of MAP, MED POL, and the content of the main chapters of the draft programme document. His presentation was followed by extensive discussion, and the main points raised during this discussion are reflected in the following paragraphs.

7. The adequacy of the present definition of *pollution* (i.e., as it appears in the Barcelona Convention) for the next phase of MED POL was reviewed and, anticipating the likely changes which may be adopted by the Contracting Parties, the meeting decided that in the context of MED POL the broader definition used by the United Nations Law of the Sea would be more appropriate (see paragraph 3.1 of the draft programme document UNEP(OCA)/MED WG. 75/2/Rev.1). It was emphasized that the term *substance* used in this definition should be interpreted as covering inorganic and organic substances, including organisms whose introduction into marine environment results or is likely to result in deleterious effects.

8. The meeting recognized the distinction made in scientific literature between the terms *pollution* and *contamination*, but for pragmatic reasons, and in the light of definition mentioned in the preceding paragraph, the exclusive use of the former term was accepted as justified in the context of MED POL.

9. Recognizing the achievement of sustainable development as MAP's ultimate goal, the suggested goals of MED POL-Phase III were considered correct and in line with the decisions of Contracting Parties taken at their meeting in Antalya. It was emphasized that:

- (a) MED POL should deal with pollution from *all* sources;
- (b) the term *control of pollution* should be understood as including also elimination of pollution;
- (c) *measures for the restoration of systems already damaged by pollution* should be considered as high priority; and that

- (d) in addition to the *formulation* of measures for prevention and control of pollution, and measures for mitigation of impacts caused by pollution, the goals of MED POL should also include the *implementation* of such measures.

10. Recognizing that a strong interaction between all components of the MAP is one of the basic prerequisites for achieving the goals of MED POL, the meeting emphasized the need for an improved cooperation between the National MED POL Coordinators and the Secretariat, as well as a better coordination and cooperation between various national structures and institutions dealing with the MAP, which is at present frequently inadequate and a major impediment for a more effective implementation of MED POL and MAP as a whole. The establishment of *national committees for MAP* was advocated as a mechanism which may contribute to the improved coordination of MAP-related activities at national and international levels. The advantages of such mechanisms were emphasized, and examples have been given showing their usefulness in similar programmes.

11. The flow chart showing the more important links between the substantive activities of the new phase of MED POL was adjusted (see Figs. 1 and 2 in the revised draft programme document UNEP(OCA)/MED WG. 75/2/Rev.1) in order to reflect the feedback loops between *assessment* and *management*, i.e. activities dealing with pollution control. Some participants felt that the flow chart should also indicate MED POL's role in dealing with pollution emergencies (accidents), but it was explained that such role is chiefly assigned to MAP's REMPEC in Malta (in case of emergencies caused by spills of oil or chemicals).

12. The meeting was of the opinion that the shortcomings and successes of MED POL, as presented in the evaluation report recently prepared by a group of independent experts (UNEP(OCA)/MAP IG.3/Inf.6: Evaluation Report of the MED POL Programme) should be taken into account in designing MED POL-Phase III. The relevant recommendations contained in the evaluation report should be brought to the attention of the meeting of the Contracting Parties which will consider the endorsement of MED POL-Phase III.

Agenda item 6. Assessment of pollution-related problems

13. The importance to assess the background levels of substances for the evaluation of anthropogenic loads of pollutants was brought to the meeting's attention and the objectives of the *assessment of pollution-related problems* were expanded accordingly.

14. In discussing the nature and scope of the proposed *consolidated reports on the state of the Mediterranean environment*, it was understood that these reports should include information on all aspects of environmental problems encountered in the Mediterranean marine and coastal environment. It was recognized that for the preparation of these reports, a close cooperation of, and inputs from, all components of the MAP will be needed.

15. The preparation of *national assessment reports* was strongly advocated, as a mechanism which may strengthen the feed-back of relevant information needed by managers involved in pollution control at national levels. For some countries the advantages offered by *national technical coordination teams*, as bodies assisting the National MED POL Coordinators in preparation of assessment reports, was emphasized. The establishment of such teams was suggested, when appropriate, as they may also improve the coordination of all MED POL-related activities at national levels.

Agenda item 7. Pollution control

16. The adoption of *environment quality objectives* (EQO) was stressed as an important step leading to the design and rational implementation of pollution control measures.

17. The meeting recognized the protection of human health as a high priority, with the understanding that it is an integral part of *pollution control objectives*.

18. The actual role of, and input from, specialized agencies of the United Nations system, as well as from international and intergovernmental organizations and programmes into MED POL-related activities was brought to the meeting's attention, and the meeting agreed to welcome their continued assistance.

19. Reference was made to the latest developments in the *environmental impact assessment* procedures, and their application was recognized as an important management tool of coastal zone management.

20. It was suggested, and adopted by the meeting, that all MED POL Collaborating Institutions may be eligible to receive financial support from the Trust Fund to cover the partial costs of the research carried out in the framework of MED POL research projects.

21. The nature and scope of *data quality assurance* programmes and procedures were extensively discussed, and they are reflected in Annex I of the revised draft programme document for MED POL-Phase III (UNEP(OCA)/MED WG. 75/2/Rev.1). The necessity for mandatory application of these programmes at all relevant levels was emphasized.

Agenda item 8. Supporting measures

22. It was suggested, and adopted by the meeting, that *advice and technical assistance* should be extended to all countries requesting assistance in any aspect of design and implementation of national MED POL programme. It was understood that such assistance covers also: (a) assistance to MED POL National Coordinators needed to fulfil their role as defined in Annex II of the revised draft programme document (UNEP(OCA)/MED WG. 75/2/Rev.1); and (b) assistance related to management of MED POL data on national level.

23. While it was recognized that the Secretariat shall coordinate the provision of the assistance, and that the cost of the assistance will be normally born by the Trust Fund, the meeting recommended that the Secretariat should also solicit direct bilateral assistance from countries and financial institutions ready to provide such assistance.

24. The importance of *maintenance services* for equipment used in national pollution monitoring programmes was stressed as vitally important for the continued unhindered work of MED POL collaborating institutions involved in monitoring programmes.

25. The distribution (exchange) of *data and information* made officially available to the Secretariat by the Contracting Parties and their national authorities and institutions, was subject of considerable discussion. It was agreed that the guiding principle should be that access to such data and information should be free for the parties involved in MED POL. However, due to the sensitive nature of some of the data and information, it was suggested that a clear policy on that subject should be adopted by the Contracting Parties on the basis of proposal which should be prepared by the Secretariat.

26. The close cooperation among all parties involved in MED POL was emphasized as an essential activity needed to achieve a harmonious interaction of, and inputs from, the various parties contributing to the implementation of MED POL.

27. In referring to the recommendations of the report on the evaluation of MED POL (see paragraph 12), the meeting strongly supported: (a) the establishment of the Standing Advisory Group of Experts (SAGE) to assist the Secretariat in its future MED POL-related activities; and the reestablishment of closer direct interaction between the MED POL Collaborating Institutions, as it was very successfully practised during MED POL-Phase I.

Agenda item 9. Monitoring of the levels and impacts of pollutants in the context of MED POL-Phase III

28. In a general debate on monitoring of the levels and impacts of pollutants (Annex I of the draft programme document UNEP(OCA)/MED WG. 75/2/Rev.1), the following major points were raised:

- (a) the impact of pollution is primarily affecting the near-shore coastal waters of the Mediterranean, particularly in the vicinity of major land-based sources of pollution;
- (b) existing scientific data indicate that the open waters of the Mediterranean on the whole appear to be relatively unpolluted, albeit with trace concentrations of some pollutants, particularly those transported by air and by fluxes from coastal zones as well as those generated by shipping;

- (c) a pragmatic approach should be adopted in the design of MED POL Phase III, with the primary aim to assist the Contracting Parties in meeting their obligations embodied in the Barcelona Convention, its protocols, and in various pollution control measures adopted by the Contracting Parties;
- (d) the experience gained since 1974 through MED POL should be fully utilized in designing the new phase of MED POL;
- (e) the existing national and regional institutional infrastructure presently engaged in MED POL should be strengthened;
- (f) while the national monitoring programmes will remain the basis for the third phase of MED POL, cooperative sub-regional research and monitoring programmes should be established whenever they are needed for a meaningful interpretation of data from national monitoring programmes, and for the preparation of regional assessments;
- (g) the efforts of MED POL should be focused on the control of pollution in coastal waters, but without neglecting those aspects of research and monitoring activities in the open waters which are absolutely necessary for periodic assessment of the trends in the "health" of the Mediterranean as a whole;
- (h) it would be advisable to assess these trends by analyzing relevant data and observations obtained in the past through various national and international programmes, in light of new data and observations generated at least once during MED POL-Phase III through a basin-wide well-coordinated network of monitoring/observation stations in "reference areas" which are not under direct influence of pollution from recognizable sources;
- (i) environment quality objectives (EQO) for most pollutants of Mediterranean significance are essential as a basis for the design of rational compliance monitoring programmes;
- (j) the results of past, ongoing and planned national and international monitoring and research programmes covering the Mediterranean basin should be used to complement the results obtained through MED POL;
- (k) in addition to the assessment of the present levels and effects of pollutants in coastal waters, the geographic extent to which these waters are affected and the trends in the spreading/contracting of the affected areas, should become an equally important aim of MED POL;
- (l) an overview of existing information on open waters of the Mediterranean should be prepared;

- (m) periodic (seasonal) or irregular phenomena which may be associated with pollution should be monitored (e.g., plankton blooms, appearance and population explosion of non-indigenous species); and
- (n) stronger efforts should be made by the Contracting Parties to conduct research and monitoring activities complementary to, and jointly with those, supported through MED POL.

29. The meeting suggested that the Secretariat approaches the Secretariat of the Paris Commission, the Commission of the European Union, and other potential partners, in order to explore the possibility of organizing joint oceanographic cruises regularly every ten years for the survey of the open waters of the Mediterranean. Potential partners could contribute to the cruise with ship-time, scientists, instrumentation or cash.

30. The points made during the general debate on Annex I of the draft programme document (UNEP(OCA)/MED WG. 75/2/Rev.1), as well as those of more technical nature which were raised when the draft was examined in details, were taken into account in revising this Annex, as it appears in revised version of the draft programme document.

Agenda item 10. Modalities of cooperation between the Contracting Parties and the Secretariat regarding MED POL

31. Annex II of the draft programme document, dealing with modalities of cooperation between the Contracting Parties and the Secretariat, was extensively reviewed and amended as it appears in Annex II of the revised version of the draft programme document (UNEP(OCA)/MED WG. 75/2/Rev.1).

Agenda item 11. Revisions/Amendments to MAP, Barcelona Convention and its related protocols

32. Mr L. Jeftic recalled the decision of the Contracting Parties to initiate a process leading to the revision/amendment of the legal instruments underlying MAP (i.e., the Barcelona Convention and related protocols) and MAP itself. The meeting was invited to contribute to this process by offering views and suggestions which may be used by the Secretariat and the Contracting Parties in considering the various available options. The views and suggestions expressed at the present meeting will be brought to the attention of the meeting of legal and technical experts (November 1994) which will consider the subject.

33. Almost all participants expressed their views and suggestions relevant to the revision of MAP's basic documents, and in the Secretariat's interpretation these views could be summarized as follows:

- (a) in revising or amending MAP's legal instruments, they should be harmonized with the relevant international global or regional agreements which have been adopted, revised or entered into force since the adoption of MAP's instruments, or which have not been adequately taken into account when MAP's instruments were adopted. Among the agreements of particular relevance to the Barcelona Convention and its protocols are: the United Nations Convention on the Law of the Sea, the revised Paris Convention, the Convention on Biological Diversity, the Convention on International Trade in Endangered Species (CITES), the Basel Convention, the Climate Convention, and the Convention of Wetlands of International Importance (Ramsar);
- (b) the regional seas conventions adopted or revised after the Barcelona Convention are a good source of information on the evolution of approach to the protection of marine areas and coastal zones on a regional scale. The conventions covering the South Pacific (SPREP), the Caribbean, the Baltic, and the Black Sea regions are the most relevant in this respect¹;
- (c) while the basic thrust of MAP, i.e. its focus on protection of the Mediterranean basin through integrated management of its marine and coastal environment, should be retained, the ideas embodied in Agenda 21 adopted at the United Nations Conference on Environment and Development (Rio de Janeiro, June 1992) should be used to broaden MAP's conceptual and action framework. The notions of inseparable nature of socio-economic development and environmental protection, and sustainable development as the ultimate goal, are of particular relevance and should be used in the broadening of MAP's framework;
- (d) a number of important MAP activities (e.g., the Blue Plan, PAP, CAMPs) are at present not covered by its legal framework or are covered in a somewhat ambiguous way (e.g., MED POL). It would seem desirable to recognize in the revised Barcelona Convention MAP as the programme of the Convention's implementation, and amend the Convention so that it reflects all main MAP activities;
- (e) in the same context, it was suggested that the Barcelona Convention may be renamed as the "Convention for the protection of the Mediterranean region", or "Convention for the protection and sustainable development of the Mediterranean region";

¹ The Convention for the Protection of the Natural Resources and Environment of the South Pacific Region; The Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region; The Convention for the Protection of the Marine Environment of the Baltic Sea Area; The Convention for the Protection of the Black Sea against Pollution.

- (f) the urgent need to protect the integrity of the Mediterranean shoreline was pointed out. Inappropriate coastal development and urbanization were recognized as major risks to basic Mediterranean natural features. The possibility to deal with the subject through a new legal instrument (i.e., protocol) was suggested;
- (g) recalling the discussions which took place in the period 1974-1976 during the development and adoption of the first Mediterranean legal instruments, it was suggested to reexamine the possibility of developing a special protocol which would cover monitoring and the research related to environmental assessment;
- (h) the experience with the various pollution control measures adopted by the meetings of the Contracting Parties (e.g., those included in the "Genoa Declaration" and the "common measures" adopted according to the provisions of the LBS protocol) indicates that they are not considered as firm legally binding obligations of the Contracting Parties. The adoption of such pollution control measures as integral parts or annexes of the relevant legal instruments, LBS protocol in particular, was suggested as an approach which could ensure a higher success in the implementation of the adopted pollution control measures;
- (i) the adopted pollution control measures are of technical and technological nature. It was suggested that they could be complemented with economic measures (e.g., user fees, fiscal and taxing policies, monetary incentives, fines for non-compliance) which should be also considered as effective pollution control measures. In addition, the introduction of certain economic measures may provide the basis for revenues which could be used as "automatic mechanisms" for financing the Trust Fund;
- (j) it was suggested that, in addition to the new definition of pollution which is suggested by the present meeting, the legal instruments should contain more precise definitions of a number of technical terms which are currently used in somewhat ambiguous way (e.g., monitoring, land-based sources of pollution);
- (k) protection and management of marine living resources, fisheries resources in particular, and protection of biodiversity, are at present either outside of MAP's legal instruments or are covered by them only in a marginal way. Both subjects are of high relevance for the sustainable development of the Mediterranean basin and should be taken into account when considering the revision of, and amendments to, the MAP and its legal instruments;
- (l) a detailed programme for the gradual implementation of the measures adopted should also be introduced in an annex of the LBS protocol as well as the list of the actual measures adopted;

- (m) it was suggested that for the successful implementation of the MAP and its legal instruments the replacement of some existing structures and mechanisms with new ones might be necessary, in order to ensure closer and more effective contacts between the scientific communities and the decision makers. The new Paris Convention was given as an example, where the Joint Monitoring Group (JMG) was abolished and two new committees were created (Assessment and Monitoring - ASMO; and Programme and Measures - PROM);
- (n) the setting of Environmental Quality Objectives (EQO), as a basis for emission standards derived from these objectives, was suggested as a rational way for the implementation of the LBS protocol. Furthermore, it was suggested that the criteria for inclusion of substances in the "black" and "grey" lists of the protocol should be reexamined if the system of these lists is going to be retained;
- (o) the present legal instruments do not envisage measures ("sanctions") which could be taken against the Contracting Parties which do not comply with the legally binding obligations of these instruments. The possibility of introducing such measures should be explored;
- (p) the present emergency protocol does not cover environmental emergencies in a comprehensive way. It was suggested that the protocol could be amended, i.e. expanded, in order to include response to all type of environmental emergencies; and
- (r) the "precautionary approach (principle)" should be fully reflected in MAP and its legal instruments.

Agenda item 12. Other business

34. The meeting agreed that, once the MED POL-Phase III Programme is formally adopted by the Contracting Parties, operational details of this Programme and procedures for its implementation should be developed by the Secretariat, through the joint assistance of experts who will be expected to carry out the Programme and policy makers and managers interested in using the Programme's results.

Agenda item 13. Adoption of the report

35. The draft report of the meeting, including MED POL-Phase III Programme Document was considered and adopted with amendments, as they appear in the present report.

Agenda item 14. Closure of the meeting

36. In his concluding remarks the Chairman of the meeting thanked the participants for their active role and contribution they had made in successfully accomplishing the goal of the meeting.

37. Mr. L. Jetic expressed his gratitude to the host country for the significant contribution to the organization of the meeting, and for the generous hospitality extended to the meeting's participants. He also thanked the Chairman for the skilful conduct of the meeting, and the participants for their contribution to the meeting.

38. After exchange of courtesies, the meeting was closed by the Chairman at 14.00 on 23 June 1994.

ANNEX I

LIST OF PARTICIPANTS

Mr Ante Bariæ
Director
Institute of Oceanography and Fisheries
S.I. Mestrovica 63
P.O.Box 114
58000 Split
Croatia

Tel. No.: (385)(58) 46 759 - 46 682
Tel. No.: (385)(58) 46 688
Fax. No.: (385)(58) 46 593

Mr Ridha Ben Aissa
Head,
Water and Food Microbiological
Control Laboratory
Institut Pasteur de Tunis
13 Place Pasteur
B.P. 74
Belvédère
1002 Tunis
Tunisie

Tel. No.: (216)(1) 283 022 - 283 024
Tlx. No.: 409-14391 PASTU TN
Fax. No.: (216)(1) 791 833

Mr S. Cirik
Institute of Marine Science and Technology
Dokuz Eylül University
1884/8 Sokak No:10
Inciralti
35340 Izmir
Turkey

Tel. No.: (90)(232) 278 5112 -
278 5565 - 278 5272
Fax. No.: (90)(232) 278 5082

Mr Yuval Cohen
Director General
Israel Oceanographic and Limnological
Research Ltd.
Tel Shikmona
P.O. Box 8030
Haifa 31080
Israel

Tel. No.: (972)(4) 515 202
Fax. No.: (972)(4) 511 911

Mr Antonio Cruzado
Head, Oceanography Department
Centro de Estudios Avanzados de Blanes
Cami de Santa Barbara
17300 Blanes
Spain

Tel. No.: (34)(72) 336 101

Fax. No.: (34)(72) 337 806

Mr Ali El-Beltagy
Director
National Institute of Oceanography
and Fisheries
Kayed Bay
Alexandria
Egypt

Tel. No.: (203) 807 138 - 807 140

Tel. No.: (203) 801 553

Fax. No.: (203) 801 174

Mr Tasso Eleftheriou
Director
Institute of Marine Biology of Crete
P.O. Box 2214
Heraklion 71103
Crete
Greece

Tel. No.: (30)(81) 242 022 - 241 992

Tlx. No.: 262268 IMBC GR

Fax. No.: (30)(81) 241 882

Mr. J. Gray
University of Oslo
Institute for Marine Biology and Limnology
Department for Marine Zoology and Marine
Chemistry
P.O. Box 1064
0316 Blindern
Norway

Tel. No.: (47) 22 854 510

Fax. No.: (47) 22 854 438

Mr M. Isikoglu
Captain (Navy)
Turkish Navy Plan and Police Department
06100 Bakanliklar
Ankara
Turkey

Tel. No.: (90)(312) 417 6250

Fax. No.: (90)(312) 417 3065

Mr Michel Joanny
IFREMER - Centre de Brest
DEL/QM
B.P. 70
29280 Plouzané
France

Tel. No.: (33)(98) 224 358
Fax. No.: (33)(98) 224 548
E:Mail: mjoanny (a) ifremer.fr
(INTERNET)

Mr Jean-Marie Massin
Ministère de l'Environnement
Direction de l'Eau
Sous-direction de la coordination
et de la réglementation de l'eau
20, Avenue de Ségur
75302 Paris 07SP
France

Tel. No.: (33)(1) 42 19 1266
Tel. No.: (33)(1) 42 19 1269

Mr Nenad Mikuliæ
National Coordinator for MED POL
Ministry of Civil Engineering and
Environmental Protection
Department of Protection of Environment,
Nature and Natural Heritage
78 Avenija Vukovar
41000 Zagreb
Croatia

Tel. No.: (385)(41) 613 063
Fax. No.: (385)(41) 537 203

Mr John Papadakis
Head
Department of Microbiology
Athens School of Hygiene
196 Alexandras Avenue
115 21 Athens
Greece

Tel. No.: (30)(1) 642 2278
Fax. No.: (30)(1) 646 0658 - 6444260

Mr Ilkay Salihoglu
Assistant Director
Institute of Marine Sciences
METU -Middle East Technical University
P.O. Box 28
33731 Erdemli - İçel
Turkey

Tel. No.: (90)(324) 521 2406
Tel No.: (90)(324) 521 2150
Fax. No.: (90)(324) 521 2327
Tlx. No.: 67796 DMS TR
E:Mail: U.UNLUATA

Mr Graham Topping
Dept. of Agricultural and Fisheries
for Scotland
Marine Laboratory
P.O. Box 101
Victoria Road
Aberdeen AB9 8DB
United kingdom

Tel. No.: (44)(224) 876 544

Fax. No.: (44)(224) 295 511

Mr Gürdal Tuncel
Associate Professor
Middle East Technical University
Faculty of Engineering
Department of Environmental Engineering
Inönü Bulvari 06531
Ankara
Turkey

Tel. No.: (90) 312 210 1000

Fax. No.: (90) 312 210 1260

Mr Orhan Uslu
Director
Institute of Marine Science and Technology
Dokuz Eylül University
1884/8 Sokak No:10
Inciralti
35340 Izmir
Turkey

Tel. No.: (90)(232) 278 5112 -
278 5565 - 278 5272

Fax. No.: (90)(232) 278 5082

Mr John F. Uthe
Marine Chemistry Division
Physical and Chemical Sciences Branch
Department of Fisheries and Oceans
P.O. Box 550
Halifax
Nova Scotia
Canada B3J 2S7

Tel. No.: (902) 426 6277

Fax. No.: (902) 426 2698

Ms H. Yavuz
Ministry of Environment
Foreign relations Department
Esksehir Yolu 8.km
06100 Ankara
Turkey

Tel. No.: (90) 312 287 9964

Fax. No.: (90) 312 285 3739

Ms B. Yucel
Ministry of Environment
General Directorate of Pollution
Prevention and Control
Esksehir Yolu 8.km
06100 Ankara
Turkey

Tel. No.: (90) 312 287 9964

Fax. No.: (90) 312 285 5875

REPRESENTATIVES OF THE UNITED NATIONS SPECIALIZED AGENCIES AND INTERNATIONAL ORGANIZATIONS

FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS (FAO)

Mr Gabriel P. Gabrielides
Senior Fishery Officer (Marine
Pollution)
F A O Project Office

Coordinating Unit for the Mediterranean
Action Plan
P.O. Box 18019
48, Vassileos Konstantinou Avenue
11610 Athens
Greece

Tel. No.: (30)(1) 725 3190/5

Tlx. No.: 222564, 222611 MEDU GR

Fax. No.: (30)(1) 725 3196/7

E-Mail: (ITT/DIALCOM)

UNET - UNE058

WORLD HEALTH ORGANIZATION (WHO)

Mr O. Espinoza
Special Representative of the
Regional Director in Turkey
World Health Organization
197 Ataturk Blv
P.K. 407
Ankara
Turkey

Tel. No.: (90)(312) 428 4031

Fax. No.: (90)(312) 467 7028

Mr Louis J. Saliba
Temporary Adviser
69, St. George's Street
Cospicua CSP 03
Malta

Tel. No.: (356) 824 255

WORLD METEOROLOGICAL
ORGANIZATION (WMO)

Mr Alexander Soudine
Senior Scientific Officer
Environment Division
World Meteorological Organization
41, Avenue Giuseppe Motta
P.O. Box 2300
1211 Geneva 2
Switzerland

Tel. No.: (41)(22) 730 8420
Tlx. No.: 45-414199 A OMM CH
Fax. No.: (41)(22) 740 0984, 734 2326
Cable : METEOMOND GENEVA

INTERGOVERNMENTAL OCEANOGRAPHIC
COMMISSION OF UNESCO (IOC)

Mr Alexander Boussoulengas
Consultant
Anexartissias 91-93
Argiroupolis
164 51 Athens
Greece

Tel. No.: (30)(1) 995 4299
Fax. No.: (30)(1) 995 4299

INTERNATIONAL ATOMIC ENERGY
AGENCY (IAEA)

Ms Milena Horvat
Marine Pollution Chemist
Marine Environmental Studies
Laboratory
Marine Environmental Laboratory
International Atomic Energy Agency
19, Avenue des Castellans
MC-98000 Monaco
Principality of Monaco

Tel. No.: (33)(92) 05 2222
Fax. No.: (33)(92) 05 7744
Tlx. No.: 42-479378 ILMR

WORLD CONSERVATION UNION (IUCN)

Mr Danny Elder
Programme Coordinator
Marine and Coastal Areas Programme
World Conservation Union (IUCN)
rue Mauverney 28
1196 Gland
Switzerland

Tel. No.: (41) 22 999 0001/0273
Fax. No.: (41) 22 999 0002
Tlx. No.: 45-419624 IUCN CH
Cable: IUCNATURE GLAND 999 0001

GEF BLACK SEA ENVIRONMENTAL
PROGRAMME (BSEP)

Mr Laurence D. Mee
Coordinator
Yesilköy Caddesi, No. 9
Florya - Istanbul
Turkey

Tel. No.: (90)(212) 5745174-5745118
Fax. No.: (90)(212) 5742874
Internet: gef (o) servis 2.net.tr

UNITED NATIONS ENVIRONMENT PROGRAMME
EAST ASIAN SEAS ACTION PLAN

Ms Ina Pranoto
Junior Professional Officer
East Asian Seas Action Plan
UN Building, 10th floor
Rajdamnern Avenue
Bangkok 10200
Thailand

Tel. No.: (66)(2) 267 8007 (direct)
Tel. No.: (66)(2) 282 9161
Tel. No.: (66)(2) 282 200 Ext.1886
Fax. No.: (66)(2) 267 8008
Tlx. No.: TH 82392 BANGKOK

UNITED NATIONS ENVIRONMENT PROGRAMME
COORDINATING UNIT FOR THE
MEDITERRANEAN ACTION PLAN (MAP)

Mr Ljubomir Jeftic
Deputy Coordinator

Mr Francesco Saverio Civili
First Officer (Marine Scientist)

United Nations Environment Programme
Coordinating Unit for the Mediterranean
Action Plan
Leoforos Vassileos Konstantinou 48
P.O. Box 18019
11610 Athens
Greece

Tel. No.: (30)(1) 725 3190/5
Tlx. No.: 222564, 222611 MEDU GR
Fax. No.: (30)(1) 725 3196/7
Cables: UNITERRA ATHENS
E-Mail: UNICEF Network
(ITT/DIALCOM)-UNET
UNEP.ATHENS
USER ID: UNC391

Mr Stjepan Keckes
Consultant
21 L. Brunetti
Borik
52210 Rovinj
Croatia

Tel. No.: (385)(52) 811 543
Fax. No.: (385)(52) 811 543

ANNEX II

AGENDA

1. Opening of the meeting
2. Background and purpose of the meeting
3. Election of officers
4. Adoption of the agenda
5. Goals and principles for MED POL-Phase III
6. Assessment of pollution-related problems
7. Pollution control
 - 7.1. Development and implementation of pollution control measures
 - 7.2. Compliance control
8. Supporting measures
 - 8.1. Assistance (capacity strengthening)
 - 8.2. Data and information management
 - 8.3. Coordination and cooperation
9. Monitoring of the levels and impacts of pollutants in the context of MED POL-Phase III
10. Modalities of cooperation between the Contracting Parties and the Secretariat regarding MED POL
11. Revision/amendments to MAP, Barcelona Convention and its protocols
12. Other business
13. Adoption of the report
14. Closure of the meeting

ANNEX III**LIST OF DOCUMENTS**Working Documents

UNEP(OCA)/MED WG.75/1	Provisional Agenda
UNEP(OCA)/MED WG.75/2	MED POL-Phase III: A programme for the assessment and control of pollution in the Mediterranean Region (1996-2005)
UNEP(OCA)/MED WG.75/3	Report of the meeting

Information Documents

UNEP(OCA)/MED WG.75/Inf.1	Provisional List of Documents
UNEP(OCA)/MED WG.75/Inf.2	Provisional list of Participants

Reference Documents

MAP Technical Reports Series No.9	Coordinated Mediterranean Pollution Monitoring and Research Programme (MED POL-Phase I) Final Report 1975-1980 (Athens, 1986)
UNEP Regional Seas Reports and Studies No. 28. Rev.1	Long-term programme for pollution monitoring and research in the Mediterranean (MED POL)-Phase II (UNEP, 1986)
Halim, Y., 1990	Pollution problems in the Mediterranean Sea and relevant research priorities, Xth ICSEM/IOC/UNEP Workshop on Marine Pollution in the Mediterranean, ICSEM, Perpignan, 18-19 October 1990. (18 pages) (English only)

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| Joanny, M., 1990 | Monitoring Strategies of Marine Pollution, Xth ICSEM/IOC/UNEP Workshop on Marine Pollution in the Mediterranean, ICSEM, Perpignan, 18-19 October 1990. (23 pages) (French and English) |
| L. Jeftic, 1991 | Long-Term Programme for Pollution Monitoring and Research in the Mediterranean (MED POL). MAP, UNEP, Athens, Greece |
| UNEP(OCA)/MED IG.3/Inf.6 | Evaluation Report of the MED POL Programme (Antalya, 12-15 October 1993) |
| UNEP Reference Methods for Marine Pollution Studies No.6 | Guidelines for monitoring chemical contaminants in the sea using marine organisms. UNEP, 1993 |

ANNEX IV

RECOMMENDATIONS

The meeting decided that the main recommendations made and adopted by the meeting should be consolidated. They are contained in this annex, with reference to the appropriate paragraph of the meeting's report.

1. *Cooperation* between the National MED POL Coordinators and the Secretariat, and the *coordination and cooperation* between various national structures and institutions dealing with the MAP, should be improved as one of the basic prerequisites for achieving the goals of MED POL. *National committees for MAP* should be established as mechanisms which may contribute to the improved coordination of MAP-related activities on national and international levels. (para 10)
2. *Periodic consolidated reports on the state of the Mediterranean environment*, covering information on all aspects of environmental problems encountered in the Mediterranean marine and coastal environment, should be prepared with inputs from all components of MAP. (para 14)
3. *National assessment reports* should be prepared in order to strengthen the feedback of relevant information needed by policy-makers and managers involved in pollution control at national levels. (para 15)
4. *Environment quality objectives* (EQO) should be adopted as an important step leading to the design and rational implementation of pollution control measures. (para 16)
5. The application of *data quality assurance* (DQA) programmes and procedures should be mandatory at all relevant levels of MED POL. (para 21)
6. Direct *bilateral assistance* to the National MED POL Collaborating Institutions should be solicited by the Secretariat from countries and financial institutions in order to supplement the assistance provided through the Trust Fund. (para 23)
7. A clear policy should be adopted by the Contracting Parties on the *distribution (exchange) of data and information* made officially available to the Secretariat by the Contracting Parties and their national authorities and institutions. The proposal for such a policy should be prepared by the Secretariat. (para 25)
8. Stronger efforts should be made by the Contracting Parties to conduct *research and monitoring* activities complementary to, and jointly with, those supported through MED POL. (para 28(n))