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Meeting of the Bureau of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols

Brussels (Belgium), 30 June 2005

PROGRESS REPORT BY THE SECRETARIAT ON ACTIVITIES CARRIED OUT SINCE THE LAST MEETING OF THE BUREAU

(November 2004 – May 2005)

UNEP/MAP
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Introduction

1. The present report covers the progress achieved in the implementation of the various activities carried out by the Coordinating Unit, its Regional Activity Centres (RACs) and MED POL since the last meeting of the Bureau of the Contracting Parties held in Cairo (Egypt) on 25 November 2004.

Part I: GENERAL REVIEW ON THE PROGRESS AND OUTPUTS OF THE MAIN ACTIVITIES

2. The Progress Report by the Secretariat for the period 1 November 2004 – 31 May 2005 is composed of two main parts and seven annexes.

3. Part 1 features reports on ongoing activities and outputs carried out in the fulfilment of the Work Plan and budget approved in Catania.

4. Part 2 consists of the analysis of several activities whose further implementation needs special attention by the Bureau, its guidance and adoption. Three Working Documents attached as Annexes II, IV and VI, need careful review and adoption by the Bureau.

1. Legal issues

5. As at 14 September 2004, a total of 16 Contracting Parties had accepted the amendments to the revised Convention, 14 had accepted the amendments to the revised Dumping Protocol and 13 to the revised LBS Protocol. In addition, 14 Contracting Parties had ratified the new Specially Protected Areas (SPA) and Biodiversity Protocol, 4 the new Offshore Protocol, 5 the new Hazardous Wastes Protocol and 7 the new Prevention and Emergency Protocol.

6. Of these new and revised instruments, the Amendments to the Convention, the new SPA and Biodiversity Protocol and the new Prevention and Emergency Protocol had entered into force. It should be recalled that six ratifications are required for the entry into force of a new Protocol and that 16 Contracting Parties have to accept the amendments to a revised instrument for it to enter into force.

7. A detailed table on the status of ratification is attached as **Annex I** to this report. A number of amendments and explanatory notes from a legal point of view have been introduced in the Notes to this Table. In line with international practice, mainly under the UN, a new entry entitled ‘Status’ has been inserted in addition to “Adoption” and ‘Entry into Force”.

8. The Meeting of National Experts on the feasibility of a legal regional instrument on prevention of pollution from pleasure craft activities in the Mediterranean, which was fully sponsored by the Monegasque Government, was held in Monaco, 8-10 December 2004. The Experts from 18 coastal States and the EC agreed on a draft resolution to be proposed for adoption by the 14th Meeting of the Contracting Parties. The proposed resolution provides a set of principles for the development of specific “guidelines on prevention of pollution from pleasure craft activities”.

2. Diplomatic Missions

9. During the period under review, the MAP Coordinator undertook a number of diplomatic missions in order to establish direct contact with the authorities of the countries

visited, discuss future bilateral cooperation and, where appropriate, promote the ratification of the amended Convention and other MAP legal instruments.

Visit to France

10. Between 20 and 21 January, 2005 the Coordinator visited Paris at the invitation of the French Ministry of Foreign Affairs to discuss future France – UNEP/MAP relations.

11. During this visit the MAP Coordinator was received by senior government officials in the Office of the Prime Minister and the Ministries of Foreign Affairs and Ecology and Sustainable Development. Meetings were also held with the Ambassador for the Environment and the Ambassador for the Euro-Med Process.

12. On his part the Coordinator briefed the French authorities about the on-going programme of work at UNEP/MAP, including those of the MAP components, in particular BP/RAC. On their part the French authorities informed the MAP Coordinator about the French Government's commitment to promote sustainable development including the appointment of a High Representative for Sustainable Development within the Office of the Prime Minister.

13. A meeting with all the French Focal Points was held during which both sides discussed the activities and programmes being implemented by the different MAP components.

Visit to Slovenia

14. At the invitation of the new Minister for the Environment, the MAP Coordinator visited Slovenia between the 2 and 3 February, 2005. The main purpose of the visit was to discuss with the new Minister the organisation of the next Contracting Parties Meeting which will be hosted by Slovenia next November in Portoroz.

15. During a meeting with the Minister, the MAP Coordinator was assured of the new Government's commitment to ensure a successful contracting parties meeting. Further details on the organisation of the 14th Ordinary meeting of the Contracting Parties are given under another agenda item of this Bureau meeting.

Visit to Israel

16. At the invitation of the Minister for the Environment of Israel the MAP Coordinator paid a two-day visit to Israel on the 18 and 19 May, 2005. During talks with the Minister, apart from reviewing the UNEP/MAP – Israeli relations, the MAP Coordinator urged the Israeli government to ratify the amended legal instruments in particular the new Barcelona Convention preferably by the next meeting of the Contracting Parties.

17. The MAP Coordinator was informed that the ratification process is in a very advanced stage and that only a few technical issues needed to be addressed.

18. During this visit the MAP Coordinator had discussions with the Director General in the Ministry for the Environment and with the Focal Points of the various MAP components who were led by the MAP Focal Point. The Coordinator was briefed about the various programmes being implemented by the Israeli authorities to eliminate land-based sources of pollution and to address the problems of coastal erosion and coastal zone management.

Other Missions

19. With a view to promote the Mediterranean Action Plan and give MAP and the Barcelona Convention greater visibility, the MAP Coordinator participated in the following meetings and conferences:

10 – 12 November	The Netherlands	2nd Stakeholders Conference, European Marine Strategy
08 - 09 December	Cairo, Egypt	MEdIES Event "The Launching of the Arabic Version of the Education Material 'Water in the Mediterranean'"
24 – 25 January	Malta	Greenpeace Mediterranean Meeting
03 - 06 March	Brindisi, Italy	Mediterre-Mediterranean Parks
7 – 9 April	Malta	Workshop for Mediterranean Media Professionals on land-based and sea-based pollution
10 May	Hammamet, Tunisia	Conference on the Environmental preventive measures in the Mediterranean Area: comparing experiences (31st UICI Conference)

3. Financial and Personnel matters

a) *Financial matters*

1. Remittance of Contributions

20. The status of the Mediterranean Trust Fund as at 31th May 2005 stood as follows:

- Total pledges of ordinary contributions for 2005: € 6.617,844
- Total collections during 2005 for 2005: € 990,873 (14.97 % of 2005 pledges).
- Total of unpaid pledges for 2004 & prior years: € 758,929;
- Total of collections during 2005 for prior years: € 177,453 (23.38% of 2004 & prior years outstanding pledges).

21. Details of payments and outstanding contributions are at **Annex II**.

2. Additional Funds

22. Other in-cash voluntary contributions for specific activities, other than those given to the Regional Activity Centres, have been received as follows:

23. From Italy:

- € 50,000 for the overall evaluation process of UNEP/MAP;
- € 45,000 as cost-sharing for the organization of the " Mediterranean Strategy on Sustainable Development" meeting, held in Rome 5-7 April 2005;
- € 5,000 for the preparation of "National Strategy for Sustainable Development" of Montenegro;
- € 20,000 for the preparation by Italy of the MEDPOL National Action Plan and Baseline Budget;

- € 49,215 for MEDPOL's Stocktaking Meeting for the Development of the GEF Strategic Partnership for the Mediterranean Sea Large Marine Ecosystem held in Trieste

Total received: Euros 169,215

24. From Monaco:

- €10,000 for National Strategies for Sustainable Development.

25. From Israel:

- €19,060 donated as a support to the Mediterranean Action Plan activities.

3. Programme Budget of MAP

26. MAP 2004-2005 projects are being implemented in line with the budgets approved by the Contracting Parties. Internal revisions have been carried out in order to ensure that the 2004 accounts are closed and all remaining funds are moved to 2005 to continue the implementation of activities as approved for the biennium. Additionally, 2006-2007 proposed budgets are being compiled from all Regional Activity Centres and MEDU Officers in order to draw-up the budget for the next biennium to be submitted to the MAP Focal Points Meeting for consideration.

b) Personnel Matters

1. Coordinating Unit

27. In conformity with the decision of the last Contracting Parties Meeting (Catania, November 2003) and further to the information provided to the Bureau Members at their last meeting in Caïro on the recruitment procedure of the MSSD Officer at MEDU, the incumbent Mr. Frederic Teboul, a French national, was appointed at the P.3 level as of 1st March 2005, for one year, to assist the MCSD in its activities in particular the preparation of the Mediterranean Strategy for Sustainable Development.

28. A recruitment procedure for General Service vacancies to fill two secretarial positions with MED POL was launched in January 2005. It will be finalized soon.

29. The issue of the "Security Assistant" will be discussed during the upcoming Contracting Parties Meeting, (November 2005 in Slovenia) following consultations with Headquarters and other UN Offices in Athens.

30. On April 30th 2005, two staff members separated from service due to retirement. Mr Baher Kamal, Information Officer and Ms Evangelia Zaimis, Administrative Clerk. The Information Officer post vacancy announcement has already been advertised at the UNON "Galaxy" website on the April 1st, 2005 with the closing date of 31 May 2005. The vacancy announcement for the GS post vacated by Mrs Zaïmis has not been issued yet.

2. REMPEC

31. In the Professional category, the Programme Officer Cdr. Elias Sampatakakis terminated his mandate on 2nd of March 2005. His replacement at P.4 level is in progress.

32. In the General Service category, it was reported that a G.7 level post is vacant since 28th of February 2005. Due to separation from service, a G.4 level post was filled by Mr Mario Bonello on May 10th 2005.

3. PAP/RAC

33. In the General Service category, two posts were filled one by Ms Nada Giljanovic and the other by Ms Lada Jakelic.

4. Cooperation with Partners

a) Cooperation with IGOs

MED POL

34. MED POL has closely followed and participated in the process for the preparation of the European Marine Strategy. The Unit has contributed to the work of all Working Groups established by the EC to finalize the text of the various components of the Strategy. On behalf of MAP, MED POL has worked on the analysis of the implications of the application of the ecosystem approach in the Mediterranean and, to that end, a project mostly financed by the EC will be carried out by MED POL starting this year.

35. MED POL has worked with the European Environment Agency to prepare a new report of the state of the Mediterranean based on new data and information gathered through the implementation of the SAP. The report will be presented to the Meeting of the Contracting Parties in November 2005.

36. In cooperation with RA.MO.GE. and the Ministry of Environment in Lebanon, MED POL organized a stakeholders kick off meeting for the implementation of a coastal litter management project in Tripoli, Lebanon. During the Meeting, the legal, institutional and technical aspects of an implementation plan were extensively reviewed together with the assignment of duties to the different stakeholders.

37. Concerning the GEF Project, MED POL continued to contribute to the completion of the activities. The Project will be formally closed at the end of October 2005. Negotiations are ongoing for the preparation of the Strategic Partnership for the long-term support of the implementation of the SAP. A PDF-B GEF Project is expected to start by the end of the year to prepare all the elements of the Strategic Partnership.

REMPEC

38. During the period under review, REMPEC, in close co-operation with IMO, was involved in negotiations with the European Commission's DG TREN and DG AidCo related to the finalisation of a project for Euro Med Co-operation on Maritime Safety and Prevention of Pollution from Ships (SAFEMED), which was originally submitted for approval and financing to the relevant services of the EC in October 2004. Once approved, the project is expected to be implemented by REMPEC in ten Mediterranean Partner countries during the period 2005-2008. The SAFEMED project proposal, including the "Technical Annex" and the budget, was prepared by a consultant, in close collaboration with REMPEC staff and IMO, between July and October 2004, and subsequently amended in conformity with the comments of the relevant services of the EC and IMO.

39. When the SAFEMED project proposal was prepared particular attention was paid to its compatibility with the Regional Strategy for Prevention of and Response to Pollution from Ships in the Mediterranean.

40. The primary objective of the SAFEMED project, which is valued around four million Euro, is to mitigate the existing imbalance in the application of maritime legislation in the region between the Mediterranean Partners that are not members of the EU and those that are members, through promoting a coherent, effective and uniform implementation of the relevant international conventions and rules aimed at better protection of the marine environment in the Mediterranean region by preventing pollution from ships.

41. At the time of writing the present report, the final approval of the project and signing of a service contract for its implementation between the EC and IMO, on behalf of REMPEC, was still pending

RAC/SPA

42. The regional seas branch of UNEP at Nairobi has requested inputs on the subject of High seas and Biodiversity Conservation in the Mediterranean for the 59th Session of the UN General Assembly. RAC/SPA has provided on behalf of MAP such a contribution that was included in the submissions of UNEP for the report of the Secretary General on Oceans and Law of the Sea to the General Assembly.

43. RAC/SPA contributed to the Second ACCOBAMS Scientific Committee Meetings (Istanbul, 18-23 November 2003), providing assistance and Secretarial support. It also participated in the Second Meeting of the Parties to ACCOBAMS as the Mediterranean Sub-regional Coordinating Unit (Palma de Mallorca, 9 -12 November 2004).

44. An international meeting on cetacean conservation was organised in Tajura, Libya, in collaboration with the ACCOBAMS Secretariat and the Environmental General Authority (EGA) of Libya, aimed at initiating such conservation activity in the country. The Meeting included a training workshop on cetacean tissue sampling and another on setting up and coordinating tissue banks. The EGA gave generous logistic and economic support to make the event a success.

45. A CD-ROM on marine mammal tissue banks was designed by RAC/SPA and the ACCOBAMS Secretariat to be distributed at the International Meeting in Libya. The CD-ROM is an educational and training tool, and includes film, images and documents.

b) Cooperation with NGO/MAP partners and Public Participation

46. Pursuant to the recommendations approved in Catania, financial assistance has been given to a number of NGO/MAP partners to strengthen their own capacities and implement several activities relevant to the MAP scope and objectives. In total, nine MoUs have been signed with NGOs during the period under review with a total budget of 40.000 Euro.

47. Members of the Secretariat have participated in activities organised by NGO/ MAP partners or jointly with the Secretariat in Egypt, Morocco, Tunisia, Malta, Italy and Greece.

48. In support of the principle on public participation in the process of decision making on the regional level, the Secretariat has made efforts to incorporate the views and direct

involvement of the NGO/MAP partners and representatives of civil society in the process of developing important policy and legal documents such as:

- Main elements for a compliance mechanism under the Barcelona Convention and its protocols
- National Action Plans to combat pollution form land based sources and activities
- Mediterranean Strategy for Sustainable Development
- Feasibility study for a liability and compensation regime in the Mediterranean
- Draft protocol on ICAM

5. Information and Public Awareness

49. Several activities have been undertaken in the field of information and public awareness. Some of these activities have been entrusted and/or carried out in close cooperation with ERS/RAC. All joint activities have been reported in the relevant chapter summarising the ERS/RAC activities.

MAP Information Officer

50. The MAP Information Officer, Mr Baher Kamal, separated from MAP due to retirement at the end of April 2005. The Secretariat acknowledges the positive results of his performance during the four years that he served as the first ever MAP Information Officer. The process for the selection of a new Officer has been initiated by the Secretariat.

Workshop for Mediterranean Media Professionals

51. A Workshop for Mediterranean Media Professionals on Land-based and Sea-based sources of Pollution, has been held with the active support of the Maltese Authorities. The Workshop took place on 7–9 April 2005 and was attended by eighteen journalists representing the important newspapers, magazines, radio and TV stations in Algeria, Bosnia and Herzegovina, Egypt, France, Greece, Italy, Israel, Libya, Morocco, Serbia and Montenegro, Slovenia, Tunisia and Turkey.

52. The MAP Coordinator, MAP Officers from MED POL as well as from REMPEC and an independent expert on Cleaner Production made presentations about their respective fields of activities and responsibilities. The workshop was also addressed by the Maltese Minister of Tourism and Culture (former Minister of Environment and former President of the Bureau of the Contracting Parties to the Barcelona Convention).

Celebration of the MAP's 30th Anniversary

53. UNEP's Our Planet magazine, will feature a special issue on the Mediterranean Action Plan on the occasion of its 30th Anniversary. The issue is expected to include statements by the UNEP Executive Director and other personalities who have been associated with MAP for many years.

54. A special issue of MedWaves was published in English and French, devoted entirely to the MAP's 30th Anniversary. Key MAP activities carried out since it was set-up, ongoing preparations for the Mediterranean Strategy on Sustainable Development, the new Protocol on Integrated Coastal Area Management and the Blue Plan Report on Environment and Development are featured in the publication. It also presents the views of several NGOs on MAP activities.

55. A video presentation is being prepared on the occasion of the 14th CoP. The production of this video was discussed in Algeria in January this year with CoPeAM (Permanent Conference of Mediterranean Audiovisual Operators) and ERS/RAC. The video will be a joint production by different Mediterranean audiovisual operators, under the umbrella of CoPeAM, and will focus on images, sounds and music from the whole region.

56. Printed material bearing a logo designed for the MAP's 30th Anniversary was widely disseminated and distributed during various MAP events as well as events targeted to the Media and to the general public. These included a 2005 diary, notebooks and notepads.

Integration of the Participatory Approach in MAP Programmes and Activities:

57. In order to promote the integration of the participatory approach in MAP activities, a number of Memoranda of Understanding for related activities, funded by GEF MED Project, have been concluded with several countries. This assistance has enabled these countries to organise meetings for civil society, NGOs and the general public on the preparation of the National Action Plans as part of the GEF project.

MAP website

58. The MAP website, in its new structure and presentation, is now on-line in both English and French. The Arabic version has also been prepared by MEDU and will soon be pout online. The English and French sites are subject to regular updating and new sections have been integrated, to provide information about MAP events and the preparations for the 14th Contracting Parties Meeting in Slovenia. The Intranet section has been introduced to ensure, among other functions, the availability of Meeting Documents.

6. Pollution Prevention and Control

a) Combating Pollution from LBS

59. Extensive work was carried out for the finalization of the draft MED POL Phase IV Programme (2006-2013). A draft was prepared and was reviewed by a selected group of experts involved in similar large cooperative programmes to verify its content. After revision, the Programme was presented to MED POL National Coordinators at their Meeting (Barcelona, 24-27 May 2005) for review and final approval. MED POL Phase IV, as approved by the MED POL National Coordinators, will be transmitted to MAP Focal Points and later to Contracting Parties for adoption.

60. One more country (Algeria) finalized its monitoring programme for a total of 11 countries currently having finalized and ongoing monitoring agreements within the framework of MED POL Phase III. Several pilot programmes for eutrophication monitoring were developed and initiated whereas several others were drafted.

61. All new monitoring data submitted by the countries were verified and loaded to the database. The web version of the database (http://195.97.36.231/medpol/) was updated in January 2005. The flow of available data to and from EEA was successfully achieved for two European countries.

62. A second training course for the eutrophication programme was hosted by and held at the Marine Research Center (CRM) in Cesenatico, Italy, in November 2004. The activity was jointly organized by ARPA-ER, CRM and ICRAM. During the same event, an informal experts' consultation meeting was held to revise and complete the draft manual of the eutrophication programme of MED POL.

63. One Data Quality Assurance mission was organized for a trace metal laboratory in Cyprus. The trend monitoring strategy for coastal water sediments was reviewed and the process for the revision was initiated by the experts' meeting held in April 2005.

64. A series of documents were prepared by WHO/MED POL that could facilitate the adoption of the Guidelines on sewage treatment and disposal and wastewater use. In particular, the following documents were prepared, discussed, commented and amended accordingly: "Environmental and health impacts of wastewater treatment plants", "Natural wastewater treatment systems for the Mediterranean region", "Cost aspects of wastewater treatment", "Guidelines for sludge treatment, disposal and use", "Environmental impacts of reclaimed wastewater use", "Guidelines on physical and chemical parameters for water reuse in irrigation", "Guidance for wastewater use in irrigation".

65. An updated version of the report entitled "Wastewater Treatment Plants in Mediterranean coastal cities" was prepared with the assistance of the MED POL National Coordinators and national experts as well as another document on the "Substitutes to be used as alternative to POPs", along with related Guidelines.

66. A national training course on environmental inspections, took place in Damascus Syria, from 6-9 January 2005.

67. A regional training course to "train the trainers" on the subject of "Water Reclamation and Re-use in the Mediterranean", took place in Barcelona, Spain, from 22-25 November 2004.

68. MED POL continued to provide institutional and technical assistance to the national authorities and experts responsible for the preparation of Sectoral Plans (SPs) and National Action Plans (NAPs) in the framework of the implementation of the SAP. In this connection, in December 2004 MED POL, in cooperation with GEF, organized a review meeting with a large representation of national experts and authorities. The meeting was a valuable opportunity to discuss and verify with the countries the status of the preparation of SPs and NAPs, and identify needs for additional assistance and means to overcome difficulties and barriers encountered during the preparation of these plans.

69. In the framework of the implementation of the amended Dumping Protocol, MED POL, in cooperation with the London Convention secretariat and with the assistance of regional experts, organized a regional workshop in Cyprus in February 2005 to review the status of the implementation of the Protocol and its guidelines and identify national needs to improve the management of dumping activities in the region. The workshop allowed both MED POL and the national representatives to have a better idea of the status of dumping activities in the region and agree on a set of priority actions for the proper implementation of the Protocol.

70. In the framework of the preparation of the ground for the implementation of the Hazardous Wastes Protocol, MED POL signed an MoU with Bosnia Herzegovina, the Basel Convention Secretariat and the Basel Convention Regional Center (BCRC) in Bratislava for the implementation of the first phase of a national project to develop a system for the management of lubricating oils. The project could serve as a model for additional projects in the region related to the management of hazardous wastes and could enhance cooperation with the Basel Convention Secretariat.

71. Concerning Marine Pollution Indicators, MED POL organized a second regional experts meeting to review the fact sheets which had been developed and to plan their testing

at the national level. The experts approved the contents of the fact sheets and develop a road map to test them.

72. In its continuous efforts to mobilize and inform national authorities as well as other stakeholders from civil society about its activities, MED POL is developing, with the assistance of regional experts and the technical and financial support of ERS/RAC, an information system based on internet portal and GIS which will include information on driving forces and pressures which could have negative impacts on the marine ecosystem, the description of the impacts, the status and quality of the marine environment and finally the national and regional responses. The preparation of the information system has already started and will be completed in 2006.

b) Combating Sea Based Pollution

73. During the period under review REMPEC continued with the implementation of activities related to preparedness for and response to accidental marine pollution. It also carried out a whole range of activities aimed at improving the level of co-operation in the field of prevention of pollution from ships.

74. The main activities carried out by the Centre financed by the Mediterranean Trust Fund (MTF), as well as those carried out by the REMPEC and financed by external sources of financing, namely by the MEDA project on port reception facilities and by IMO's Integrated Technical Cooperation Programme (ITCP) were the following:

Dissemination of information

75. The French version of REMPEC website was launched in early 2005, and certain improvements were made to the English version.

76. The List of alerts and accidents causing or likely to cause pollution by oil of the Mediterranean Sea, which is part of the Regional Information System, was completely revised and the updated document was produced in English and French in December 2004.

77. Further development and upgrading of MIDSIS-TROCS - Mediterranean Integrated Decision Support Information System, Version 2.0 of the Regional Information System was completed in December 2004 and the CD ROM will be ready for distribution by the end of May 2005.

Capacity building including training

78. A Regional Alert Exercise MEDIPOLEX 2004 was organized in close collaboration with the competent national authorities of Cyprus, which acted as the lead country, in December 2004.

Assistance in the development of national and sub-regional systems for preparedness for and response to marine pollution from ships

79. Following the request by the Algerian national Focal Point, REMPEC prepared and organized, in December 2004, a mission of an external consultant, to audit the Algerian national TELBAHR system for preparedness and response to accidental marine pollution. A national seminar was also organized by the Algerian authorities to coincide with the mission. A report, including detailed recommendations for completion and improvement of the national system, was submitted to the Algerian national Focal Point in the beginning of 2005.

80. The preparation of the sub-regional system for preparedness and response to accidental marine pollution in the South-Western Mediterranean, comprising Algeria, Morocco and Tunisia was finalized in the first quarter of 2005, and the signing of the trilateral agreement for its implementation is tentatively scheduled for June 2005. This complex activity was financed by the ITCP of IMO, and complemented by REMPEC's own resources.

81. The development of the sub-regional Contingency Plan for the Adriatic Sea, involving Croatia, Italy and Slovenia and the agreement for its implementation were completed in May 2005. The signing of the Agreement by the three countries concerned is expected to take place at the time of the 14th Meeting of the Contracting Parties in November 2005.

Assistance in the field of prevention of pollution from ships

82. A Regional Workshop on prevention and control of operational pollution in the Mediterranean region was organized between 3 and 5 November 2004 in Ancona, Italy, with financial and logistical support of Italian regional and local authorities. The main objectives of the Workshop, which was attended by more than 90 participants, were to increase the awareness of the Mediterranean countries of the problem of operational pollution from ships, to inform them on the ongoing activities in other regional seas and within the EU, to provide inputs for the completion of REMPEC's CLEANMED project proposal, and to start enforcing specific recommendations of the Contracting Parties, as well as of the relevant provisions of the Prevention and Emergency Protocol 2002 and of the Catania Declaration. Two side events organized as part of the Workshop by the Italian regional and local authorities addressed issues related to the sustainable development of the Adriatic region in a wider Mediterranean context.

83. A Regional Seminar on port reception facilities for collecting ship-generated garbage, bilge waters and oily wastes in the Mediterranean was organized in Malta, 24-26 November 2004. The Seminar was the final activity of the EC MEDA financed project on port reception facilities, which REMPEC implemented in the last three years, and of two complementary projects financed respectively from REMPEC MTF budget and from the funds made available by the ITCP of IMO. Forty-five participants from 18 Mediterranean coastal States and Jordan, endorsed the results of the MEDA Project and of complementary REMPEC's projects and outlined further actions for their implementation at the national, bilateral, multilateral and regional levels. The Third Meeting of the Steering Committee of the Project was organized back-to-back with the Seminar

84. During the period under review REMPEC took active part in the CLEOPATRA project aimed at the development and application of Earth Observation (EO) techniques in the field of marine pollution from sea based sources. REMPEC's participation in the project was made possible through a contract signed between the project managers and the Italian Central Institute for Applied Marine Research (ICRAM), which seconded one of its researchers to REMPEC.

85. With a view to starting activities in the field of surveillance and detection of illicit pollution of the sea by ships, REMPEC prepared in the beginning of 2005 a proposal for a geographically limited project on the surveillance and detection of illicit pollution of the marine environment named AESOP (AErial and Satellite surveillance of Operational Pollution in the Mediterranean Sea: a comparative analysis). The project was developed bearing in mind the comprehensive CLEANMED project proposal, as well as the future Regional Strategy. It also took into consideration REMPEC's previous involvement in RAMSES, GAIANET, VASCO and CLEOPATRA projects. AESOP is a short term pilot project to be carried out in the

Adriatic Sea, in co-operation with ERS/RAC, the Italian Ministry of Environment, the Italian Coast Guard and DG-JRC of the EC.

Implementation of the Catania Declaration 2003 - Regional Strategy

86. In February 2005 REMPEC consolidated the comments concerning the Draft Regional Strategy on prevention of and response to marine pollution from ships that were received from the Contracting Parties and circulated them to all parties concerned for consideration at the 2nd Meeting of National Experts. An assessment of the cost of implementation of the proposed Regional Strategy was prepared with the assistance of a consultant for the same Meeting. The 2nd Meeting of National Experts, which was organized in Malta between 21 and 23 April 2005, examined and completed the final draft text of the Regional Strategy and submitted it for endorsement to the subsequent Meeting of REMPEC Focal Points.

c) Cleaner Production

Dissemination and publications

87. In the period under review CP/RAC published the following documents:

- Number 18 of the CP newsletter:
- Eight Med Clean case studies
- Annual Technical Publication – Mediterranean Enterprises and Sustainability

88. The website was updated. CVs of Mediterranean experts in pollution prevention have been included in the database while a database of cleaner technology is being prepared.

Brochures and manual on cleaner technologies and pollution prevention

89. The following brochures and manuals on cleaner technology and pollution prevention have been published or are under preparation:

- Good Environmental Practices in Logistical Services.
- How to introduce best available techniques (BATs), best environmental practices (BEPs) and cleaner technologies (CTs) in Mediterranean industries
- Pollution prevention in the paper sector
- Pollution prevention in the metal sector.
- Module for the introduction of pollution prevention in university curricula.
- Manual of good housekeeping practices in the logistics sector

90. Studies on a number of industrial sectors have also been prepared, including:

- Alternatives for pollution prevention in the metal sector.
- Alternatives for pollution prevention in the paper industry.

Projects

91. A LIFE-*Third Countries project:* for capacity building in cleaner production was carried out in Bosnia & Herzegovina. During the period under review, the project under reference was finalised and a project closure meeting, with the presentation of the results achieved, took place on 14 December 2004 in Sarajevo.

92. A Project for the dissemination of good housekeeping practices in the Maghreb tanning sector has been launched and a training seminar for trainers has been prepared for June 2005.

Meetings, workshops, missions and capacity building

93. A regional seminar on best available techniques and best environmental practices (Barcelona 22 - 23 November 2004) was organised for civil servants and staff of the public authorities of the countries of the Mediterranean basin, with a view to presenting the methodology prepared by the RAC/CP for the application of BATs and BEPs, exchanging experiences among Mediterranean countries concerning the application of BATs and BEPs, and launching an initiative for applying BATs and BEPs within the legal and institutional framework.

94. A national seminar on pollution prevention in the food sector presenting the alternatives for pollution prevention in abattoirs, was organised in Sarajevo on 15-17 December 2004.

95. A training course on the methodology of the Minimisation Opportunities Environmental Diagnosis (MOED) has been held out in Vilanova i la Geltrú (12-14 April 2005) addressed to consulting firms, companies and experts with the aim of introducing the MOED tool, useful for detecting pollution prevention opportunities in the industrial processes.

7. Conservation of Biodiversity

Implementing the Action Plan for the management of the Mediterranean monk seal

96. The Parties to the Barcelona Convention included among their priority targets to be achieved by 1995 the protection of the Mediterranean monk seal (Genoa, 9-13 September 1985). The Mediterranean monk seal population has declined rapidly and drastically in the last 20 years. Further international cooperation is needed to address the issue. A high-level meeting to address the issue is being planned. It is also being proposed to include this topic on the agenda of the forthcoming Contracting Parties meeting.

Implementing the Action Plan for the conservation of Mediterranean marine turtles

97. During the period covered by the present report, RAC/SPA's activities mainly concerned the following:

- increasing scientific knowledge on certain aspects of the biology of marine turtles, particularly the dynamics of Mediterranean populations and nesting,
- circulating information, awareness and training, by publishing technical documents and by organising training courses,
- cooperation and the exchange of experience by participating in or organising conferences and workshops.

98. In March 2005, in response to a request by Tunisia and Libya, RAC/SPA supported a programme to monitor the migration of marine turtles by satellite, in collaboration with the Naples zoological station. In Tunisia, the programme included fishermen's awareness activities and reports broadcast on Tunisian television. In Libya, the programme included a small information and awareness workshop for actors active in marine turtle conservation.

99. RAC/SPA published the following documents which can be downloaded from RAC/SPA's internet site at the following address: www.rac-spa.org:

- guidelines for establishing laws and rules regarding the conservation and management of marine turtle populations and their habitats, in English and French
- guidelines for improving the involvement of care centres for marine turtles, in English.

100. In accordance with the recommendations made at the Thirteenth Ordinary Meeting of Contracting Parties, RAC/SPA organised a workshop on standardising tagging and centralizing information in the Mediterranean area. In order to take advantage of the presence of Mediterranean experts, the workshop was organised on 2-3 May 2005 in Antalya, Turkey just before the Second Conference on Marine Turtles.

101. After the success of the First Mediterranean Conference on Marine Turtles, RAC/SPA, acting jointly with the Secretariats of the Bonn and the Berne Conventions, organised a Second Conference on Marine Turtles (Antalya, Turkey, 4-7 May 2005). The Turkish Government, through the Ministry of the Environment and Forests and the WWF Turkey, provided the logistical requirements for the Conference. Participants from the Mediterranean and from other regions took part in the work of the Conference.

Implementing the Action Plan for the Conservation of Cetaceans in the Mediterranean Sea

102. Actions undertaken in the field of cetacean conservation concerned the following:

- improving knowledge on species status and actions for using strandings of species to gain a better understanding of cetacean conservation problems and possible solutions
- optimizing coordination with the ACCOBAMS Secretariat by harmonising the Barcelona Convention Parties' recommendations to the maximum extent possible with the Agreement's needs.

Implementing the Action Plan for the Conservation of Marine Vegetation in the Mediterranean Sea

103. In accordance with the Contracting Parties' recommendation, RAC/SPA recruited an independent consultant to carry out the evaluation of the implementation of the Action Plan for the Conservation of Marine Vegetation. This evaluation was intended to enable the National Focal Points to look into how far the actions provided for by the Action Plan's implementation schedule had progressed, and to make the necessary recommendations for the follow up including a possible revision of the implementation schedule or the adoption of a new schedule starting from 2007.

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

104. A symposium is planned for the second half of 2005, intended to create a network of collaborators to implement the Action Plan for the Conservation of Cartilaginous Fishes, to discuss and consult with Mediterranean scientists about the adequacy of the protocols proposed by RAC/SPA, and to work on the use of the prepared database. A review on the status of Mediterranean *chondrichthyans* and an inventory of presently identified critical habitats, now being prepared by the Secretariat, will be discussed at the Symposium.

Implementing the Action Plan for the Conservation of Bird Species Listed in Annex II to the SPA and Biological Diversity Protocol

105. As part of the implementation of the Action Plan as adopted by the Contracting Parties, RAC/SPA started the following actions:

- Preparing a directory of national and international organisations and experts dealing with threatened and endangered bird species in the Mediterranean;
- Organising the first Mediterranean symposium on the ecology and conservation of bird species appearing in Annex II to the SPA Protocol in collaboration with MEDMARAVIS and SEO/BirdLife International. The symposium will take place in November 2005.

106. In order to address the lack of information on threatened species in some Mediterranean countries, two field visits were organized on the coasts and wetlands of Libya and Albania, on 2-18 January 2005 and 24 January-4 February 2005 respectively.

107. RAC/SPA assisted in the organization of the 11th PanAfrican Ornithological Congress 'Birds without Borders – linking people and habitats', and a workshop on flamingoes. These took place between 20 and 26 November 2004 in Djerba, Tunisia. The Action Plan for the Conservation of Bird Species was presented at these two events.

Invasive Species in the Mediterranean Sea

108. In the framework of the Action Plan on Invasive Species in the Mediterranean Sea, RAC/SPA started to implement its regional arrangements.

109. RAC/SPA has particularly worked on the directives and phases that were necessary for the elaboration of a regional project on fouling, ballast water and sediment. In this context, a RAC/SPA consultant was sent on assignments to the IMO and REMPEC to discuss arrangements currently being implemented at national level in the Mediterranean countries.

110. RAC/SPA is working on the preparation of educational and awareness material to be circulated in order to promote the Mediterranean countries' national programmes. This initiative is intended to make the greater public and target groups, including decision-makers, aware of the risks associated with the introduction of non-indigenous marine species into the Mediterranean.

111. RAC/SPA will organise a regional workshop on non-indigenous species in the Mediterranean in the second half of 2005. This workshop will bring together experienced Mediterranean scientists who will look into the data available for the Mediterranean Sea, identify the most important taxonomic and geographical gaps and suggest a programme to fill such gaps. The workshop will also include a session to look into the various vectors causing the introduction of non-indigenous species and suggest possible preventive measures. It will also examine draft 'Guidelines for controlling the vectors covering the introduction into the Mediterranean of non-indigenous species and invasive marine species' and a 'Guide for risk analysis assessing the impacts of the introduction of non-indigenous species'. The CBD Secretariat and other relevant inter-governmental organisations are expected to participate in this workshop.

Assistance to countries in developing SPAMIs

112. Following a request by Algeria, RAC/SPA has provided technical support for the recruitment of a consultant to elaborate the files in respect of four Algerian sites for inclusion on the SPAMI List.

Support to Parties' requests for certain SPAMIs to be included as PSSAs

113. To help the concerned Parties draw up their applications for certain SPAMIs to be listed as PSSAs (Particularly Sensitive Sea Areas) with the International Maritime Organisation (IMO), RAC/SPA recruited a legal consultant in international environmental law to advise on whether the existing SPAMIs qualified for inclusion as PSSAs. This first phase, intended as a preliminary assessment, is being done in close cooperation with the IMO. It will be followed by a second phase, when the SPAMIs' application files that have been deemed eligible during the first phase will be submitted for inclusion as PSSAs.

Proposing new sites for inclusion on the SPAMI List

114. RAC/SPA has received from the Algerian NFP for SPAs the presentation reports for the following sites proposed for inclusion on the SPAMI List:

- the Banc des Kabyles marine reserve
- the Cap de Garde marine reserve
- the Habibas Islands
- Rachgoun Island.

115. RAC/SPA also received from the Italian NFP the presentation report for the Portofino site proposed for inclusion on the SPAMI List.

Exchange and circulation of information

116. RAC/SPA signed a Memorandum of Cooperation with WWF France, the body appointed by the Port-Cros National Park (the Network's Executive Secretariat) to have operational responsibility for the Mediterranean Marine Protected Area Managers Network (MedPAN Network), in order to revive the MedPAN Network. In fact revival of the MedPAN Network had been recommended by the Contracting Parties in 1999. RAC/SPA is acting as the Network's General Secretariat.

117. Thanks to EC funding (INTERREG III), the MedPAN Network started functioning again in January 2005. This funding will enable it to be operational over the next three years until end 2007.

8. Environment and Development

1. Environment and Development Report

118. The Environment and Development Report was circulated between October and December of 2004 inviting comments from the Blue Plan's focal points. It was placed on the Blue Plan's web site but with restricted access. Comments or suggestions made have been, as far as possible, included in the report.

119. Significant changes to the English text were made with the help of two professional editors. Several publishers have been contacted and have expressed interest in publishing the report. The RED will be published next autumn in English by *Earthscan* and in French by either *Editions de Actes Sud* or *l'Aube*

120. The Report has already attracted significant interest. The Blue Plan has been asked by the European Commission to present the initial findings at Euro-Mediterranean SMAP meetings in Brussels and in national workshops on integrating the environment into sectoral policies (Cairo, Rabat, Tunis, Israël). The Commission considers the report as a key reference document for developing policies and activities in the region. The coastal areas chapter was presented at the prospective symposium on the littoral, held in Paris in March, 2005, and at the meeting on the integrated management strategy for coastal areas organised

by the PAP/RAC (Split, March, 2005). Next October it will be presented in Turkey as part of the future Medcoast symposium. Presentations have also been made at the Alexandria Library in Cairo; at a seminar organised by the French Development Agency (February, 2005); and at the Monaco World Summit on Maritime Transport (March, 2005) with REMPEC's participation.

121. Several of the Blue Plan's partners have stressed the need to promote this document as much as possible over the next two years. This in particular means addressing a broader audience than just environmental and sustainable-development experts in order to reach society as a whole and the decision makers so as to inform them of the risks and the importance of better integrating the environment into development in the Mediterranean.

122. BP/RAC is now looking for funding. Contacts have been made with the European Commission. A joint project with the PAP/RAC and METAP has been proposed to the European Commission under SMAP III. Proposals have also been made as part of the new multi-annual goals convention (CPO) to be held with the Ministry of Ecology and Sustainable Development of France.

123. Till the end of 2005, depending on the funds available and the mobilisation of other partners, the Blue Plan plans to:

- Ensure an initial and broad distribution of the report;
- Prepare the first short summary documents and PowerPoint presentations on the main themes;
- Present the report to the media in events set up with other partners.

Mediterranean Strategy for Sustainable Development

124. Upon the request of the MAP Coordinator and with the cooperation of other MAP components, BP/RAC drafted the MSSD. Different drafts of the strategy were presented, discussed and improved at a peer review meeting in December 2004, at the MCSD steering committee meeting in January, at the regional workshop in April and at a second peer review meeting in May. The final draft is being reviewed by the MAP Secretariat and will be discussed at the next MCSD meeting.

Sustainable development indicators

125. The Blue Plan organised an important regional workshop in May 2005 on the indicators and sustainable development strategies and policies with the active participation of 19 Contracting Parties and international experts from the World Bank, EEA, EUROSTAT and Open University. To prepare the workshop, a technical committee with members from several countries was convened in January, 2005, a questionnaire was drawn up and several experts were identified and mobilised. In order to facilitate the selection and the discussion on the indicators, the Blue Plan prepared a short, illustrated working document with 48 indicators.

126. The workshop was an opportunity to present an assessment of the implementation of recommendations adopted in 1999 and to propose and debate a limited set of priority indicators for the follow-up of the future Mediterranean Strategy. The workshop was successful and enabled the participants:-

- to point out the progress in the region highlighting the increasing link between indicators and policies
- to select 33 priority indicators directly related to the objectives of the MSSD's current draft.

127. The results and the presentations of the workshop will be made available on the Blue Plan website.

Contribution to the coastal areas management programmes (CAMPs)

128. The Systemic and Prospective Sustainability Analysis (SPSA) was implemented by Blue Plan in the Algeria and Slovenia CAMPs. A draft of a Users Guide was also produced.

Financing and co-operation for sustainable development

129. The results of a regional study, national studies and the 2004 workshop's report on financing and cooperation for sustainable development were finalised by BP/RAC and will be published as part of the MAP Technical Reports. The results of these activities were presented last April in an important conference organised by the Algerian Ministry of Finance on the issue of sustainable development financing and were well received by all the participants.

Other thematic activities

130. Two MAP technical reports were published: "L'eau des Méditerranéens: situation et perspectives" and the "Dossier on Tourism and Sustainable Development".

131. An important regional forum on "Forestry sector and sustainable development in the Mediterranean: challenges, policies and governance" is under preparation. This forum will be held from 24th to 26th November 2005 in Morocco in the framework of the partnership established between FAO and Blue Plan (SilvaMediterranea programme). A call for papers was disseminated in March. Around 100 Mediterranean experts will participate and so far 20 communication proposals were received by BP/RAC.

2. Implementation of CAMPs

CAMP "Algeria"

132. The third training course related to participatory process for young animators took place on December 12 -14, 2004. Animators were trained on the use of various participatory techniques and tools that can be applied in the CAMP context. The final documents of the second phase of the project were prepared and submitted to PAP/RAC at the end of April 2005. A first synthesis of those documents was presented to the Algerian Minister for the Environment who asked the national project co-ordinator to prepare a more detailed report with concrete activities proposed for the post-CAMP period, in order to submit it to the Government for approval. Also, the Minister asked the national project co-ordinator to organise, a large participatory workshop at the highest level including other ministers, prefects of the wilayas involved in the project and mayors of the municipalities concerned. This workshop should allow those that are directly concerned by the post-CAMP activities to anticipate the results of the project.

CAMP "Cyprus"

133. A draft Agreement for the CAMP Cyprus project has been finalised and it is expected to be signed by the end of June 2005.

CAMP "Lebanon"

134. 3. MAP Technical Report Series on CAMP Lebanon was edited and prepared for printing. Once published, it will be disseminated by MEDU.

CAMP “Morocco”

135. The final draft of the Feasibility Study for CAMP Morocco was submitted to PAP/RAC. Prior to starting the preparation of the Agreement, the Ministry of Environment is proposing to hold a workshop in CAMP area in order to present the study and inform stakeholders of the activities envisaged.

CAMP “Slovenia”

136. Contracts for individual activities were signed and the project entered its implementation phase. Outputs of the first phase of individual activities were submitted and reviewed, and recommendations on acceptance or suggestions for further improvements were reported to the Project Committee and to the Steering Committee. The activity "Regional Spatial Information System", which is under this Centre's responsibility, is now underway. Regular meetings of the Project Committee and of the Steering Committee were organised (November 22, November 25), with the participation of nominated institutions, ministries, relevant sectors and local authorities. At every occasion when a meeting or a workshop took place, national and local press and media were informed about the progress on the project. In May a training course on SEA is envisaged, as well as missions of and consultation meetings with international experts related to Carrying Capacity Assessment (CCA) for tourism and ICAM.

CAMP " Levante de Almeria", Spain

137. During the process of negotiations for the Project Agreement for CAMP “Mar Menor”, the national and regional authorities changed their priorities for the CAMP area in Spain, and informed MAP accordingly. They asked MAP to commence with preliminary activities for the new project area. The area to be covered by this CAMP would be the whole coastal area of Levante de Almeria, Andalusia. Following the request of the Spanish authorities and the decision of the Contracting Parties to commence preliminary activities in Spain, PAP/RAC decided to prepare a new Feasibility Study for Levante de Almeria. A meeting was held in Seville on 17 February 2005 with the responsible authorities in order to discuss the CAMP project as well as the details related to the preparation of the Feasibility Study. ToR for the feasibility study were prepared and the contract signed. The feasibility study is due in September 2005.

Integrated management of coastal zones

138. PAP/RAC initiated the preparation of the Regional ICAM and CAMP Strategy by organising an Expert Workshop, which was held on 17-19 March 2005 in Split. The workshop was attended by around 20 participants, who discussed the structure and the contents of this document and suggested concrete proposals for its drafting. In order to achieve strong synergy, the Regional ICAM Strategy is closely linked with MSSD. Outline of the Regional ICAM Strategy was presented to the PAP National Focal Points in May 2005.

139. In February 2005 the position papers were contracted for the activity "Landscape management in Mediterranean coastal areas". The purpose of this activity is to propose actions related to landscape management in the Mediterranean coastal areas. The first position paper will be a policy document that will guide PAP/RAC in dealing with issue of coastal landscape management within the ICAM. The paper will present the long-term ideas on how to integrate landscape management in PAP/RAC activities, and will provide the state-of-the-art of this discipline in the Mediterranean. The second position paper will identify current landscape management practices in the Mediterranean, as well as the main landscape types in order to get an overview of the situation in Mediterranean coastal areas. The papers are due in July 2005.

140. Three National Reports on ICAM, for Turkey, Tunisia and Malta were edited and printed. Currently they are being disseminated.

141. In the framework of SAP MED, PAP/RAC presented the achievements of the component "Development of economic instruments for sustainable implementation of SAP" at the Meeting of government-designated experts in Catania, December 2004. Baseline and four other pilot projects in Croatia, Albania, Algeria and Bosnia & Herzegovina were launched. Policy Guidelines on economic instruments were under preparation during 2004. In the coming months the final proposals on Economic Instruments for National Action Plans (Algeria, Bosnia & Herzegovina, Croatia, Lebanon, Morocco, Slovenia, Syria), the final evaluation reports, final reports for pilot projects, and the Final Project Report and Project Evaluation Report will be completed.

142. PAP/RAC has won the tender to prepare an "Integrated Coastal Development Study and Plan for the Southern Coastal Region" in Albania. The implementation of the project is underway. This experience will provide PAP/RAC with a significant insight into the post-CAMP period as well as give the opportunity to intervene and propose actions for the consideration of the Albanian Government. The project is financed by the Albanian Government – Ministry for Territorial Adjustment and Tourism and the World Bank.

143. The new draft Guidelines on Integrated Urban Water System Planning and Management in coastal area of the Mediterranean were revised and amended, where necessary, by external experts. They will be published and translated into French. On the basis of the guidelines a training course will be developed and organised by the end of 2005. Also, Guidelines on Carrying Capacity Assessment (CCA) for Tourism were revised and re-printed. They were also translated and printed in French.

144. Experts were engaged to prepare a pilot study "Evaluating the State of Beach Management in the Mediterranean". The pilot study investigates a number of Mediterranean beaches in Croatia, Spain, Tunisia and Turkey. The workshop on the Application of the Bathing Area Registration & Evaluation (BARE) System in Mediterranean Coastal States will be organised in Malta on June 10-11, 2005 and Application of the BARE System in Mediterranean Coastal States - Evaluation of Regional Beach questionnaires survey will be performed after the workshop.

145. As part of MCSD activities, PAP/RAC was requested to explore the possibility of establishing a working group on local management and sustainable development. An Expert Meeting on Local Management and Sustainable Development was organised in Rome on December 21, 2004, to discuss a position paper on local management and sustainable development, and to prepare a proposal of relevant future activities to be submitted to the MCSD.

146. Internet-based open training course (basic and advanced) on ICAM in the Mediterranean (MedOpen; http://www.medopen.org/) was translated into French and the first basic course is on-going for 40 French-speaking candidates. In the following months, candidates for the second advanced course (in French) will be selected. The course will then be run during the autumn 2005.

147. PAP/RAC in close cooperation with FAO AGL Department prepared a Concept paper for a joint Regional workshop to present PAP/RAC - FAO lessons learned in combating land degradation in Mediterranean coastal areas. An invitation letter and the detailed workshop programme will be distributed in the following months.

148. In the framework of the sub-regional project in Maghreb countries on soil erosion, the second phase for the formulation of preventive, protective and remedial measures for erosion management in the watersheds mapped in the previous phase (Valley of Bas Isser in

Algeria, Oued Beni Boufrah in Morocco, Oued Ermel in Tunisia) was ongoing. All three final national reports are due by September 2005.

149. The project "Improving Coastal Land Degradation Monitoring in Lebanon and Syria" (CoLD), supported by the EU LIFE Third Countries was completed, presented and discussed at the Final Presentation Conference (1-2 December 2004) in Damascus. PAP/RAC was one of the partners of ERS/RAC and national teams from Syria (General Organization of Remote Sensing - GORS) and Lebanon (National Centre for Remote Sensing - NCRS) involved in this project.

The Programme on Historic Sites

150. Following the decisions of the CPs in Catania on the 100 Historic Sites Programme, two experts have been recruited by the MAP Secretariat to formulate an updated programme that is expected to focus on sustainable development and cultural heritage. A government-designated experts meeting is planned to be organised by France in spring 2005 with a view to discuss the draft of the new programme.

151. The current programme on Historic Sites is implementing several activities in close cooperation with UNESCO and World Bank.

152. The draft of the new programme has been sent out to a number of possible interested partners, including several Mediterranean municipalities with a view to exchanging views and preparing the ground for convening the expert meeting.

153. Records on the 100 Historic Sites included in the list have also been updated.

3. Remote Sensing

New MAP Website

154. In accordance with the decision of the Contracting Parties to promote public awareness and access to information on environmental and sustainable development issues in the region and on MAP's fields of activities, ERS/RAC, at the request of the MAP Secretariat, created a new MAP website in English, French and Italian, the latter with the support of the Italian Government. Very soon the site will also be available in Arabic. The new version of the UNEP/MAP website has improved MAP's visibility. Positive feedback has been received by the MAP Secretariat since the new website went on line.

155. The concept behind the website is to use modern technologies to help MFPs, scientists, students and civil society gain access to a wealth of information online regarding the Mediterranean. The new technological platform will serve as a tool for managing, monitoring and updating available information. It will also facilitate the exchange of information and hence improve cooperation among MAP components.

156. A pop-up window is currently being prepared for inclusion within the new MAP website in order to promote and make available on line also the information regarding the 14th Contracting Parties meeting in Slovenia. It is intended to use the website to disseminate the documents of the meeting and to facilitate the registration of participants to the meeting.

157. During the last Meeting in Cairo, the Bureau called on the Contracting Parties to organize events at the national level to mark the entry into force of the amendments to the Barcelona Convention as well as the 30th Anniversary of MAP.

158. Within this context, ERS/RAC, in close cooperation with the MAP Secretariat and SPA/RAC took part in the MEDITERRE exhibition. MEDITERRE is an important annual event dedicated to natural parks and protected areas in the Mediterranean and was created to promote collaboration and information exchange among different stakeholders involved in conservation management. MEDITERRE is an ideal opportunity to learn about and share experiences on conservation management and environmental protection in the Mediterranean region.

159. During the exhibition, held in Brindisi, between the 3rd and 6th of March, 2005. ERS/RAC and SPA/RAC set up a stand to promote MAP's activities to safeguard biodiversity in the Mediterranean. The UNEP/MAP website was extensively used during the exhibition by the general public.

160. *Federparchi*, *Legambiente*, *Compagnia dei Parchi* and the *Fiera di Roma* invited MAP to participate in Park Life, the new exhibition on protected areas and natural living. The exhibition was held in Rome during the European Week of Parks, from the 26th to the 29th of May 2005. The meeting hosted several institutional bodies, economic, social and cultural organizations which promote common well being and the development of balanced interactions between man and nature. ERS/RAC, together with SPA/RAC and the MAP Secretariat, took part in this event and promoted the new MAP website.

161. ERS/RAC continued to promote the Environment Award which is being held on the occasion of the 30th Anniversary of MAP. A specific window to give the widest publicity possible to the Award was included on the new website. Colourful leaflets were printed which were handed out at exhibitions and fairs.

162. A number of entries have already been received from different countries. The Award will be formally launched during a special ceremony to commemorate World Environment Day which will be held in Rome on 1st June 2005 with the participation of the highest authorities in Italy and under the distinguished patronage of the Italian President of the Republic. Since Italy currently holds the Presidency of the Bureau it was felt appropriate to launch the Environment Award in Rome. The presentation of the Award will take place in Slovenia next November on the occasion of the 14th Meeting of the Contracting Parties.

163. To mark the 30th Anniversary of MAP, ERS/RAC is working on the production of a short video to be shown during the 14th Ordinary Meeting of the Contracting Parties, in Slovenia, in November 2005.

164. The video is being produced by COPEAM and ERS/RAC, in close cooperation with the MAP Secretariat. It is a collective effort with the participation of the main Mediterranean national television stations and Mediterranean journalists, who can play an active role in promoting the objectives of the Barcelona Convention.

165. Another initiative is the publication *of Vital Graphics of the Mediterranean Environment*. The Publication will focus on graphics and will present an attractive full colour layout with a short and non-technical text to reach a wide audience. A comprehensive set of graphics, telling the story of the Mediterranean environment, will indicate trends as they have taken place over the last decades, and combine and connect issues and present priorities. It will be jointly produced by MAP, GRID-Arendal, the UNEP Regional Office for Europe and ERS/RAC.

166. The project "Improving Coastal Land Degradation Monitoring in Lebanon and Syria" (CoLD) was carried out to improve Lebanese and Syrian national capacities to rely on advanced tools for environmental management and planning of coastal zones, according to the principles of sustainable development and applying ICAM's approach. The project was supported by the EU LIFE Third Countries fund.

167. ERS/RAC carried out this activity in cooperation with PAP/RAC and national teams from Syria (General Organization of Remote Sensing - GORS) and Lebanon (National Centre for Remote Sensing - NCRS). Results of the CoLD project were presented and discussed at the Final Presentation Conference (1-2 December 2004) in Damascus. A website http://www.coldproject.net/ was launched containing project details, objectives, activities, partners and documents produced.

168. The first Mediterranean Forum on the preliminary process of a Mediterranean e-education, e-training community initiative was held in Catania on 17 December 2004. The second meeting will held in Rome, from the 1 - 5 June 2005

4) The application of the ecosystem approach in the Mediterranean

169. The active participation of MAP through the MED POL Programme in the preparation of the European Marine Strategy by the European Commission has indicated that the application of the ecosystem approach to management of human activities in the Mediterranean region would be the most appropriate and up-to-date tool 1) to facilitate the implementation of the existing strategies (e.g. SAP MED and SAP BIO) in an integrated way and 2) to streamline the cooperation with the European Commission for the implementation of the European Marine Strategy throughout the region in line with MAP strategies.

170. The ecosystem approach is a management tool that can be applied in a framework of a marine strategy which should set up goals and objectives to be achieved. It is the main tool for the application of such a strategy at any level, including the regional one.

171. Since its adoption in the year 2000 by the Conference of the Parties to the Convention on Biological Diversity, the ecosystem approach to management of human activities is making its way through almost all regional environmental Conventions and Programmes.

172. As a result, the Secretariat intends to make during the biennium 2006-2007all the necessary preparatory work and thus prepare the ground for the future application of the ecosystem approach and propose to the 2007 Meeting of the Contracting Parties a road map for its full implementation. To this end, the European Commission has already offered 80,000 Euro to MED POL that is proposed to coordinate the work in this preliminary phase on behalf of MAP and in cooperation with all concerned MAP components.

PART II: SPECIFIC ISSUES

a. Legal Issues

1. Status of Ratification

173. During the last Bureau meeting, the need for identifying appropriate measures, actions and or recommendations with regard to those Contracting Parties that have not yet either signed, ratified or accepted the revised or the new MAP legal instruments, was thoroughly discussed.

174. On the basis of clarifications provided by the legal adviser of MAP, the position with respect to the status of ratification is the following:

175. According to the Vienna Convention on the Law of Treaties, 1969, "the amending agreement does not bind any State already a party to the treaty which does not become a party to the amending agreement" (Article 40(4)) and that in relation to such a State applies Article 30 (4) (b) of the Vienna Convention that provides, more generally, that "when the parties to the later treaty do not include all the parties to the earlier one …(b) as between a State party to both treaties and a State party to only one of the treaties, the treaty to which both States are parties governs their mutual rights and obligations".

176. As a result, in cases where an amended instrument has entered into force (the amended Barcelona Convention) or a new Protocol has entered into force replacing an old one (SPA & Bio-Diversity Protocol, 1995, Prevention & Emergency Protocol, 2002,) those Contracting Parties that are only Parties to the earlier instrument (Barcelona Convention 1976) or to the earlier Protocols (SPA Protocol, 1982, Emergency Protocol, 1976) continue to have treaty relations with those Contracting Parties that are Parties to both the earlier and the amended or replacing new instruments, on the basis of the earlier instruments.

177. Thus the earlier and the later conventional regimes of the Barcelona Convention system will be co-existing until all Mediterranean countries become party to the revised instruments or the new legal instruments.

178. At present, there are six Mediterranean countries that are still parties to the 1976 Barcelona Convention, eight to the 1985 Biodiversity Protocol and fifteen to the 1976 Emergency Protocol.

Recommendations:

The Bureau may deem it useful to invite those CPs that are not yet party to one or more revised or new legal instruments of MAP to expedite the process of their ratification.

The Bureau may deem it useful to request the Secretariat to

a) **provide any assistance to countries upon their request in order to speed up the ratification process;**
b) **bring the issue of the transitional co-existence between the earlier and later legal instruments of MAP to the attention of MFPs at their forthcoming meeting in September 2005 for them to propose a recommendation for adoption by the CPs at their 14th Ordinary Meeting.**

2. New legal instrument on ICAM

179. It is worth to recall that at the 13th Ordinary Meeting, the CPs requested the Secretariat to prepare a draft text of the Regional Protocol on Integrated Coastal Management for its consideration by the 14th Ordinary Meeting in 2005.

180. With regard to the preparation of the Protocol on ICAM, the first meeting took place on 1-2 October 2004 in Split, when the Working Group was established to prepare the draft text. By mid-December 2004 the first draft was prepared. The second meeting of the Working Group was held in Athens on 4-5 January 2005 where the Protocol was presented in its draft form. Legal and technical experts, as well as representatives of MEDU, discussed the general structure of the draft Protocol and made comments and suggestions on the contents of individual articles and provisions.

181. By February 2005, the Working Group prepared the second version of the draft Protocol. This improved version was discussed at the third meting of the Working Group that took place on 17-18 February in Paris. Soon after that meeting, the third version of draft text of the Protocol, together with the Commentary text, was prepared. Both texts were translated into English by mid April, and placed on the PAP/RAC web site.

182. The draft was presented at the PAP/RAC Focal Points Meeting in Nice (12-15 May 2005). As a part of the consultation process to improve the draft, PAP/RAC will organize a Regional consultative expert workshop to be held in Oristano (Italy) on 24-25 June 2005.

183. The MAP Secretariat is of the opinion that, due to its high professional quality and multi-stakeholders involvement and consultation in its preparation, the draft Protocol, which is attached as **Annex III** to this report, constitutes a good basis to launch an official negotiation process, with the participation of government-designated experts, during the next biennium, provided this is recommended by the Meeting of the CPs.

184. The Bureau will be informed through an addendum on the main outputs of the consultation meeting to be held in Oristano, Italy including any proposal for improvements of the text of the draft protocol.

Recommendation

The Bureau is invited to review the draft of the Protocol taking into account the main outputs of the consultation meeting in Oristano and advise the Secretariat as it may deem useful.

3. Compliance Mechanism and Reporting

Compliance mechanism

185. Following the recommendation of the first meeting of the WG on Implementation and Compliance, a second meeting was held on 11-12 April 2005 in Athens, Greece.

186. In response to the invitation by the Secretariat, in addition to 5 out of 6 countries, members of the Working Group, that were elected in Catania, Albania, Serbia Montenegro, Morocco, Libya, Tunisia, and the EC have also participated in the meeting.

187. The meeting agreed to submit to the CPs, at their 14th meeting in Slovenia, a clear recommendation requesting the formulation of a full Implementation and Compliance Mechanism under the Barcelona Convention for adoption by them at the 15th meeting in 2007. The meeting also discussed and agreed on the main principles that should be incorporated in the mechanism.

188. The Working Group has also agreed on the content of an outline document on the main elements for a possible compliance mechanism under the Barcelona Convention. This document is attached as **Annex IV** to this report, and was prepared by the Secretariat following the recommendation of the first meeting of the Working Group held in Athens on 8-9 November 2004.

189. In view of the above, the Secretariat would like to draw the attention of the Bureau to the interpretation of the respective recommendation adopted in Catania.

The recommendation reads as follows:

To approve the establishment of a Working Group of Legal and Technical Experts to be assigned the following task:

a. to elaborate a platform to promote the implementation of and compliance with the Barcelona Convention to be submitted for consideration to the Meeting of the Contracting Parties in 2005;

190. The word **platform** leaves room for interpretation. It could either mean to prepare a general study or to go into detail and propose an outline paper on the mechanism or both. This issue was discussed at length during the meeting of the Working Group but no clear cut position was arrived at.

191. The position of the Secretariat is to submit both aforementioned documents which are complimentary to each other. It seems to be more useful, efficient and less time consuming to recommend to the 14th Meeting of the CPs to request the Secretariat to develop a full compliance mechanism during the biennium 2006-2007 on the basis of the main elements already elaborated by the Working Group.

Recommendation:

The Bureau is invited to look at Annex IV attached to this report and provide the Secretariat with its views and guidance on the kind of document that should be produced in view of the MAP Focal Points meeting next September which is expected to discuss the report and make recommendations to the CPs.

Reporting

192. Pursuant to the recommendations adopted by the 13th Meeting of the CPs held in Catania in 2003 on reporting issues, the following activities have been implemented to date:

- National biennial reports on the legal and administrative implementation of the Convention and Protocols were received from eighteen Contracting Parties (Albania, Algeria, Bosnia & Herzegovina, Croatia, Cyprus, European Community, France, Greece, Israel, Italy, Libyan Arab Jamahiriya, Morocco, Monaco, Serbia & Montenegro, Slovenia, Spain, Syria, Tunisia).

- Sixteen Contracting Parties (Albania, Algeria, Bosnia & Herzegovina, Croatia, Greece, France, Israel, Italy, Libya, Monaco, Morocco, Serbia-Montenegro, Slovenia, Spain, Syria, Tunisia) submitted national reports on the technical implementation of the Protocols.

193. The Report on the Implementation of the Barcelona Convention and its Protocols on the Regional Level is being finalized. However, from the information received, it appears that there is a marked improvement in the degree of reporting pertaining to the pilot exercise covering the 2000-2001 biennium. The results with respect to the 2002-2003 biennium indicate considerable progress, not only on the legal, administrative and, to a slightly lesser extent, technical implementation of the Convention and Protocols but also with respect to official environmental policies in general. This progress is obviously not evenly spread on all issues and all CPs.

194. The Comparative Analysis between MAP reporting system and other systems of MEA and EC directives along with an Updated Reporting Format have been finalised by the Secretariat.

195. A meeting of National Contact Points on Reporting will be held in Moroco 13-14 June to discuss the aforementioned documents and provide the Secretariat with guidance on their content and recommendations and next steps regarding the activities to be carried out during the next biennium.

196. The Bureau will be informed through an Addendum with the main outputs, conclusions and recommendations of the meeting to held in Morocco.

Recommendations

Bearing in mind that reporting on the implementation of the Convention and Protocols is one of the most important binding obligations deriving from both 1976 and 1995 Barcelona Convention and the respective decision of the meeting of the CPs held in Catania, the Bureau might deem it useful:

1) **to thank all CPs that have submitted their report on the implementation of the Barcelona Convention and its protocols for the biennium 2002-2003;**
2) **to call on those CPs that have not yet done so to submit their national reports by the 14th Ordinary Meeting of CPs in November 2005.**

4. Liability and Compensation

197. Pursuant to the recommendation adopted in Catania on *Liability and Compensation* a consolidated draft of the feasibility study has been prepared by the Secretariat with the assistance of a consultant.

198. Consultations for the purpose of this study were effected mainly via questionnaires addressed to MFPs, the EC as well as a number of socio economic actors. Two questionnaires were used, one as a general consultation platform and the other dealing with the insurance aspect. Six CPs (Bosnia & Herzegovina, Croatia, EC, France, Malta and Morocco) and six socio economic actors form MAP partners (Enda Maghreb, Environmental Perception, ONLUS, IOI, Laboratories Bio resource marine, MEDCITIES, UNADEP/UNASD) have responded to the questionnaires.

199. The draft feasibility study includes a thorough review of the state of affairs in the area of liability and compensation on the global, regional and to some extent national level.

200. The main findings of the study will be submitted for discussion to a meeting of legal experts which will be held in Athens on 17 June 2005. CPs that have responded to the questionnaire will be invited to participate at this meeting.

201. The Bureau will be informed on this meeting and its recommendation through an addendum that will be sent out to its members before the meeting.

b. Institutional Framework

1. Evaluations: MAP, MED POL, ERS/RAC, CP/RAC

MAP

202. During the period under review the following activities have been carried out on this exercise:

- Launch meeting on the evaluation of MAP was held in Athens on 9-10 December 2004
- Informal consultation of MFPs was held on 31 March-1 April 2005.

203. A number of consultation meetings were held by the team of evaluators with MAP focal points, MAP partners and other International Agencies.

204. 19 out of 22 CPs have responded to the questionnaire on the evaluation of MAP. It is expected that Lebanon and Algeria will also submit a completed questionnaire.

205. At the beginning of June, the team of evaluators will inform the MAP Secretariat on the main findings and recommendation of the evaluation. The final report will be submitted in early July.

206. The Bureau will be informed on the main findings and recommendations raised by the evaluation process through an addendum, which will be disseminated to its members before the meeting.

207. Following its completion, the MAP evaluation report will be submitted for discussion at the MFP next September before it is forwarded to the CPs for their consideration next November.

MED POL

208. The evaluation of MED POL Phase III was prepared by three independent experts and was submitted to the MAP Coordinator in April 2005. The evaluation was presented and reviewed by the Meeting of MED POL National Coordinators (Barcelona, 24-27 May 2005). Eventually it will go before the MAP Focal Points and then Contracting Parties. The recommendations of the evaluation will be reviewed and used, as appropriate, for the preparation of MED POL Phase IV.

209. The evaluation of MED POL III had been a lengthy process in view of the great variety of issues and activities that had to be covered. The findings and recommendations coming from this evaluation will provide a good basis for the planning and implementation of MED POL Phase IV. Moreover, the findings and recommendations have come at a time when the findings of the overall evaluation of MAP will soon be known and therefore both findings could be assessed together.

210. The evaluation contained a number of proposals and suggestions made in the light of the findings and relating to management responsibility, realization of work programmes, the monitoring of work programmes and resource management. One other important observation made during the discussions on MED POL Phase III evaluation during the National Coordinators' meeting was that MED POL lacked visibility in the Mediterranean countries.

ERS/RAC

211. A meeting to launch the evaluation of ERS/RAC was held on 16 December 2004 in Catania. The two consultants submitted several updates to the evaluation report, which includes suggestions and comments made by the Secretariat and the Countries.

212. The draft report was updated and revised by another consultant and discussed during the Joint Focal Points Meeting in Nice, in May 2005.

213. The main lessons to be drawn from the evaluation were that while ERS/RAC had undertaken many activities, its effectiveness had been hindered by a number of basic factors including in particular problems related to its original mandate.

214. However, some remote sensing activities will continue to be carried out if requested by the countries.

215. On the basis of the evaluation report, it is being recommended to refocus ERS/RAC to address the needs of MAP and its components in the field of information and communication in order for the MAP system to improve the dissemination of the useful and vast information currently in its possession and to improve its public image and visibility and to promote issues related to environment and sustainable development.

216. It is also being recommended to rename the Centre as INFORAC.

CP/RAC

217. The recommendations made in the CP/RAC evaluation report address the strategic orientation and better management of the Centre.

218. The strategic recommendations call for:

- Revision and recognition of CP/RAC's role within the Mediterranean context;
- Setting objectives that respond to the needs of the countries;
- Reinforcing CP/RACs presence in the Mediterranean countries.

219. Internal management recommendations call for:

- Identification of activities in order to satisfy strategic objectives;
- Verification/follow-up of activities in conformity with objectives
- Periodical review and analysis of the Centre's resources
- Improvement of the current working tools.

2. Main recommendations of the National Focal Points meetings of MAP components.

220. Apart from the programme of activities of MAP components, Focal Points endorsed a number of recommendations. The following are the main ones in respect of the different MAP components.

REMPEC

221. The Meeting agreed on the text of the Draft Resolution for the sustainable development and respect of the marine environment by pleasure craft activities in the Mediterranean Sea, prepared by the Meeting of National Experts held in Monaco 8-10 December 2004, and on the final draft text of the Regional Strategy on prevention of and response to marine pollution from ships, prepared by the 2nd Meeting of National Experts held in Malta 21-23 April 2005.

Recommendation

The Bureau might wish to thank the Government of Italy for its continuous support to MAP in providing additional voluntary contributions, in particular to REMPEC.

MED POL

222. The Meeting agreed on:

- The review of the evaluation of MED POL Phase III;
- The approval of the draft MED POL Phase IV Programme including the application of the ecosystem approach to management of human resources;
- The role of MED POL in the future implementation of the European Marine Strategy;
- The process of finalization of NAPs and the implementation of the SAP and LBS Protocol;
- The implementation of the Dumping Protocol and the approval of two additional Guidelines.

BP/PAP/ERS RACs

223. BP/PAP/ERS/RAC Focal points agreed on the following main issues:

- the finalization of the Environment and Development Report and its promotion in the region and EU countries,
- an active participation of Blue Plan in the national debates and events on sustainable development and integration of the environment in the national development policies,
- to assist developing countries in the formulation of sustainable development indicators for the follow up of the Mediterranean Strategy and the elaboration of their own national strategies.
- focusing Blue Plan thematic activities for the next biennium on sustainable rural development, water, energy and climate change.
- New protocol on Integrated management of Mediterranean Coastal Zones.
- Future orientation of the ERS/RAC towards information and communication

Recommendations

The Bureau is invited to support the publication of the Environment and Development Report, its broad dissemination and its presentation in important regional and national events. In particular, the Bureau is requested to invite the Secretariat, through Blue Plan/RAC, to take the initiative to organize a side event during the 10th anniversary conference of the Euro-Mediterranean Partnership and any other event the Bureau may wish to propose, in order to promote the report.

The Bureau is also invited to encourage the Contracting Parties to contribute to the development of the national sustainable indicators and for BP/RAC to strengthen the relations with other regional partners and the European Commission on this issue.

SPA/RAC

224. The Meeting of SPA/RAC was held in Seville, Spain on 31 May – 3 June 2005. The meeting discussed important topics in view of implementing the SPA and Biodiversiry Protocol and SAP BIO.

225. Several documents were prepared by the Centre but were disseminated with some delay. The Focal Points discussed and agreed on the following topics:

- The need for a policy declaration by the 14th meeting of the Parties for the protection of the Monk seal.
- Provision of necessary resources to the Center to carry properly its technical tasks vis a vis the cooperation with ACCOBAMs
- Proposal to include four new protected areas on the SPAMI list.

3. 14th Meeting of the Contracting Parties

1. List of documents

226. A preliminary list of the main working documents, which will be submitted to the meeting of the MFPs in September is presented in **Annex V** attached to this report. Working documents are planned to be submitted on the main issues related to:

a. Progress of activities
b. Programme budget and recommendations
c. MAP evaluation
d. A number of technical guidelines.

Recommendation:

The Bureau may deem it useful to provide suggestions and advice to the Secretariat on this matter.

2. Proposed themes for ministerial discussion

227. The Secretariat feels that during the Ministerial segment of the next Contracting Parties Meeting, Ministers should discuss the topics listed hereunder in order:

1) The Mediterranean Strategy for Sustainable Development including the adoption of a Political Declaration
2) Future direction for MAP on the basis of the external evaluation,
3) UNEP/MAP – EC future relations
4) MED POL Phase IV and Implementation of the NAPs to address pollution from land-based sources
5) New Legal Instrument on ICAM
6) Political Declaration on the status of the Monk Seal, its preservation and conservation.

228. Depending on the advise by the Bureau, the Secretariat will prepare background papers on these topics in order to facilitate the discussions and to guide Ministers in taking concrete decisions.

Recommendation

The Bureau is invited to provide advice on the topics that are being proposed for discussion during the Ministerial segment of the next Contracting Parties meeting.

3. Preparations by the host country

229. As reported earlier, the MAP Coordinator had discussions with the Minister for the Environment and Spatial Planning of Slovenia regarding the Contracting Parties Meeting next November. These talks concerned primarily the host country agreement that has to be signed between MAP and the Slovenia authorities outlining the obligations of both parties in the organisation of the meeting.

230. Up to now this agreement has not yet been signed because both sides need to resolve an outstanding matter in the agreement regarding the issuing of entry visas to participants. The Secretariat, which is being guided by the MAP Legal Advisor on this issue, is awaiting a reply from the Slovenian authorities to its latest reply. Early resolution of this outstanding point is very important because the agreement covers also the financial commitments on the part of Slovenia authorities in hosting the meeting.

231. Regarding the logistical arrangements for the meeting the Secretariat is informed that these are well in hand. However, in order to have the latest information about the preparations for the meeting, the Secretariat took the liberty to invite the Slovenian MAP Focal Point to update the Bureau. The Bureau is requested to invite the Slovenian MAP Focal Point to address it.

Recommendation

The Bureau is invited to thank the Slovenian authorities for the efforts being made to ensure a successful Contracting Parties meeting and to urge them to finalize the host country agreement.

c. Cooperation with Partners

1. Cooperation with the EC

232. At their 13th Meeting in Catania the Contracting Parties had agreed to support the strengthening of the partnership and cooperation between MAP and the European Commission. They had also requested the Secretariat to elaborate a work programme for cooperation with the European Commission based on the following priorities:

a. strengthening the cooperation between MAP and the Euro-Mediterranean Partnership in conformity with the Athens Declaration 2002;
b. association of the European Commission with the implementation of the SAP MED and SAP BIO;
c. participation of the European Commission in the process for the preparation of the Mediterranean Strategy for Sustainable Development;
d. involvement of MAP in the process of implementing the European Strategy for Integrated Coastal Zone Management;

e. cooperation with the European Commission for the development of the strategy for the implementation of the Prevention and Emergency Protocol;
f. involvement of MAP in the process of preparing and implementing the European Marine Strategy as confirmed in the Catania Declaration adopted at the 13th Meeting of the Contracting Parties, with a view to providing a holistic framework to deal with the protection and conservation of the marine environment.

233. At the last meeting held in Cairo last November, the Bureau was informed about the discussions held with the European Commission to develop a Joint Work Programme between MAP Coordination Unit and the European Commission. The Joint Work Programme, a copy of which is attached as **Annex VI** to this report, was submitted to the Bureau for its consideration.

234. At present the Joint Work Programme is under consideration by the different Directorates of the European Commission. The Secretariat is awaiting the Commission to submit an approved programme in order to be referred to the meeting of the MAP Focal Points and eventually to the Contracting Parties for adoption.

Recommendation

The Bureau may wish to consider inviting the Secretariat to request the European Commission to approve the Joint Work Programme in time to be submitted to the meeting of the MAP Focal Points.

Meeting with EU Commissioner for Fisheries and Maritime Affairs

235. On May 21st, 2005 Dr Joe Borg, EU Commissioner for Fisheries and Maritime Affairs, visited MAP offices at the invitation of the MAP Coordinator. The purpose of the visit was to have an exchange of views on how MAP could best be involved in on-going work by the European Commission to develop an EU Maritime policy.

236. The EU Commissioner briefed the MAP Coordinator and other senior MAP officials on the EC's initiative to draw up a Green Paper on future options for a possible EU Maritime Policy being drafted by an inter-departmental Task Force and overseen by a Steering Group of Commissioners.

237. The EU Commissioner agreed that Mr John Richardson, the Head of the Green Paper Task Force would shortly visit MAP offices to consult with MAP on Mediterranean issues.

238. The MAP Coordinator and the other officials informed the EU Commissioner and the other members of the delegation about the various initiatives being undertaken and the programmes being implemented by the Secretariat and the MAP components, in particular about the progress achieved in the development of the Mediterranean Strategy for Sustainable Development.

Recommendation

The Bureau is invited to express its thanks and appreciation to the European Commission, in particular to the EU Commissioner for Fisheries and Maritime Affairs for having accepted the invitation to visit MAP offices and for his commitment to involve MAP in the consultation process for the development of the EU Maritime Policy.

2. Cooperation with IMO

239. In recent weeks correspondence was exchanged between the UNEP/MAP Secretariat and the International Maritime Organisation regarding the appointment of the new Director of REMPEC to replace Adm. Roberto Patruno who is due to retire at the end of the year. IMO have already prepared a draft call for applications which was referred to the Secretariat for its views. The Secretariat has also been invited to sit on the selection panel.

240. Adm. Roberto Patruno has made it known that if his services would be required he was prepared to extend his engagement with the organization. This was made known by the Secretariat to the IMO Secretary General. In fact the Secretariat recommended Adm. Patruno's extension. However, the Secretariat was informed that IMO rules preclude the extension of appointments beyond retirement age, unless really necessary, and that they intended to proceed with the call for applications.

241. It should be noted that during the REMPEC Focal Points meeting last April, the Secretariat was requested to write to IMO seeking Adm. Patruno's extension in view of the extensive programme of work of the Centre in particular the Safemed Project and the Regional Strategy for the implementation of the Protocol for the prevention of and response to marine pollution from ships.

Recommendation

The Bureau may wish to discuss this issue and provide the necessary guidance to the Secretariat.

d. Mediterranean Commission on Sustainable Development (MCSD)

Preparation of the Mediterranean Strategy for Sustainable Development (MSSD)

242. Since the last meeting of the Bureau of the Contracting Parties, the preparatory process for the MSSD went through a very intensive period, using mainly the draft report prepared by BP/RAC under the supervision and coordination of the Coordinator of UNEP/MAP. The proposed draft report has been revised several times following comments made by MEDU and MAP Components in October/November 2004, a Peer Review meeting in December 2004, the MCSD Steering Committee in January 2005, the MCSD regional workshop to review the MSSD in April 2005 and the second Peer Review meeting in May 2005.

243. After the first peer review as well as after the MCSD Steering Committee meeting, the MSSD draft report was almost restructured with very substantial changes; from there on, the contents of the draft report were regularly improved, making it more strategic and policy oriented, and also shortening it. The revision process has benefited from very constructive comments and editing proposals made by MCSD members and partners. Together with the review of the Strategic Thematic Notes, the MSSD has provided the opportunity for large consultation processes within the countries and by the civil society.

244. Providing more detailed presentation of respective contexts, stakes and challenges, objectives, actions and eventually concerned actors, the Thematic Notes have brought together comments from various ministries in many countries; reviewed, enriched and edited, these Notes constitute a set of comprehensive strategic information for the MSSD priority fields of action.

245. Throughout the preparatory process for the MSSD, the civil society and in particular the MCSD member and partner NGOs have played a dynamic and pro-active role; in this context, Friends of the Earth/MedNet has assumed a useful catalyzing and mobilizing role in preparing for and inducing the organization of national consultation workshops in 9 countries, as well as the organization of a regional workshop in Italy in March 2005. Involving the civil society but also representatives from government institutions, these national and regional consultations have contributed to raising awareness about and even ownership of the MSSD, with large multi-stakeholders participation and substantial comments. For these workshops, organized in close cooperation with the MCSD Secretariat, FOE/MedNet has received the financial support of Italy and UNEP/MAP.

246. An important benchmark in the MSSD preparatory process has been the regional workshop organized in Rome on 5-7 April 2005, with support from Italy, to review the MSSD draft report. Two representatives attended the workshop from each member country, one from the environment sector but another from a MSSD relevant sector; it was also attended by large number of major groups representatives, including various regional and international institutions. The debates were rich and very constructive, showing a great interest from the participants in the MSSD.

247. Consequently, the draft MSSD report was revised and a new draft version forwarded to MCSD members in view of the 10 the MCSD meeting to be organized from 20 to 22 June 2005 in Athens, with the support of Greece; using cumulative information and knowledge within UNEP/MAP (SAP/MED, SAP/BIO, ICAM, Maritime Strategy, Report on Environment and Development, etc), the MSSD draft report, a rather brief report, should be considered jointly with the Vision and Framework Orientations for Sustainable Development in the Mediterranean already endorsed by the MCSD and the Contracting Parties, as well as the Strategic Thematic Notes that provide more comprehensive reference analysis and proposals for the priority fields of action.

248. Even though shorter than the first draft, the MSSD report would still remain long enough for communication purposes and mainly for reaching and securing the support of policy makers; therefore, a brief 2-3 pages political declaration will be prepared, highlighting the keys strategic and policy messages, the implementation of which would most contribute to promoting sustainable development in the Mediterranean region, to strengthen cooperation and partnerships, to increase economic development and ensure social welfare while giving due consideration to a sustainable use of the natural resources and the protection of the environment. A very preliminary draft will be presented and discussed at the 10th MCSD before forwarding it to the Bureau members for their information and advise; then, in view of the meeting of the Contracting Parties in Slovenia in November 2005, the draft MSSD report as revised by the MCSD will be sent to the CP for national consultations for stronger support and ownership, final comments and mainly for defining their respective possible commitments towards the implementation of the Strategy. At a later stage, the MSSD would be presented and published as a set of various documents comprising together with the MSSD report, the Vision, the Orientations, the Thematic Notes and the Indicators for follow up and implementation.

National Strategies for Sustainable Development (NSSD)

249. Following the decision of the 12th CP requesting the countries to prepare NSSDs, and in order to ensure a high level of synergy with the MSSD, the Secretariat has undertaken a regional survey and assessment of the SSDs or around the Mediterranean Region, by the countries or concerned regional bodies, and is providing technical and financial assistance to various countries for the preparation of their NSSDs.

250. Prepared during the second half of 2004, the Regional Review and Assessment of the NSSDs in the Mediterranean region has collected and analyzed information related to NSSDs or similar documents (National Environment Action Plan, Poverty Reduction Plan, etc), National Commissions and regional strategies by partner organizations; the report provides a comprehensive picture of what exists in the region, how the situation has evolved and how the countries deal with the Sustainable Development concept. It includes also brief guidelines for the preparation of NSSDs and in annex brief country profiles on sustainable development related actions and institutions. This report was prepared in close consultation with the countries, using a questionnaire, based on data collected from national websites and available information. The report will be soon updated, revised, edited and published in the MAP/MTS Series, even though it is expected to be regularly revised; to that end, it will be made accessible on UNEP/MAP web page for use and direct comments.

251. Regarding the NSSDs, and considering the limited funds allocated by the CPs from the MTF, the Secretariat has contacted many countries requesting their support so as to induce and assist countries from South and East Mediterranean in preparing their NSSDs; Italy and Monaco offered their kind assistance by providing financial support for Egypt, Montenegro and Syria, and for Morocco respectively. More recently, Spain/Azahar Programme has offered to support financially the preparation of NSSDs in Albania, Bosnia and Herzegovina, Lebanon and Tunisia, in addition to the organization of a regional workshop on NSSDs in the Mediterranean that would be held early 2006 in one of the beneficiary countries. All these countries will be requested to give due consideration to the Vision, Orientations and MSSD when preparing their respective strategies; moreover, following a similar process as for the MSSD, the preparatory process should follow a large consultation and participatory approach, ensuring involvement of most concerned actors and securing a stronger national ownership and political support.

Recommendation:

The Bureau is invited to take note of the MSSD as approved by the MCSD and to consider and advise the Secretariat on the Political Declaration which will be submitted for adoption by the 14th Ordinary Meeting of the Contracting Parties.

Financial and Administrative Issues

1) Audit of UNEP/MAP

252. At the request of the Secretariat an Audit of UNEP/MAP's Coordinating Unit was carried out by the Office of Internal Oversight Services (OIOS) of the United Nations. The audit covered the activities for the period January 2002 to March, 2005. It was carried out in Nairobi and Athens by a team of two persons.

253. The audit findings were discussed with the Coordinator and staff responsible for the audited activities during exit meetings and discussions held in March and April 2005. A copy of the Audit report is attached as **Annex VII**.

254. A number of recommendations were made which have now to be implemented by the Secretariat in the coming months.

Recommendation

The Bureau is invited to examine the Audit report, and to make comments and recommendations to the Secretariat that it may deem appropriate.

2) Upgrading of the Post of MED POL Coordinator

255. Since it was established in 1975 MED POL has evolved from a pioneering research tool carrying out pilot projects to assess marine pollution to a body helping countries build their capacities to monitor and control marine pollution in particular from land-based sources. It was MAP's first operational programme. Over the years it has developed different phases of the programme and has been involved in numerous projects in all the countries of the Mediterranean to address pollution coming from land based sources.

256. In recent years the MED POL Unit has assumed greater importance and has been entrusted with higher responsibilities in the implementation of the Land-based Sources Protocol. In 1997 it adopted the Strategic Action Programme, an action oriented initiative based on the terms of the LBS Protocol. This was an innovative programme because for the first time countries have agreed on quantified pollution reduction targets. This has been followed by the preparation of the National Diagnostic Analysis and the National Baseline Budgets on which the Mediterranean countries could prepare their National Action Plans.

257. MED POL has been involved in the implementation of the first GEF Project to address pollution from land-based sources and has now been entrusted with the coordination and implementation of the Strategic Partnership for the Mediterranean Sea Large Marine Ecosytem together with the World Bank in order to accelerate on the ground the implementation of the SAP and the SAP BIO and related NAPs.

258. As stated earlier, MED POL is also actively involved in the Marine Strategy being developed by the EU. The MED POL Coordinator and other professional officers from the Unit have been representing MAP during the consultation meetings on the development of the EU Marine Strategy in a very satisfactory manner.

259. At present the position of MED POL Coordinator is at the level of P5. However, due to the higher responsibilities that the incumbent has to assume on the basis of tasks and challenges detailed earlier, it is strongly felt that the position of MED POL Coordinator should be upgraded to D1.

Recommendation

The Bureau is invited to support the proposal of the Secretariat to upgrade the position of MED POL Coordinator to D1.

ANNEX I

STATUS OF SIGNATURES AND RATIFICATIONS

as at 14 September 2004

	Barcelona Convention 1/			Dumping Protocol 2/			Emergency Protocol 3/		New Emergency Protocol 4/	
Contracting Parties	**Signature**	**Ratification**	**Acceptance of Amendments**	**Signature**	**Ratification**	**Acceptance of Amendments**	**Signature**	**Ratification**	**Signature**	**Ratification**
Albania	-	30.05.90/AC	26.07.01	-	30.05.90/AC	26.07.01	-	30.05.90/AC	-	-
Algeria	-	16.02.81/AC	09.06-04	-	16.03.81/AC	-	-	16.03.81/AC	25.01.02	-
Bosnia & Herzegovina	-	01.03.92/SUC	-	-	01.03.92/SUC	-	-	01.03.92/SUC	-	-
Croatia	-	08.10.91/SUC	03.05.99	-	08.10.91/SUC	03.05.99	-	08.10.91/SUC	25.01.02	01.10.03
Cyprus	16.02.76	19.11.79	15.10.01	16.02.76	19.11.79	18.0703	16.02.76	19.11.79	25.01.02	-
European Commission	13.09.76	16.03.78/AP	12.11.99	13.09.76	16.03.78/AP	12.11.99	13.09.76	12.08.81/AP	25.01.02	25.06.04
Egypt	16.02.76	24.08.78/AP	11.02.00	16.02.76	24.08.78/AP	11.02.00	16.02.76	24.08.78/AC	-	-
France	16.02.76	11.03.78/AP	16.04.01	16.02.76	11.03.78/AP	16.04.01	16.02.76	11.03.78/AP	25.01.02	02.07.03
Greece	16.02.76	03.01.79	10.03.03	11.02.77	03.01.79	-	16.02.76	03.01.79	25.01.02	-
Israel	16.02.76	03.03.78	-	16.02.76	01.03.84	-	16.02.76	03.03.78	22.01.03	-
Italy	16.02.76	03.02.79	07.09.99	16.02.76	03.02.79	07.09.99	16.02.76	03.02.79	25.01.02	-
Lebanon	16.02.76	08.11.77/AC	-	16.02.76	08.11.77/AC	-	16.02.76	08.11.77/AC	-	-
Libya	31.01.77	31.01.79	-	31.01.77	31.01.79	-	31.01.77	31.01.79	25.01.02	-
Malta	16.02.76	30.12.77	28.10.99	16.02.76	30.12.77	28.10.99	16.02.76	30.12.77	25.01.02	18.02.03
Monaco	16.02.76	20.09.77	11.04.97	16.02.76	20.09.77	11.04.97	16.02.76	20.09.77	25.01.02	03.04.02
Morocco	16.02.76	15.01.80	-	16.02.76	15.01.80	05.12.97	16.02.76	15.01.80	25.01.02	-
Serbia & Montenegro	-	16.07.2002	-	-	16.07.2002	-	-	16.07.2002	-	-
Slovenia	-	15.03.94/AC	08.01.03	-	15.03.94/AC	08.01.03	-	15.03.94/AC	25.01.02	16.02.04
Spain	16.02.76	17.12.76	17.02.99	16.02.76	17.12.76	17.02.99	16.02.76	17.12.76	25.01.02	-
Syria	-	26.12.78/AC	10.10.03	-	26.12.78/AC	-	-	26.12.78/AC	25.01.02	-
Tunisia	25.05.76	30.07.77	01.06.98	25.05.76	30.07.77	01.06.98	25.05.76	30.07.77	25.01.02	-
Turkey	16.02.76	06.04.81	18.09.02	16.02.76	06.04.81	18.09.02	16.02.76	06.04.81	-	04.06.03

Accession = AC Approval = AP Succession = SUC

	Land-Based Sources Protocol 5/			Specially Protected Areas Protocol 6/		SPA & Biodiversity Protocol 7/		Offshore Protocol 8/		Hazardous Wastes Protocol 9/	
Contracting Parties	**Signature**	**Ratification**	**Acceptance of Amendments**	**Signature**	**Ratification**	**Signature**	**Ratification**	**Signature**	**Ratification**	**Signature**	**Ratification**
Albania	-	30.05.90/AC	26.07.01	-	30.05.90/AC	10.06.95	26.07.01	-	26.07.01	-	26.07.01
Algeria	-	02.05.83/AC	-	-	16.05.85/AC	10.06.95	-	-	-	01.10.96	-
Bosnia & Herzegovina	-	22.10.94/SUC	-	-	22.10.94/SUC	-	-	-	-	-	-
Croatia	-	12.06.92/SUC	-	-	12.06.92/SUC	10.06.95	12.04.02	14.10.94	-	-	-
Cyprus	17.05.80	28.06.88	12.10.01	-	28.06.88/AC	10.06.95	15.10.01	14.10.94	15.10.01	-	-
European Community	17.05.80	07.10.83/AP	12.11.99	30.03.83	30.06.84/AP	10.06.95	12.11.99	-	-	-	-
Egypt	-	18.05.83/AC	-	16.02.83	08.07.83	10.06.95	11.02.00	-	-	01.10.96	-
France	17.05.80	13.07.82/AP	16.04.01	03.04.82	02.09.86/AP	10.06.95	16.04.01	-	-	-	-
Greece	17.05.80	26.01.87	10.03.03	03.04.82	26.01.87	10.06.95	-	14.10.94	-	01.10.96	-
Israel	17.05.80	21.02.91	-	03.04.82	28.10.87	10.06.95	-	14.10.94	-	-	-
Italy	17.05.80	04.07.85	07.09.99	03.04.82	04.07.85	10.06.95	07.09.99	14.10.94	-	01.10.96	-
Lebanon	17.05.80	27.12.94	-	-	27.12.94/AC	-	-	-	-	-	-
Libya	17.05.80	06.06.89/AP	-	-	06.06.89/AC	10.06.95	-	-	-	01.10.96	-
Malta	17.05.80	02.03.89	28.10.99	03.04.82	11.01.88	10.06.95	28.10.99	14.10.94	-	01.10.96	28.10.99
Monaco	17.05.80	12.01.83	26.11.96	03.04.82	29.05.89	10.06.95	03.06.97	14.10.94	-	01.10.96	-
Morocco	17.05.80	09.02.87	02.10.96	02.04.83	22.06.90	10.06.95	-	-	01.07.99	20.03.97	01.07.99
Serbia & Montenegro	-	16.07.2002	-	-	16.07.2002	-	-	-	-	-	-
Slovenia	-	16.09.93/AC	08.01.03	-	16.09.93/AC	-	08.01.03	10.10.95	-	-	-
Spain	17.05.80	06.06.84	17.02.99	03.04.82	22.12.87	10.06.95	23.12.98	14.10.94	-	01.10.96	-
Syria	-	01.12.93/AC	-	-	11.09.92/AC	-	10.10.03	20.09.95	-	-	-
Tunisia	17.05.80	29.10.81	01.06.98	03.04.82	26.05.83	10.06.95	01.06.98	14.10.94	01.06.98	01.10.96	01.06.98
Turkey	-	21.02.83/AC	18.05.02	-	06.11.86/AC	10.06.95	18.09.02	-	-	01.10.96	03.04.04

Accession = AC Approval = AP Succession = SUC

1/ Convention for the Protection of the Mediterranean Sea against Pollution
Adoption (Barcelona): 16 February 1976
Entry into force*: 12 February 1978
Status: Signatories: 15, Parties: 22

The 1995 Amendments (Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean)
Adoption (Barcelona) 10 June 1995
Entry into force 9 July 2004
Status: Parties to the Amendments: 16

2/ The Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft (Dumping Protocol)
Adoption (Barcelona): 16 February 1976
Entry into force*: 12 February 1978
Status: Signatories: 15, Parties: 22

The 1995 Amendments (The Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft or Incineration at Sea)
Adoption (Barcelona) 10 June 1995
Not Yet in Force
Status: Parties to the Amendments: 14

3/ The Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency (Emergency Protocol)
Adoption (Barcelona): 16 February 1976
Entry into force*: 12 February 1978
Status: Signatories: 15, Parties: 22

4/ The Protocol concerning Co-operation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol)
Adoption (Malta): 25 January 2002
Entry into force*: 17 March 2004, replacing the 1976 Emergency Protocol in accordance with Article 25(2)
Status: Signatories: 16, Parties: 7

5/ The Protocol for the Protection of the Mediterranean Sea Against Pollution from Land-based Sources (LBS Protocol)
Adoption (Athens): 17 May 1980
Entry into force*: 17 June 1983
Status: Signatories: 22, Parties: 13

The 1996 Amendments (The Protocol for the Protection of the Mediterranean Sea Against Pollution from Land-based Sources and Activities (LBS Protocol)
Adoption (Syracuse): 7 March 1996
Not Yet in Force
Status: Parties to the Amendments: 13

6/ The Protocol Concerning Mediterranean Specially Protected Areas (SPA Protocol)
Adoption (Geneva): 3 April 1982
Entry into force*: 23 March 1986
Status: Signatories: 11, Parties: 22

7/ The Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA & Biodiversity Protocol)
Adoption (Barcelona): 10 June 1995
Entry into force*: 12 December 1999, replacing the 1980 SPA Protocol in accordance with Article 32
Status: Signatories: 17, Parties: 14

8/ Protocol for the Protection of the Mediterranean Sea Against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (Offshore Protocol)
Adoption (Madrid): 14 October 1994
Not Yet in Force
Status: Signatories: 11, Parties: 4

9/ Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (Hazardous Wastes Protocol)
Adoption (Izmir): 1 October 1996
Not Yet in Force
Status: Signatories: 11, Parties: 5

ANNEX II

Trust Fund for the Protection of the Mediterranean Sea Against Pollution (ME)
Status as at 31 May 2005
(Expressed in Euros)

COUNTRIES	Unpaid pledges for 2004 & prior yrs	Adjustment	Pledges for 2005	Collections during 2005 for 2005 and fut. Yrs	Collections during 2005 for prior yrs	Collections during 2005 for prior yrs - US $	Unpaid pledges for prior yrs.	Unpaid pledges for 2005 & prior yrs
Albania	4,997	0	3,877	0	0	0	4,997	8,874
Algeria	58,163	0	58,163	0	0	0	58,163	116,326
Bosnia & Herzegovina	0	0	16,619	16,619	0	0	0	0
Croatia	0	0	53,730	0	0	0	0	53,730
Cyprus	0	0	7,755	7,755	0	0	0	0
European Union	0	0	138,483	138,483	0	0	0	0
Egypt	47,041	0	27,143	0	0	0	47,041	74,184
France	0	0	2,103,262	0	0	0	0	2,103,262
Greece	155,647	0	155,653	0	155,647	0	0	155,653
Israel	6,297	0	81,427	83,703	6,297	0	0	(2,276)
Italy	0	0	1,737,670	44,916	0	0	0	1,692,754
Lebanon	6,720	0	3,877	0	0	0	6,720	10,597
Libyan Arab Jamahiriya	267,262	0	109,124	37,838	0	0	267,262	338,548
Malta	3,877	0	3,877	0	3,877	0	0	3,877
Monaco	0	0	3,877	3,877	0	0	0	0
Morocco	59,916	0	15,511	0	0	0	59,916	75,427
Serbia and Montenegro	18,000	0	18,000	0	0	0	18,000	36,000
Slovenia	0	0	37,113	37,113	0	0	0	0
Spain	0	0	830,337	0	0	0	0	830,337
Syrian Arab Rep.	15,511	0	15,511	0	0	0	15,511	31,022
Tunisia	11,632	0	11,632	0	11,632	0	0	11,632
Turkey	0	0	124,634	0	0	0	0	124,634
T o t a l	655,064	0	5,557,275	370,304	177,453	0	477,611	5,664,581
Additional Contributions (for information only)								
European Commission	0	0	598,569	598,569	0	0	0	0
Host Country	103,866	0	440,000	0	0	0	103,866	543,866
UNEP Env. Fund	0	0	22,000	22,000	0	0	0	0
T o t a l	758,929	0	6,617,844	990,873	177,453	0	581,476	6,208,447

Annex III

Draft Protocol on the Integrated Management of Mediterranean Coastal Zones

Translation of the final French original version of 21 March 2005

The Contracting Parties to this Protocol,

Being Parties to the Convention for the Protection of the Mediterranean Sea against Pollution, done at Barcelona on 16 February 1976, as amended on 10 June 1995 under the title of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean,

Considering that the coastal zone of the Mediterranean Sea is the common natural and cultural heritage of the peoples of the Mediterranean and that it should be used judiciously for the benefit of present and future generations,

Concerned at the increase in anthropic pressure on the coastal zones of the Mediterranean Sea which is threatening their fragile equilibrium and desirous to halt and reverse the process of coastal degradation,

Worried at the risks menacing coastal zones due to climate change which is likely to result, among other outcomes, in a rise in sea levels, and aware of the need to adopt a preventive approach to reduce the impact of natural phenomena, such as seismic sea waves,

Convinced that, as an irreplaceable ecological and economic resource, the planning and management of the coastal zone with a view to its sustainable development requires a specially adapted global approach and integrated management at the level of the Mediterranean basin as a whole and its coastal States, taking into account the diversity and specificity of islands,

Taking into account the United Nations Convention on the Law of the Sea, done at Montego Bay on 10 December 1982, the Convention on Wetlands, done at Ramsar on 2 February 1971, and the Convention on Biological Diversity, done at Rio de Janeiro on 5 June 1992, to which many Mediterranean coastal States and the European Community are Parties,

Concerned in particular to act in cooperation for the development of appropriate and integrated plans for coastal zone management pursuant to Article 4, paragraph 1(e), of the United Nations Framework Convention on Climate Change, done at New York on 9 May 1992,

Benefiting from the experience acquired in the integrated management of coastal zones and taking into account the Recommendation of the European Parliament and of the Council of 30 May 2002 concerning the implementation of Integrated Coastal Zone Management Strategy in Europe,

Bearing in mind the recommendations and work of the Mediterranean Commission on Sustainable Development and the recommendations of the meetings of the Contracting Parties held in Tunis in 1997, Monaco in 2001 and Catania in 2003,

Resolved to strengthen at the regional level the efforts made by coastal States and determined to stimulate local initiatives through coordinated promotional action, cooperation and partnership with the various actors concerned with a view to promoting efficient governance for the purpose of integrated coastal zone management,

Desirous to ensure coherence in the application of the provisions of the Convention and its Protocols with regard to integrated coastal zone management,

Resolved to give effect to the obligations set out in Article 4, paragraphs 3(c) and (e) and 5, of the Convention,

Have agreed as follows:

PART I
GENERAL PROVISIONS

Article 1

Objective of the Protocol

In conformity with the general principles of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols, the objective of this Protocol is to establish a common framework for the integrated management of the coastal zones of the Mediterranean Sea and to strengthen regional cooperation for this purpose.

Article 2

Definitions

For the purposes of this Protocol:

(a) “Convention” means the Convention for the Protection of the Mediterranean Sea against Pollution, done at Barcelona on 16 February 1976, as amended on 10 June 1995 under the title of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean;

(b) “Party” means any State or any international economic grouping for which this Protocol is in force;

(c) “Organization” means the organization referred to in Article 2, subparagraph (b), of the Convention;

(d) “Centre” means the Priority Actions Programme Regional Activity Centre;

(e) “coastal zone” means the geomorphological area either side of the seashore in which the interaction between the maritime and land parts occurs in the form of complex ecological systems made up of biotic and abiotic components, and which is a living space for human communities and their socio-economic activities;

(f) “integrated coastal zone management” means a dynamic process of the sustainable management and use of coastal zones taking into account at the same time the fragility of coastal ecosystems and landscapes, the diversity of activities and uses, their interactions, the maritime orientation of certain activities and uses and their impact on both the maritime and land parts;

(g) “coastal ecosystem” means a system of interactions between the populations of the various species inhabiting or traversing the coastal zone and between these populations and the coastal environment; and

(h) “coastal plan or programme” means any document with legal value having for purpose or effect, directly or indirectly, the siting and development of human settlements and activities and the protection of the coastal zone.

Article 3

Geographical coverage

1. For the purposes of this Protocol:

(a) the seaward limit of the coastal zone shall be the maximum limit of the territorial waters of States Parties;

(b) the land limit of the coastal zone shall be the territorial limit of local coastal administrative units.

2. If, within the confines of its jurisdiction, a State Party decides to establish limits different from those envisaged in paragraph 1 of this Article, it shall communicate a declaration to the Depositary at the time of the deposit of its instrument of ratification, acceptance, approval of, or accession to this Protocol, or at any other subsequent time, where:

(a) the seaward limit is closer to the shore;

(b) the land limit is different, either greater or less than the territorial limits of local coastal administrative units based on such pertinent reasons as the ecosystem approach, population centres or the specific situation of islands.

3. The local coastal administrative units, populations and the various actors concerned shall be informed of the geographical coverage of this Protocol by the States Parties.

Article 4

Preservation of rights

1. Nothing in this Protocol nor any act adopted on the basis of this Protocol shall prejudice the rights, the present and future claims or legal views of any Party relating to the law of the sea, in particular the nature and the extent of marine areas, the delimitation of marine areas between States with opposite or adjacent coasts, the right and modalities of

passage through straits used for international navigation and the right of innocent passage in territorial seas, as well as the nature and extent of the jurisdiction of the coastal State, the flag State or the port State.

2. No act or activity undertaken on the basis of this Protocol shall constitute grounds for claiming, contending or disputing any claim to national sovereignty or jurisdiction.

3. The provisions of this Protocol shall be without prejudice to stricter provisions respecting the protection and management of the coastal zone contained in other existing or future national or international instruments or programmes.

4. Nothing in this Protocol shall prejudice national defence activities and facilities; however, each State Party shall ensure that such activities and facilities are carried out or established in a manner consistent with this Protocol.

Part II

Principles and elements of integrated coastal zone management

Article 5

General principles and objectives of integrated management

1. The Parties shall ensure that the integrated management of their coastal zone is based on the following principles and objectives:

(a) the coastal zone shall be managed as an area of sustainable and environmentally friendly development through a global and concerted approach based on the perception of the coastal zone as a single entity and taking into account its carrying capacity;

(b) the interaction and interdependence between the maritime part and the land part of the coastal zone shall be systematically taken into consideration and integrated in national and local coastal plans and programmes;

(c) coordination of all administrative decision-making levels and coherence between all integrated coastal zone management instruments shall be ensured by the various public authorities at both the national and the local levels;

(d) the prevention and management of risks and damage resulting from natural disasters and climate change shall be taken into account in the various integrated coastal zone management instruments;

(e) a balance shall be achieved between the protection of natural resources and the economic and social development of the coastal zone;

(f) coastal zones shall be protected against degradation and the integrity of coastal ecosystems shall be preserved;

(g) the generation of waste shall be reduced to a minimum and the environmentally sound disposal of waste shall be ensured;

(h) the various uses of coastal zones shall be made mutually compatible by ensuring that priority is accorded to public services and professional activities which depend directly on the sea;

(i) the use and sharing of natural resources shall be based on equitable and sustainable management criteria and priority shall be accorded to local populations insofar as possible;

(j) the role of local populations shall be recognized, taking into account traditional local practices that are compatible with the sustainable use of natural resources and the preservation of coastal ecosystems.

2. These principles and objectives shall be covered by an appropriate information policy.

Article 6

Institutional coordination

For the purposes of integrated coastal zone management:

1. States Parties shall, where necessary, establish appropriate bodies and ensure through institutional and interministerial coordination that sectoral approaches are avoided and global approaches facilitated.

2. States Parties shall organize appropriate coordination between the various maritime and land authorities in the different administrative services competent in coastal zones, at both the regional and local levels.

3. States Parties shall organize close coordination between national authorities and local and regional bodies in the field of coastal strategies, plans and programmes and in relation to the various authorizations for activities. Such coordination may be achieved through joint consultative bodies or joint decision-making procedures.

4. Local and regional coastal zone bodies shall, insofar as practicable, group together to strengthen the coherence and effectiveness of the coastal strategies, plans and programmes established.

Article 7

Protection and use of the coastal zone

In conformity with the principles and objectives set out in Article 5 above, the Parties shall ensure that the utilization of the coastal zone is such as to preserve the integrity of coastal habitats, landscapes, natural resources and ecosystems.

For this purpose, the competent authorities shall:

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

(b) identify and delimit, in addition to specially protected areas, natural areas in which urban development and other activities are prohibited;

(c) limit the linear extension of urban development along the coast;

(d) avoid the creation of new roads along the coast;

(e) ensure that environmental concerns are integrated into the rules for the management and use of the public maritime domain;

(f) organize the freedom of access of pedestrians to the sea and the shore without charge, subject to specific local geographical or ecological features;

(g) regulate or prohibit the movement and parking of motor vehicles on beaches and dunes.

Article 8

Economic activities

In conformity with the principles and objectives set forth in Article 5 above, the Parties agree to promote a coastal and maritime economy adapted to the specific features of coastal

zones, to maintain the quality of the products of the sea and to accord specific attention to activities that depend directly on the sea, in accordance with the following rules:

1. Agriculture and industry

The location and operation of agricultural and industrial activities in coastal zones shall be such as to guarantee the highest level of protection of the environment so as to preserve coastal ecosystems and landscapes and prevent the pollution of the sea, the air and the soil.

2. Shellfish production, aquaculture and fishing

Development projects shall take into account the need to protect fishing, shellfish production and aquaculture areas.

Aquaculture shall be subject to prior authorization with a view to regulating the use of chemicals, feed additives and fertilizers and the disposal of waste.

3. Tourism and sporting and recreational activities

(a) The development of coastal tourism shall be sustainable and preserve the integrity of natural resources and landscapes, through the promotion, inter alia, of environmental quality initiatives and cultural, ecological and rural tourism.

(b) Indicators of the development of sustainable coastal tourism shall be defined by the Parties in a concerted manner with a view to determining carrying capacity thresholds.

(c) The practice of the various sporting and recreational activities in the coastal zone shall be subject to regulations and prohibitions.

(d) Codes of good practice shall be formulated by the public authorities, the economic and social actors concerned and bodies representing sporting and recreational activities.

4. Utilization of natural resources

(a) The excavation and extraction of minerals, including the use of seawater in desalination plants in the coastal zone, shall be subject to prior authorization.

(b) The extraction of sand shall be regulated, and may be prohibited where it is likely to adversely affect the equilibrium of coastal ecosystems.

(c) Particular attention shall be paid to coastal aquifers and to dynamic areas of contact or interface between fresh and salt water which may be adversely affected by the extraction of underground water or by discharges into the natural environment.

5. Energy

The construction in the coastal zone of installations for the production of renewable or non-renewable energy shall take into account the whole range of their effects on the coastal ecosystem and landscape.

6. Ports and maritime infrastructure and works

(a) The necessary measures shall be taken to ensure that port activities and infrastructure, including pleasure ports and road, airport and rail infrastructure, as well as any maritime works, are not prejudicial to coastal ecosystems, and particularly to fragile coastal ecosystems such as estuaries, wetlands, beaches, dunes and archipelagos.

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

Article 9

Specific coastal ecosystems

The Parties shall take into account the characteristics of certain specific coastal ecosystems in accordance with the following modalities:

1. Coastal landscapes

The Parties recognize the specific landscape value of coastal zones irrespective of their classification as protected areas. They shall adopt measures to guarantee the protection, management and planning of coastal landscapes. They undertake to promote regional and international cooperation with regard to the landscape and to implement common programmes for transboundary coastal landscapes.

2. Wetlands and estuaries

In addition to the creation of specially protected areas and with a view to preventing the disappearance of wetlands and estuaries, the Parties shall take into account

in national coastal strategies, plans and programmes, and when issuing authorizations, the environmental importance of wetlands and estuaries.

The Parties shall take the necessary measures to regulate or prohibit any activity which may have prejudicial effects on wetlands and estuaries. The restoration of degraded coastal wetlands shall be undertaken with a view to reactivating their positive role in coastal environmental processes.

3. Coastal forests and woods

The Parties shall adopt measures intended to preserve or develop coastal forests and woods located outside specially protected areas.

4. Dunes

The Parties undertake to preserve and restore dune areas and cordons.

5. Islands and small islands

The Parties undertake to accord special protection to islands and small islands, and for this purpose to:

(a) promote environmentally friendly activities in such areas and take special measures to ensure the participation of the inhabitants in the protection of coastal ecosystems based on their local customs and knowledge;

(b) take into account the specific characteristics of the island environment in national coastal strategies, plans and programmes and management instruments, particularly in the fields of transport, waste and water.

Article 10

Coastal erosion

1. With a view to controlling coastal erosion more effectively, the Parties undertake to adopt the necessary measures to maintain or strengthen the natural capacity of the coast to adapt to changes, including those caused by the rise in sea levels.

2. All activities located in the coastal zone, including maritime structures and any coastal defence works, shall in particular take into account their effects on coastal erosion and the direct and indirect costs which may result.

3. The Parties shall endeavour to anticipate coastal erosion through the adoption of special plans for the management of coastal sediments and coastal works.

Article 11

Cultural heritage

1. States Parties shall adopt, individually or collectively, all appropriate means to preserve the cultural heritage of coastal zones in conformity with the applicable national and international instruments.

2. The preservation *in situ* of the cultural heritage of coastal zones, including the underwater heritage, shall be considered as the first option before any intervention directed at this heritage.

Elements of the underwater cultural heritage of coastal zones removed from the marine environment shall be conserved and managed in a manner that ensures their long-term preservation.

Elements of the underwater cultural heritage of coastal zones may not be commercially exploited.

Article 12

Participation

1. With a view to ensuring efficient governance throughout the process of the integrated management of coastal zones, the Parties shall take the necessary measures to ensure the association in the various phases of the formulation and implementation of coastal strategies, plans and programmes, as well as the issuing of the various authorizations, of:

- the territorial communities and public entities concerned;
- economic operators as partners in integrated management through their representatives;
- the public, including non-governmental organizations.

2. Such participation shall involve consultative bodies, inquiries or public hearings. Mediation and conciliation procedures and a right of administrative or legal

recourse should be available for cases in which a coastal plan or programme or a project to undertake a work or an activity on the coastal zone is challenged.

Article 13

Awareness-raising, training, education and research

1. The Parties undertake to carry out, at the national or local levels, awareness-raising activities on integrated coastal zone management and to develop teaching and training on this subject.

2. The Parties shall organize, directly or with the assistance of the Centre or the international organizations concerned, public education on the benefits of the integrated management of coastal zones with a view to ensuring their sustainable development.

3. The Parties shall establish the necessary mechanisms to further develop knowledge on the state of the environment in coastal zones and on the impact of the human activities which are at the origin of their degradation processes.

4. Specialized research centres on integrated coastal zone management should be established and used both for information and training and for the preparation and implementation of public and private decisions.

Part III

Instruments for integrated coastal zone management

Article 14

Observatories, inventories and networks

1. The Parties shall establish observatories and prepare and regularly update national inventories of coastal zones. These inventories shall cover, on the one hand, resources and activities such as natural areas, landscapes, cultural sites, coastal agriculture, human settlements, economic installations and, on the other, the institutions, specific legislation and coastal plans and programmes which influence the coastal zone.

2. With a view to facilitating the permanent monitoring of the state and evolution of coastal zones, the Parties shall share the data gathered in national inventories in a coastal zone network established in cooperation with the Centre.

Article 15

Mediterranean Strategy for Integrated Coastal Zone Management

1. The Parties shall adopt a Mediterranean Strategy for Integrated Coastal Zone Management. This Strategy shall set out the policy orientations for the sustainable development of the coastal zone upon which national strategies shall be based.

2. The Mediterranean Strategy for Integrated Coastal Zone Management shall be formulated in conformity with the Mediterranean Strategy for Sustainable Development and taking into account the integrated management objectives and principles of this Protocol. It shall be monitored and reviewed periodically.

Article 16

National coastal strategies, plans and programmes

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

2. The national strategy, based on analysis of the existing situation, shall set objectives and determine priorities, with an indication of the reasons, identify social actors and processes, enumerate the measures to be taken and the legal and financial means available and determine an implementation schedule.

3. Coastal plans and programmes, which may be specific or integrated in other plans and programmes, shall specify the orientations of the national strategy and determine the carrying capacities and conditions for the allocation and use of the maritime and land parts of coastal zones.

Article 17

Environmental assessments

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

2. In accordance with the same criteria, the Parties should formulate a strategic environmental assessment of plans and programmes affecting the coastal zone.

Article 18

Land ownership

With a view to promoting integrated coastal zone management, ensuring the preservation of areas that are not urbanized and allowing public access for purposes of recreation and leisure, States Parties:

1. shall adopt mechanisms for the acquisition or expropriation of land for public ownership and the control of any new urban development;

2. may impose rights of way on properties.

Article 19

Economic and financial instruments

For the implementation of national coastal strategies, plans and programmes, States Parties:

1. shall adopt relevant financial and economic instruments intended to support local, regional and national initiatives for the integrated management of coastal zones;

2. may establish taxes and charges intended to dissuade and prevent activities damaging to the coastal zone, the product of which shall be assigned to the maintenance and management of coastal areas. Part of the product of such taxes and charges may be used to maintain a special fund to finance the integrated management of coastal zones.

Part IV

International cooperation

Article 20

Training and research

1. The Parties undertake, directly or with the assistance of the Centre or the international organizations concerned, to cooperate in the training of scientific, technical and administrative personnel in the field of integrated coastal zone management, particularly with a view to:

(a) identifying and strengthening capacities;

(b) developing scientific and technical research;

(c) promoting centres specialized in integrated coastal zone management;

(d) promoting training programmes for local professionals.

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

Article 21

Scientific and technical assistance

The Parties undertake, directly or with the assistance of the Centre or the international organizations concerned, to cooperate for the provision of scientific and technical assistance, including access to environmentally sound technologies and their transfer, and other possible forms of assistance, to Parties requiring such assistance for integrated coastal zone management,

Article 22

Exchange of information and demonstration projects

1. The Parties undertake, directly or with the assistance of the Centre or the international organizations concerned, to cooperate in the exchange of information on the use of the best environmental practices and environmentally friendly technologies for integrated coastal zone management.

2. The Parties shall, with the support of the Centre:

(a) define coastal indicators;

(b) establish and maintain up-to-date assessments of the use and management of coastal zones; and

(c) carry out demonstration projects of integrated coastal zone management.

Article 23

Natural disasters

1. The Parties undertake to organize coordination of the use of the means of detection, warning and communication at their disposal to ensure the transmission as rapidly

as possible of urgent information concerning any earthquake, volcanic eruption or landslide likely to cause a seismic wave affecting the coastal zones of the Mediterranean Sea. The Parties shall notify to the Organization the national authority competent to issue and receive such information.

2. The Parties shall formulate, either individually or through bilateral or multilateral cooperation, contingency plans and other arrangements to respond to the consequences of a natural disaster affecting the coastal zones of the Mediterranean Sea. The Parties shall inform the Centre every two years of the measures taken. The Centre shall submit a report to the Parties based on the information received.

3. The Parties undertake to cooperate, also with local authorities and non-governmental organizations, for the provision on an urgent basis of all humanitarian and technical assistance in response to a natural disaster affecting the coastal zones of the Mediterranean Sea. Reimbursement of the costs of assistance shall be made, unless otherwise specifically agreed to the contrary and *mutatis mutandis*, in accordance with the provisions of Article 13 of the Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea, done at Valletta on 25 January 2002.

Article 24

Transboundary cooperation

States Parties shall endeavour, directly or with the assistance of the Centre or the international organizations concerned, to coordinate their national coastal strategies, plans and programmes for the management of contiguous coastal zones. Local and regional bodies shall be associated with such coordination.

Article 25

Transboundary impact studies and strategic assessments

1. The Parties shall cooperate, by means of notification, exchange of information and consultation, to assess the environmental impact of activities, plans and programmes concerning the coastal zone under their jurisdiction which are likely to cause a significant adverse effect to the coastal zones of other States or the marine environment of the Mediterranean Sea:

(a) Before authorizing such activities or approving such plans or programmes, notification shall be made [to the Organization and] to States liable to be affected. The notification shall include:

- information on the proposed activity and its potential transboundary impact;
- an indication of a reasonable time and of the national authority competent for the receipt of comments from the Organization and from States liable to be affected.

(b) Within the reasonable time established, the affected Party shall respond to the Party of origin to acknowledge receipt of notification and shall indicate whether it intends to participate in the environmental impact study or the strategic assessment procedure. If so, the affected Party shall provide to the Party of origin any relevant information on the coastal environment within its jurisdiction which is likely to be affected. The Party of origin shall provide the affected Party with the environmental impact study or strategic assessment documentation. This documentation shall take into consideration, inter alia, the specific sensitivity of coastal zones, their carrying capacity and the inter-relationship between the maritime and land areas.

(c) The concerned Parties shall ensure that the public is informed in due time of proposals submitted for a transboundary impact study or strategic assessment and is able to formulate, within a reasonable time, observations or counterproposals for transmission to the competent national authority. The public concerned, including relevant non-governmental organizations, means both the public in the State of origin and the public in the State or States of which the coastal zone is liable to be affected.

(d) Where appropriate, before a final decision is made by the Party of origin, the Parties shall engage in consultations concerning, inter alia, the potential transboundary impact of the proposed activity and appropriate measures to reduce or eliminate this impact.

2. The Parties may adopt, where appropriate, bilateral or multilateral agreements to give full effect to the above provisions.

Part V

Institutional provisions

Article 26

Focal Points

Each Party shall designate a Focal Point to serve as liaison with the Centre and to disseminate information in her or his country on the technical and scientific aspects of the implementation of this Protocol. The Focal Points shall meet periodically, at the initiative of the Centre, to monitor the implementation of this Protocol and to make appropriate proposals for the meeting of the Contracting Parties.

Article 27

Reports and monitoring

1. The Parties shall submit to the Organization, in the form and at the times determined by the meeting of the Parties, periodical reports on:

(a) the state and evolution of integrated coastal zone management; and

(b) the effectiveness of the measures taken and the problems encountered in their implementation.

2. The meetings of the Parties, on the basis of the periodical reports submitted by each Party, shall assess their compliance with this Protocol and the measures adopted for its implementation. They shall recommend, where appropriate, the necessary measures to ensure that full effect is given to the Protocol and shall facilitate the implementation of decisions and recommendations.

Article 28

Institutional arrangements

The Organization shall be responsible for coordinating the implementation of this Protocol and for cooperating with non-governmental organizations. For this purpose, it shall receive the support of the Centre, to which it may entrust the following functions:

(a) assisting the Parties to:

- establish a coastal zone network pursuant to Article 14;
- prepare and implement their national strategies for integrated coastal zone management pursuant to Article 16;
- carry out research programmes and organize training activities pursuant to Article 20;
- organize detection and warning systems for natural disasters pursuant to Article 23;
- coordinate the management of contiguous coastal zones pursuant to Article 24;
- assess transboundary impact pursuant to Article 25;

(b) formulating the Mediterranean Strategy for Integrated Coastal Zone Management envisaged in Article 15 and carrying out the functions entrusted to it by this strategy;

(c) submitting to the Parties a regular report on the state and development of integrated coastal zone management in the Mediterranean Sea;

(d) undertaking the exchange of information and demonstration projects and preparing the coastal indicators envisaged in Article 22;

(e) submitting to the Parties every two years a report on contingency plans for natural disasters pursuant to Article 23;

(f) convening and organizing the meetings of the Focal Points under the terms of Article 26; and

(g) any other function assigned to it by the Parties.

Article 29

Meetings of the Parties

1. The ordinary meetings of the Parties to this Protocol shall be held in conjunction with the ordinary meetings of the Contracting Parties to the Convention held pursuant to Article 18 of the Convention.

2. The meetings of the Parties to this Protocol shall have the purpose in particular of:

(a) keeping under the review the implementation of this Protocol;

(b) ensuring that this Protocol is implemented in coordination and synergy with the other Protocols;

(c) overseeing the work of the Organization and of the Centre relating to the implementation of this Protocol and providing policy guidance for their activities;

(d) considering the effectiveness of the measures adopted for integrated coastal zone management and the need for other measures, in particular in the form of annexes or amendments to this Protocol;

(e) making recommendations to the Parties on the measures to be adopted for the implementation of this Protocol;

(f) examining the proposals made by the Focal Points pursuant to Article 24 of this Protocol;

(g) considering reports transmitted by the Parties and making appropriate recommendations pursuant to Article 27;

(h) examining any other relevant information submitted through the Centre;

(i) examining any other matter relevant to this Protocol, as appropriate.

Part VI

Final provisions

Article 30

Relations with the Convention

The provisions of the Convention relating to any Protocol shall apply with respect to this Protocol.

Article 31

Relations with third parties

1. The Parties shall invite States that are not Parties to the Protocol and international organizations to cooperate in the implementation of this Protocol.

2. The Parties undertake to adopt appropriate measures, consistent with international law, to ensure that no one engages in any activity contrary to the principles and objectives of this Protocol.

Article 32

Final provisions

1. This Protocol shall be open for signature [place and date] by any Contracting Party to the Convention.

2. This Protocol shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of Spain, which will assume the functions of Depositary.

3. As from [date], this Protocol shall be open for accession by any State or regional economic grouping which is Party to the Convention.

4. This Protocol shall enter into force on the thirtieth day following the deposit of the sixth instrument of ratification, acceptance, approval or accession.

ANNEX IV

Main elements for a possible compliance mechanism under the Barcelona Convention

Introduction

1. Based on the findings and conclusions of the first meeting of the Working Group on Implementation and Compliance under the Barcelona Convention, the Coordinating Unit was asked to elaborate a draft paper on the main elements for a possible compliance mechanism. The draft paper draws upon the experience of international and regional international agreements addressing environmental issues, which have established compliance mechanisms and procedures. Attention was focused on international agreements to which Parties to the Barcelona Convention and its Protocols are parties. In particular, the compliance mechanisms and procedures established under the Montreal Protocol on Substances that Deplete the Ozone Layer, the Basel Convention on Transboundary Movement of Hazardous Wastes and Their Disposal, the Cartagena Protocol on Biological Safety and the Kyoto Protocol to the United Nations Framework Convention on Climate Change served as sources for the elaboration of elements for a compliance mechanism under the Barcelona Convention and its Protocol. Furthermore, implementation and compliance procedures established under the Berne Convention for the Conservation of European Wildlife and Natural Habitats, the Convention on Long-Range Transboundary Air Pollution, the Espoo Convention, the Aarhus Convention, the Protocol on Water and Health under the Convention on the Protection of Transboundary Water Courses and International Lakes and the OSPAR Convention were taken into consideration. Moreover, the experience gained by international organisations, such as IMO and WHO, in dealing with issues of implementation of and compliance with international agreements, was considered in the elaboration of the elements of a compliance mechanism under the Barcelona Convention and its Protocols.

Main elements

2. The following elements for a compliance mechanism, based on the findings and conclusions of the first meeting of the Working Party on Implementation and Compliance under the Barcelona Convention, were discussed and elaborated by the second meeting of the Working Group and are submitted for further consideration. The elements set out below follow the structure of already established compliance mechanisms and procedures under other multilateral environmental agreements. They reflect the current status of the discussions and indicate issues which need further scrutiny. They should be read together with the report of the second meeting of the Working Group containing the discussions on the main elements. The main elements leave open a number of issues which need to be addressed in the elaboration of a “full compliance” mechanism (see the document “Setting up an implementation and compliance mechanism under the Barcelona Convention and its Protocols”, (see Annex IV).

I. Objective (of the compliance mechanism)

The objective of the compliance mechanism is to facilitate and promote compliance with the commitments under the Barcelona Convention and its Protocols, taking into account also the specific needs of developing countries.

II. Compliance Committee

1. A compliance committee, hereafter referred to as “the Committee”, is hereby established.

2. The Committee shall consist of seven members elected by the meeting of the Contracting Parties. For each member of the Committee, the meeting of the Contracting Parties shall elect an alternate member. The members and the alternates are elected for a term of four years.

3. The Meeting of the Contracting Parties shall at its meeting establishing the compliance mechanism elect three members and three alternates to serve until the end of its next meeting and four members and four alternates for a full time of office. A full term of office commences at the end of the ordinary meeting of the Contracting Parties and runs until the second ordinary meeting of the Contracting Parties thereafter.

4. The members of the Committee shall be nationals of the Parties to the Barcelona Convention. The Committee may not include more than one national of the same State.

5. Members of the Committee and their alternates shall serve in their personal/individual capacities.

6. The members and their alternates shall be elected from among candidates nominated by the Contracting Parties. Contracting Parties shall consider the nomination of candidates who are members of the civil society.

7. Candidates nominated shall be persons of high moral character and shall have recognized competence relating to the matters dealt with by the Barcelona Convention and its Protocols as well as in relevant fields such as the scientific, technical, socio-economic or legal fields. Each nomination shall be accompanied by a curriculum vitae (CV) of the candidate not exceeding 600 words and may include supporting material.

8. In electing members and their alternates of the Committee, the Meeting of the Contracting Parties is to be guided by equitable geographic representation and by rotation in order to ensure participation by nominated individuals of all Contracting Parties as members of the Committee within a reasonable period of time as well as balance among scientific, legal and technical expertise.

9. The Committee shall elect its officers – a Chairperson and two Vice-Chairpersons – based on equitable geographic representation and rotation.

10. Members of the Committee may be re-elected for one consecutive term.

III. Role of the Committee

The Committee shall, unless it decides otherwise, meet at least once a year.

[More to be added]

IV. Procedure

1. Submissions

Submissions may be made by

a. a Party in respect of its own situation of compliance;
b. a Party in respect of another Party's situation of compliance;

Option 1

C. [The Secretariat on the basis of the national reports and other sources.]

Option 2

C. [By the Secretariat on the basis of national reports]

D. [By other sources]

Option 3

C. [By other sources]

2. Proceedings

1. Submissions concerning the alleged non-compliance of a Party shall be addressed in writing to the Committee through the Secretariat, supported by information setting out the matter of concern and the relevant provisions of the Barcelona Convention and its Protocols.

2. The Secretariat shall, within two weeks of its receiving a submission, send a copy of that submission to the Party whose compliance is at issue.

3. The Committee may determine not to proceed with a submission that it considers is
   - anonymous,
   - de minimis, or
   - manifestly ill founded.

   The Secretariat shall inform the Party concerned about such [a determination] [findings] taken by the Committee within two weeks of the date of [the determination] [the findings].

4. The Party concerned may present information on the issue in question, present responses and/or comments at every step of the proceedings [described in this decision]. Upon the invitation of the Party concerned, the Committee may undertake on site appraisals.

5. The Committee may ask the Party concerned to provide further information and may, with the consent of any Party concerned, gather information in the territory of that Party, including on site appraisals.

6. In its deliberations the Committee shall take into account all the available information concerning the issue in question.

7. The Party concerned is entitled to participate in the discussions of the Committee and present its observations. The Party concerned shall not take part in the preparation and adoption of any findings, any measures or any recommendation of the Committee.

8. Further to the above, the Committee shall be guided bz the principle of “due process” in order to ensure fairness and transparency.

V. Measures

The Committee may take one or more of the following measures with a view to promoting compliance and addressing cases of non-compliance taking into account the capacity of the Party concerned to comply, in particular developing countries, as well as factors such as the cause, type, degree and frequency of non-compliance:

1. provide advice or facilitate assistance to the Party concerned, as appropriate;
2. request or assist, as appropriate, the Party concerned to develop a compliance action plan to achieve compliance within a time frame to be agreed upon between the Committee and the Party concerned.
3. invite the Party concerned to submit progress reports to the Committee on the efforts it is making to comply with its obligations under the Barcelona Convention and its Protocols;
4. make recommendations to the Meeting of the Contracting Parties on cases of non-compliance, if it finds that these cases should be handled by the Meeting of the Contracting Parties.

The Meeting of the Contracting Parties may, upon consideration of a report and any recommendations of the committee, taking into account the capacity of the Party concerned to comply, as well as factors such as the cause, type, degree and frequency of non-compliance, decide upon appropriate measures to bring full compliance with the Convention and its Protocols:

a. provide advice and facilitate assistance to individual Parties, in particular to developing countries;
b. make recommendations to the Party concerned;
c. request the Parties concerned to submitprogress reports regarding the achievement of compliance with the Convention and its Protocols;
d. issue declarations of non-compliance:
e. issue a caution to the Party concerned;
f. publish cases of non-compliance.

VI. Review of the procedures and mechanisms

The Meeting of the Contracting Parties shall review the effectiveness of these procedures and mechanisms, address repeated cases of non-compliance and take appropriate action.

VII. Secretariat

The Coordinating Unit shall serve as the Secretariat of the Committee. It shall, inter alia, arrange and service the meetings of the Committee.

ANNEX V

Main documents of the meeting of MFPs
21-24 September 2005

Working documents

MEDU

1. Recommendations and Programme Budget for 2006-2007
2. Activity Progress Report
3. Evaluation of MAP
4. MAP Reporting System
5. MAP/EC Joint Working Plan

MEDPOL

6. Med Pol Phase IV
7. Policy paper on transfer of technology in the framework of the implementation of the SAP
8. Guidelines for the Placing of Matter for a Purpose other than Dumping such as Artificial Reefs
9. Guidelines for the Management of Contaminated Geological Inert Materials

REMPEC

10. Regional Strategy for Prevention of and Response to Marine Pollution from Ships
11. Guidelines on the Prevention of Pollution from Pleasure Craft Activities in the Mediterranean Sea

PAP/RAC

12. Draft of the ICAM Protocol
13. MAP Regional Strategy for Integrated Coastal Area Management and CAMP

SPA/RAC

14. Proposals for inclusion of 4 protected areas in the SPAMI list
15.Updated Programme of Work of the Action Plan for the Conservation of Marine Vegetation in the Mediterranean
16. Political Declaration on the Preservation of the Monk Seal

Information Documents

1. Mediterranean Strategy on Sustainable Development
2. Implementation and Compliance in MAP
3. Socio-economic Study on Liability and Compensation in the Mediterranean
4. Financial and Implementation Report of MAP program
5. Evaluation report on the Status of the Mediterranean Monk Seal
6. Status of the Implementation of the Action Plan for the Conservation of Marine Vegetation in the Mediterranean
7. Mediterranean Environment and Development report
8. Evaluation of MED POL

9. Evaluation of CP/RAC
10. Evaluation of ERS/RAC
11. Development of an interactive GIS for the Mediterranean
12. Follow up of the report “Environment and Development”, improvement of the environment and development observation system
13. Reports of the meeting of the MCSD
14. Reports of the Bureau 61, 62, 63
15. The Final Reports of the Specific National Focal Points Meetings

ANNEX VI

WORK PROGRAMME OF COOPERATION BETWEEN MAP COORDINATING UNIT AND THE EUROPEAN COMMISSION

Concerning the Strengthening of Cooperation between the MAP Coordinating Unit and the European Commission in the Field of Environment

1. Taking into account the recommendation I.A.4.1.2 of the Thirteenth Meeting of the Contracting Parties to the Barcelona Convention, held in Catania, 11-14 November 2003, requesting the MAP Secretariat to elaborate a work programme for cooperation with the European Commission;

2. Recalling that in the Athens Declaration adopted by the 2nd Euro-Mediterranean Ministerial Conference in July 2002, the EU Foreign Ministers acknowledge the importance of the strengthening of ties between the Euro-Mediterranean Partnership and the Mediterranean Action Plan;

3. Realizing that MAP and the European Commission should move from political declarations to concrete collaborative actions in areas of mutual interest in order to drive forward cooperation and improve synergies between the Mediterranean Action Plan (MAP) and the Euro-Mediterranean Partnership;

4. Acknowledging also that, at the level of policy planning and policy integration, MAP institutions can contribute regional expertise and existing networks for integrating environmental protection into the sustainable development of the region and be strong, reliable and efficient partners for the Euro-Mediterranean partnership;

5. Recognizing that the establishment of such an association will aim at achieving mutual information, consultation with regard to agendas, policies and work programmes, coordination of activities in order to avoid duplication of work, and cooperation in the development of a Mediterranean Strategy for Sustainable Development and a Sustainability Impact Assessment for the purpose of assessing the impact of trade on environment and sustainable development;

6. Acknowledging that, at the level of implementation, capacity building is an important means for achieving the environmental and sustainability goals in the region and that the strengthening of institutional and technical capacities in the region requires synergy between MAP and the Euro-Mediterranean Partnership;

7. Acknowledging the importance, in this regard, of their cooperation with MAP Regional Activities Centres on specific priority areas concerning maritime traffic pollution, the interpretation of environment in development policies, sustainable coastal zone management, protection of the Mediterranean biodiversity, pollution from land based sources and cleaner production;

8. Stressing, also, the need for improvement of the cooperation between MAP and the European Commission in the field of data, indicators and information related to the state of the environment and trends of development in the marine and coastal environment of the Mediterranean region;

9. Taking into account the Memorandum of Understanding between UNEP and the European Commission of 20th September 2004;

The European Commission and MAP Coordinating Unit hereby agree on this Joint Work Programme with the aim of consolidating, developing and intensifying their cooperation and increasing their effectiveness to achieve their common goals and objectives in the field of environment

Priorities for the Joint Work Programme

This Joint Work Programme identifies a number of issues for action within the scope of the Barcelona Convention and its related Protocols. Among these issues, particular attention will be given to:-

1. Enhance the cooperation at the Institutional Level by facilitating meetings between the two sides at the highest level possible to achieve synergy on strategic policy matters of common interest;

2. Increase the cooperation between the European Commission and MAP Coordinating Unit's Regional Activity Centres by utilizing the experience and expertise of the RAC's in the implementation of the Commission's environmental policies in the Mediterranean basin;

3. Strengthen the environmental dimension of public policy and the promotion of sustainable development policies and actions in the countries bordering the Mediterranean.

Work Programme

1. Institutional Cooperation

1.1 The Commission and the MAP will hold annual bilateral meetings on strategic policy matters of common interest, in accordance with an agenda agreed in advance by the two parties, aiming also at a definition and monitoring of the Joint Work Programme. These bilateral meetings will be held between those responsible for the Environment in the Commission with the participation of other concerned / interested departments and the Coordinator of MAP or their nominated representatives to review the progress of work in the priority areas of cooperation and to discuss policy, technical and operational issues related to furthering the objectives of the Joint Work Programme;

1.2 The European Commission will propose to the next Euro-Mediterranean Environment Ministers Meeting to discuss the Barcelona Convention and the role of MAP with a view to increase the co-operation and synergy between the MAP and the Commission;

1.3 Explore the possibility of presentation by MAP to the Euro-Mediterranean Committee, in particular following the Conference of the Parties, on the decisions and recommendations of the Contracting Parties to the Barcelona Convention;

1.4 MAP Coordinating Unit will invite the E.U. Environment Commissioner to the Conference of the Parties in order to update the Contracting Parties of the Barcelona Convention on progress in the Euro-Mediterranean Partnership as well as other subjects of mutual interest;

1.5 Apart from its continued participation in the development of the Mediterranean Strategy for Sustainable Development, and after its approval by the Contracting Parties, joint initiatives

will be explored to have the Strategy endorsed at the highest political level, in particular by the Euro-Med Foreign Ministers;

1.6 Examine how to increase their financial cooperation within the framework of existing community instruments and with due regard to the relevant Commission and MAP rules and procedures for the implementation of EU policies in the Mediterranean countries, which would be in common with the commitments under the Barcelona Convention;

1.7 Promote a joint meeting of RACs, the MED POL programme and related Commission Services to discuss future cooperation and identify specific projects, which could be implemented jointly for mutual benefit;

1.8 Cooperate towards achieving convergence between the MAP and the relevant European Community reporting systems;

1.9 Promote a joint meeting of the MAP, SMAP and METAP Focal Points in order to create better synergy among them for the exchange of information and expertise;

2. Preventing Pollution from Land Based Sources:-

2.1 Further cooperation in the prevention of pollution from land based sources and in the implementation of the Strategic Action Programme in the Mediterranean;

2.2 Determine specific commitments with regard to the exchange of information and reciprocal participation in activities related to IMPEL/MED POL Network for compliance and enforcement, EPER, bathing water standards and wastewater treatment;

2.3 On the basis of the results of the MED POL/GEF pre - investment studies and the work carried out on hot spots, explore joint specific investment projects to address these problems;

2.4 Identify specific initiatives on how the EC could play a major role in the Donors Committee established in the framework of the SAP and in particular for the long term implementation by the countries of the National Action Plans (NAPs) for pollution reduction;

2.5 With the involvement of the EEA as appropriate, attempt to formalize systems for the exchange of data resulting from monitoring. Particular attention will be paid to ensuring the access of MEDPOL to data sent to the EC or the EEA, where legally possible;

2.6 MEDPOL and the European Commission, involving the EEA as appropriate, will continue to cooperate in the definition and the production of marine environment indicators, in the framework of the implementation at regional scale of the Marine Thematic Strategy;

2.7 MEDPOL and the European Commission, involving the EEA as appropriate, will explore means to assure a better Mediterranean contribution to the assessment exercises on the marine environment;

2.8 The development and implementation at regional level of the Marine Thematic Strategy will continue to be supported by the MAP through the MEDPOL programme, which will continue to provide technical knowledge and expertise. Within this framework, MEDPOL and the Commission will explore means to assure the joint implementation of Mediterranean and Community environmental policies in a mutually supportive way;

3. Cooperation to prevent pollution of the marine environment from maritime activities

3.1 The European Commission will support the European Maritime Safety Agency (EMSA) to develop a working arrangement with REMPEC;

3.2 Support the establishment of a technical cooperation agreement between REMPEC and the EC for the development in particular of two main projects:
a. risk assessment related to marine transport in the Mediterranean region, and
b. the surveillance of maritime traffic and monitoring of illicit discharges

3.3 The European Commission and REMPEC will coordinate their activities regarding prevention of, preparedness for and response to marine pollution from ships. In the field of preparedness for and response to pollution emergencies, REMPEC will coordinate activities with DG ENV (Civil Protection Unit) and with the European Maritime Safety Agency (EMSA) once these become a part of EMSA mandate. Activities related to prevention of pollution from ships will be coordinated with DG TREN. The cooperation with the EC will in particular address implementation of the new 2002 Prevention and Emergency Protocol. REMPEC on its part will co-operate with DG TREN and EMSA towards the implementation of the EU policy in Member States and its harmonization with the global regime established by IMO Conventions and other legal instruments applicable to other Contracting Parties; ***Text to be replaced by one to be proposed by EC***

3.4 The European Commission and REMPEC will work together towards the implementation of sub-regional and national contingency plans for emergencies and pollution incidents and for the setting up of port reception facilities throughout the Mediterranean in the interest of the protection of the marine environment in the Mediterranean;

4. Cooperation for the protection of specially protected areas and biodiversity

4.1 Cooperate to encourage the protection of natural sites in the Mediterranean in marine zones under EU jurisdiction, which are covered by both the Habitats/Birds directives and the SPA/RAC activities;

4.2 SPA/RAC (MAP) and the EC will discuss how to include among the priorities of the EC funding mechanisms, the Posidonia meadows mapping and the mitigation of fisheries impact on marine biodiversity;

4.3 Establish a joint programme of action for the implementation by SPA/RAC (MAP) of the SAP-BIO Project;

4.4 SPA/RAC (MAP) and the EC will work together to identify further projects relative to the conservation of sensitive habitats and species;

4.5 The European Commission will consider inviting SPA/RAC to participate in the EC's group on implementation of the Habitats and Birds Directive in the marine environment;

4.6 Discuss and agree on the level of involvement of SPA/RAC in the implementation of the ICZM element of protecting Mediterranean biodiversity;

5. Cooperation on integrated coastal zone management

5.1 The European Commission will utilize the operational experience and expertise of PAP/RAC for capacity and partnership building, including the setting up of appropriate institutional and

policy frameworks, in the Mediterranean countries for the implementation of the SMAP in the field of ICZM;

5.2 The EC and MAP through PAP/RAC (MAP) will increase their cooperation and identify initiatives aimed at promoting sustainable urban management;

5.3 The European Commission will work with PAP/RAC to promote the application of ICZM throughout the Mediterranean, based on the EU ICZM Recommendation;

5.4 The PAP/RAC and European Commission will collaborate and consult each other on the work which might lead towards a new regional ICAM protocol under the Barcelona Convention;

6. Cooperation on environmental sustainable development

6.1 Establish a mechanism in order that BP/RAC (MAP) will provide continuous strategic assistance and operational expertise to EC programmes in the follow up of its strategies in the following major areas considered particularly critical in the Mediterranean:

a. Urban development
b. Rural space management
c. Littoral management
d. Water
e. Energy
f. Transport
g. Tourism

6.2 Discuss the preparation by BP/RAC (MAP) of all the strategic meetings and the organization of regular meetings of Mediterranean partners in order to assess the progress achieved towards sustainable development in these areas;

6.3 Discuss how to structure a medium and long term cooperation in order to develop a regional programme for the period 2006/2009 to be financed by the EC and MAP to strengthen capacities and elaborate new regional reports for publication by 2009 on specific issues (coasts and tourism in 2006, water in 2007 and sustainable urban development in 2008);

6.4 The EC and BP/RAC will cooperate and take joint initiative to promote the integration of sustainable development in environmental policies and to publicize the Report on Environment and Development in the Mediterranean countries.

7. Cooperation on cleaner technology

7.1 The EC and CP/RAC (MAP) will cooperate and take joint initiatives to promote the application of the Best Available Technology (BAT) in the whole Mediterranean basin in view of the importance of this concept for sustainable development in the region;

7.2 MAP and the EC will explore how to make compatible the European Pollutant Emission Register (EPER) and the Mediterranean emissions register based on the Baseline Budget in order for both EU members and non EU Mediterranean countries to develop a similar approach and methodology when monitoring pollution emissions from IPPC industries;

7.3 CP/RAC (MAP) and the EC will cooperate in the promotion and implementation of the Environment Technologies Action Plan (ETAP) by

a. Drafting a catalogue of existing directories and databases in the field (2005);
b. Raising awareness of the business community and consumers;

c. Promoting environmental technologies and responsible investments in developing countries in the Mediterranean

7.4 CP/RAC (MAP) will act as a catalyzing agent for the EC to promote Environmental Management Audit Systems (EMAS) and eco- labeling in the non EU Mediterranean countries;

7.5 CP/RAC (MAP) and the EC will carry out an exercise to determine the trends of the Mediterranean industries taking advantage of the CP/RAC's experience as an observer of the Mediterranean industrial sectors and companies both in terms of their development, regulatory framework and the main environmental impacts;

7.6 CP/RAC (MAP) and EC will exchange information on the state of cleaner production in the Mediterranean countries in particular regarding the legal framework, plans, programmes and activities being carried out for the introduction of eco-efficient practices in the Mediterranean countries;

Basic Principles

The Joint Work Programme will be submitted for formal adoption by the Contracting Parties within the framework of the Barcelona Convention. It shall enter into force upon signature and shall remain in effect indefinitely subject to the right of each signatory to terminate it by notification to the other.

Implementation of the Joint Work Programme will be monitored by both sides. It may be amended at any time by consensus of the MAP Coordinating Unit and the European Commission.

Done at……on this…….day…….2005

For the MAP Coordinating Unit **For the European Commission**

ANNEX VII

United Nations
Office of Internal Oversight Services
Internal Audit Division II

Draft Audit Report

Audit of UNEP´s Mediterranean Action Plan Coordinating Unit
(AA 2005/220/01)

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Auditors:
Obin Silungwe
Jaydene Kana

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Office of Internal Oversight Services
Internal Audit Division II

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EXECUTIVE SUMMARY

Between February and March 2005, OIOS conducted an audit of UNEP's administrative arrangements for the Mediterranean Action Plan Coordinating Unit (MEDU) whose approved budget for 2004-2005 was approximately US$15 million. The main conclusion was that there were adequate arrangements in place to administer the office but there were a number of issues referred to below where greater clarity could improve the effectiveness of operations.

Monitoring decisions of the contracting parties

The current mechanism for the implementation, monitoring and follow-up of decisions of Contracting Parties could be improved further by the introduction of a system to formally record and track the status of decisions, to ensure Contracting Parties are kept informed of the most current status of all resolutions.

Delegated authority

The delegated authority paper UNEP was working on in 2001 has not yet been released and consequently OIOS found MEDU still had no clear statement on its authority for recruitment of consultants, individual contractors and procurement. The GPA Coordinator had been delegated some responsibilities for some aspects of human resources management including travel, classification, recruitment and contract extensions, but in practice MEDU was dealing directly with UNON. OIOS requested UNEP to complete its paper on delegated authority for Offices Away from UNEP headquarters, to ensure that their roles and responsibilities for administrative matters are clear and the Executive Director has a clear basis on which to hold them accountable for their actions.

Co-ordination of substantive work

OIOS has recommended that UNEP clarify responsibility in this area, as neither GPA nor DEC was clear whose responsibility it was.

Responsibilities not clearly in line with mandate

OIOS requested clarification on the following functions, which appear not to be within the mandate, and for which no funding had been provided:

- Designated Official for Security;
- Responsibility for the administrative and logistical tasks previously carried out by the UN Information Centre in Athens; and,

- Serving as the UN lead agency in Athens.

Administrative issues

To strengthen administrative capability, OIOS recommended MEDU consider the following:

- Obtain the UNON staffing table on at least a quarterly basis, reconcile the information with that held by MEDU and advise UNON if there are any discrepancies;
- Undertake a complete review of all job classifications and descriptions to ensure they are up-to-date and reflect the duties currently being carried out by the staff member encumbering each post;
- Develop and implement a formal training plan which should be linked to the training requirements identified in each staff member's PAS;
- Retain the services of the Legal Adviser through entering into a corporate contract instead of a consultancy contract.
- Reporting and monitoring of MEDU and MEDPOL activities could further be improved if a sub account was opened for MEDPOL activities within the MEDU project;
- Removal from contracts all clauses that require the UN to pay for services in advance and ensuring that contracts incorporate standard UN terms and conditions; and
- MEDU needs to standardise email, replacement, and systems development policies that are aligned to UN wide practices in consultation with UNON and also create a small ICT support unit.

MAY 2005

D R A F T

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I. INTRODUCTION

1. In February and March 2005, OIOS conducted an audit of the Mediterranean Action Plan Coordinating Unit (MEDU), in accordance with the International Standards for the Professional Practice of Internal Auditing.

2. MEDU is a UNEP administered Convention whose mandate is derived from the Mediterranean Action Plan (MAP) adopted in 1975 by the Mediterranean countries and the European Union, and the Barcelona Convention for the Protection of the Mediterranean adopted in 1976. The mandate has two components; Coordination of legal instruments (Convention and Protocols) and a technical programme of work. The mandate was expanded in 1995 to include regional sustainable development, biodiversity conservation and the integrated management of the coastal areas. This expansion did not alter the original two components, but added a new function; the Secretariat of the Mediterranean Commission on Sustainable Development.

3. MEDU is responsible for the follow-up and implementation of MAP activities and its programme of work focuses on the sustainable management of natural marine and coastal resources and on integrating the environment into social and economic development and land use policies. The programme of work is based on periodically revised action plans adopted by the Contracting Parties to the MAP.

4. MEDU is headed by D-2 who is supported by 9 Professional staff (P) and 17 General Service (GS) staff.

5. OIOS previously audited MAP in October 2001 (AA2001/02/03). The findings and recommendations were reviewed as part of this audit and any issues which were still open are discussed further in the body of the report.

6. The findings and recommendations contained in this draft Audit Report were discussed with the Coordinator and the staff responsible for the audited activities during exit meetings and discussions held in March and April 2005. Their comments have been reflected in this draft Audit Report.

II. AUDIT OBJECTIVES

7. The overall objective of the audit was to advise the Executive Director, UNEP on the adequacy of administrative arrangements for coordinating MEDU activities. This involved assessing:

(a) Whether the governance framework provided MEDU adequate guidance and support for the definition and execution of its responsibilities;
(b) Assessing whether MEDU management had established adequate mechanisms to ensure that it understood and was only executing activities in support of its mandate;
(c) Whether the internal control systems for managing the structure, programme and resources were adequate and were operated in compliance with UN Regulations and Rules.

III. AUDIT SCOPE AND METHODOLOGY

8. The audit covered activities for the period January 2002 to December 2004 (and early 2005 where necessary). It was carried out in Nairobi and Athens and involved staff of UNEP and UNON. The audit activities involved interviewing staff and reviewing available documentation and use of audit interrogation software.

9. The main source of funding is the Mediterranean Trust Fund (TF) to which all MEDU Contracting Parties contribute according to a mutually agreed level in line with the UN assessment scale. Other sources of funding to support specific activities include contributions from the European Union (EU) and the Global Environment Facility (GEF). The contributions pledged to the TF for the Protection of the Mediterranean Sea against Pollution amounted to US$11 million in 2002-2003 and approximately US$15 million 2004-2005.

IV. AUDIT FINDINGS AND RECOMMENDATIONS

A. Monitoring decisions of the contracting parties

10. The current mechanism for the implementation, monitoring and follow-up of decisions of Contracting Parties could be enhanced by the introduction of a system to formally record and track the status of decisions, to ensure Contracting Parties are kept informed of all decisions and their status.

Recommendation:

To enhance the existing monitoring mechanisms of decisions of the Contracting Parties, Mediterranean Action Plan Coordinating Unit should develop a system, preferably computerised, to record and track the status of decisions which should form part of the documentation provided to Contracting Parties at their meetings (Rec. 01).

B. Mandate and mission

(a) Mandate

11. OIOS was pleased to note that there appeared to be adequate arrangements in place for maintenance of documentation about the mandate and all changes thereto.

(b) Mission

12. Whilst there was no formal mission statement for MEDU, the Contracting Parties approve a framework for the programme of work every two years, which identifies the objectives and activities necessary to achieve the mandate.

C. Organisation structure and functions

(a) Delegation of authority for administration

13. The prior OIOS audit (AA/2001/02/3) found that there was no clear statement of delegated authority to MEDU, referring to administration of programme, personnel and other

resources and activities. No recommendation was raised because UNEP informed OIOS that it was drafting a document dealing with delegated authority to its units. OIOS was concerned to note that at the time of this audit, i.e. four years later, no statement had yet been issued in respect of delegated authority for recruitment of consultants, individual contractors and procurement.

14. In June 2003, the Coordinator of the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities (GPA) requested the UNEP Executive Director for delegation of authority so that Regional Seas would become a sub project under UNEP Division of Environmental Conventions (DEC) and GPA would manage human resources for all Regional Seas. The request was approved and the GPA Coordinator became the reporting officer for the staff of all Regional Seas units and was given delegated authority for the following aspects of human resource matters: travel, classification, recruitment and contract extensions. In practice, however, MEDU is dealing directly with UNON on classifications, recruitment and contract extensions. The value and purpose of the delegation to GPA was therefore unclear to OIOS.

Recommendation:

To ensure proper arrangements are in place for ensuring that the Mediterranean Action Plan Coordinating Unit, and all Offices Away from UNEP headquarters, can be held accountable for their administration, the Office of the Executive Director should complete the document on delegated authority, which clarifies respective roles and responsibilities of all UNEP and UNON offices involved with these Offices (Rec. 02).

(b) Roles and responsibilities for co-ordination of substantive matters

15. Whilst GPA had been assigned responsibility for some aspects of administration, they had not been assigned any formal responsibility for co-ordination of substantive matters. This implied that DEC had retained this responsibility, but when approached DEC was not clear on whether this was the fact, resulting in no-one within UNEP being clear on who had responsibility for co-ordination of Regional Seas activities at the time of the audit.

Recommendation:

To ensure that roles and responsibilities for oversight and co-ordination of substantive matters are clear for all UNEP Regional Seas Units, the Office of the Executive Director should issue a statement clarifying roles and responsibilities for the coordination of substantive matters (Rec. 03).

(c) Roles and responsibilities for handling administration within MEDU

16. Whilst overall, OIOS found, that administration was well handled, OIOS felt that efficiency could be further improved if the respective roles and responsibilities of the programme managers and administration, were reviewed and clarified.

Recommendation:

To improve efficiency of administration, Mediterranean Action Plan Coordinating Unit, should undertake a review, and clarify the respective roles and responsibilities of programme managers and MEDU administration for administration of their programmes (Rec. 04).

(e) UN focal point activities

17. MEDU has assumed a number of responsibilities which in the opinion of OIOS are not within its mandate and consequently may need to be discussed with the Contracting Parties:

a) In May 2004 the Under-Secretary-General for Management appointed the MEDU Coordinator as Designated Official for Security in Greece. MEDU has no mandate or funding to carry out such a task from its Contracting Parties and this task has the potential to be a common service shared with other UN agencies in Athens. OIOS is of the opinion that the newly formed Department of Safety and Security (DSS) has assumed this responsibility and MEDU should discuss with DSS what role it envisages for MEDU, how security would be funded and if required, refer the matter to the Contracting Parties for their approval.

b) In December 2004, the UNEP Executive Director wrote to the Chef de Cabinet, Executive Office of the Secretary General, New York advising that MEDU would assume responsibility for the administrative and logistical tasks previously carried out by the UN Information Centre in Athens. This activity is not within the mandate of MEDU and is normally funded through Regular Budget. OIOS is of the opinion that MEDU cannot use its extra budgetary funds for this purpose without the approval of the Contracting Parties.

c) MEDU is the UN lead agency in Athens which carries with it responsibilities in respect of provision of advice to other agencies in Athens, and consideration of common services. It has no funding for this activity, and no authority for this task from the Contracting Parties.

Recommendations:

To clarify its responsibility for security and safety Mediterranean Action Plan Coordinating Unit (MEDU) should seek advice from Department of Safety and Security with respect to its responsibility and funding of security related matters and if required prepare a paper for consideration by its Contracting Parties explaining the role, how it will be funded and the implication for MEDU (Rec. 05).

To ensure the Mediterranean Action Plan Coordinating Unit (MEDU) is able to fulfil its wider responsibilities as a body under the UN umbrella, MEDU should seek advice from the Office of Director General, UNON on its responsibilities and funding for its United Nations Information Centre and lead agency responsibilities, and if required prepare a paper for consideration by its Contracting Parties explaining the roles, how they will be funded and the implication for MEDU (Rec. 06).

D. Memorandums of understanding (MOU)

18. In connection with its substantive work, MEDU issued more than 100 MOUs worth approximately US$1million between January 2002 and December 2004. The audit team reviewed 13 MOUs worth approximately US$388,000 and confirmed that the MOUs were prepared in compliance with the UNEP Project Manual except that there was no system of tracking the expiry date to ensure that MOUs were amended or extended before the actual expiry date.

Recommendation:

To improve arrangements for administering and managing of Memorandum of Understandings, Mediterranean Action Plan Coordinating Unit should develop a system to track expiry dates to ensure that services are neither performed nor remunerated after the expiry date (Rec. 07).

E. Human resources management

(a) Staffing table

19. OIOS compared the staffing table information held by MEDU with the information held by UNON and noted discrepancies between the two sets of information regarding the number of vacant posts, the actual number of posts and personnel occupying them.

Recommendation:

To ensure complete and accurate information on Mediterranean Action Plan Coordinating Unit staff is available, the Coordinator should request UNON to provide a copy of the staffing table on a monthly basis, which should be reviewed and UNON informed of any changes or discrepancies (Rec. 08).

(b) Job classifications and descriptions

20. There was no evidence of a consistent approach to the review and update of job descriptions and when jobs should be submitted for reclassification.

Recommendation:

To ensure a consistent approach to job classifications, the Mediterranean Action Plan Coordinating Unit (MEDU) should request UNON Human Resources Management Section to visit MEDU and undertake a review of all job classifications and descriptions to ensure they are up-to-date and reflect the duties currently being carried out by the staff member encumbering each post (Rec. 09).

(c) Training

21. Prior audit AA/2001/02/3/009 noted that MEDU should develop and implement a formal training plan, which should be linked to the training requirements identified in each

staff member's PAS. OIOS was pleased to note that MEDU had set aside approximately US$11,000 per annum for staff training However, training activities undertaken against this fund were not linked to any formal assessment of personnel or organizational training needs, but were based on staff requests approved by Administration. Consequently, this recommendation is kept open until MEDU develop and implement a formal training plan, which is linked to staff members' PAS.

(d) E-PAS

22. E-PAS was being conducted in accordance with ST/AI/2002/3 -(Performance Appraisal System), except, that, Co-ordinator, GPA was the MEDU Coordinator's first and second reporting officer. Management agreed to amend the E-PAS during the current submission and therefore no recommendation was made.

(e) Legal advisor

23. Since 1987, MEDU has repeatedly awarded a consultancy contract to the same individual, sometimes continuously for a year, to serve as a legal advisor. ST/AI/1999/7 (Consultants and Individual Contractors), does not permit the hiring of consultants for such long periods, and ST/AI/1999/7 Section 2 (b) recommends that where consultants are frequently hired for a period of more than one year, the head of department or office should submit proposals, for the establishment of a post. MEDU explained that they did not have sufficient work to justify the establishment of a post, but did require access to legal services at short notice when required. Hiring the lawyer as a consultant, is not appropriate as, according to ST/AI/1999/7 the general principles for the recruitment of consultants is that the assignment is of a temporary nature and the tasks capable of being performed within a limited and specified period of time. OIOS ascertained that MEDU had used this mechanism because they did not realise that other possibilities existed. MEDU agreed to explore retaining the legal services through a different mechanism such as a corporate contract. In view of this, no recommendation is raised.

(f) Remuneration for consultants

24. MEDU has not been determining the remuneration of consultants in accordance with ST/AI/1999/7 and the instructions issued by UNON. At the time of the audit, the remuneration levels were determined by programme managers based on budget levels of the work programme. There was no evidence of application of a detailed formula and policy guidelines as required by the ST/AI/1999/7. Consequently, though they had obtained lower rates it would be difficult for MEDU to serve as the lead agency and advise other agencies of rates to apply, and detailed formula and policy guidelines. Though OIOS appreciates the motivation, the use of the lower rates must be within the context of internal guidelines developed and approved in consultation with UNON, which could be explained to other UN agencies requesting advice from MEDU in its role as the lead UN agency in Athens.

Recommendation:

To ensure consistency in the remuneration of consultants, Mediterranean Action Plan Coordinating Unit, in consultation with UNON, should prepare internal guidelines, which should be in line with ST/AI/1999/7 (Rec. 10).

(g) Individual contractors

25. Between 2002 and 2004 MEDU spent approximately US$340,000 on 163 contractors. OIOS reviewed 15 Individual Contractors and noted no problems except for the lack of a roster as required by ST/AI/1999/7 Section 4.

Recommendation:

To fulfil the provisions of ST/AI/1999/7 Section 4, Mediterranean Action Plan Coordinating Unit should establish a roster of candidates for the Individual Contractors (Rec. 11).

E. Financial management

(a) Programme budgets

26. The programme budget for MEDPOL is part of MEDU while the GEF budget is separate. In order to monitor operations of MEDPOL and assess the efficiency and effectiveness of running the MEDPOL and MEDU programmes, OIOS recommended in its prior audit (AA2001/02/3/013) and MEDU agreed, to establish a sub account for MEDPOL activities within the MEDU project. At the time of the audit the recommendation was not implemented and consequently, this recommendation is kept open until MEDU establishes a sub account for MEDPOL activities.

(b) Certifying and approving function

27. Approving and Certifying Officer forms were appropriately signed but the forms had not been updated to reflect compliance with the new Financial Regulations and Rules of the United Nations, ST/SGB/2003/7. MEDU were notified of this during the course of the audit and agreed to rectify the situation so no recommendation was issued.

(c) Imprest accounts

28. The approved replenishment level for MEDU prior to August 2002 was US$300,000 and was increased to US$500,000 after August 2002. MEDU had no documentation explaining the basis on which the amount was raised and there was no evidence of a periodic review of the adequacy of the size of the imprest account. (Financial Rule 104.7 states "Remittances shall not exceed the amount required to bring cash balances up to the levels necessary to meet the recipient office's estimated cash requirements for the next two and a half months." However, OIOS noted that MEDU requests UNON for replenishment of funds, on average, every six weeks. MEDU should review the timing and amount of replenishment requests to assess whether the replenishment level needs to be increased to ensure funds are available to meet MEDU's expenditure requirements. MEDU agreed to review the timing and amount of replenishment and therefore no recommendation was issued.

(d) Petty cash

29. MEDU had properly established a petty cash account in the amount of Euro 600 with the exception of the following items recommended in section 7.061 of the Finance Manual:

a) The custodian and alternate custodian with the delegation to manage the petty cash;
b) Guidance for the custodian and MEDU staff members on the types and amounts of expenditures that can be claimed; and
c) The frequency of surprise cash-counts to be performed to verify the petty cash amount and reconciliation.

30. MEDU agreed to implement the above procedures and therefore no recommendation was issued.

(e) Accounts receivable

31. Arrangements for accounts receivable, which mainly comprise advances to staff members and participants, need to be strengthened by the development of procedures for timely recovering of accounts receivable and ensuring that amounts deemed irrecoverable are written off in accordance with Financial Rule 106.8.

Recommendation:

To ensure adequate arrangements are in place for accounts receivables, Mediterranean Action Plan Coordinating Unit should develop formal procedures with respect to recovery of amounts deemed collectable and writing off amounts deemed irrecoverable (Rec. 12).

F. Procurement

32. MEDU issued 83 purchase orders between January 2002 and December 2004 worth approximately US$443,000. OIOS found that there were adequate procedures in place for issuing and processing purchase orders. However OIOS observed some inadequacies with the management and administration of contracts:

a) UNON Local Committee on Contracts authorised the Administrative Officer to enter into contractual arrangements for provision of a travel services. Although the Coordinator felt that the current travel arrangements needed to be reviewed, OIOS noted that the contract signed was none exclusive and MEDU retained the right to negotiate special fares directly with carriers or suppliers of travel services as and when MEDU considered it necessary. As the contract did not prevent using other travel services if the costs were lower, and MEDU agreed to review the contract at the end of one year no recommendation was issued.
b) Two contracts signed by MEDU for the provision of internet services and security services did not comply with Financial Rule 105.19 in the sense that paragraph 5.7 of the internet contract and paragraph 1(d) of the security contract require MEDU to pay the service provider three months and one month in advance respectively. MEDU agreed to amend the contracts when they expire and therefore no recommendation was issued.
c) UN conditions of service which should apply to all UN contracts including but not limited to, disputes and consultations arbitration, and the privileges and immunities of the United Nations were not included in the internet and security contracts signed by MEDU. Management agreed to include standard UN conditions of contract on renewal and therefore no recommendation was issued.

G. Asset management

33. OIOS reviewed the system MEDU utilizes for asset management and noted the following:

a) No formal procedures regarding periodic physical verification of assets/inventory nor asset maintenance; and
b) An incomplete inventory listing identified by the annual physical verification exercise and audit work performed.

Recommendation

To ensure adequate controls over assets, Mediterranean Action Plan Coordinating Unit should develop procedures for the periodic physical verification and asset maintenance (Rec. 13)

H. Information and communications technology (ICT)

34. MEDU has no written policies and guidelines regarding Information and Communications Technology. The Internet Access is subcontracted to a service provider while the network is internally maintained. Consequently OIOS noted the following:

a) **Email standards.** Lotus Notes is the UN e-mail standard in use. UNEP headquarters has likewise adopted Lotus Notes as email standard. However MEDU has opted to use MS-Exchange and SMTP client compliant system. However management explained that they are moving to Lotus Notes before the end of the year. OIOS was pleased with this development, as it believes that standardizing on Lotus Notes would enable MEDU to attain substantial economies of scale that result in both reduced support costs and improved support levels due to the strengthening of in house expertise.

b) **Replacement policies.** While OIOS was informed that MEDU practices a 3 to 4 year replacement cycle for desktop computer systems and their components, there was no evidence that the policy was being followed.

c) **Systems acquisition and development policies.** OIOS noted that MEDU has no systems development policies and procedures. At the time of audit we were informed that Web sites were being developed and were currently hosted in the Regional Centre in Italy but no documentation was available. Similarly in 2003, a telecommunication project involving the purchase and installation of satellite Asynchronous Digital Subscriber Line (ADSL) connection costing approximately Euro 47,000 was found wanting and after six months it was discontinued because of low speed and inability to connect to other networks. OIOS is of the opinion that if a proper feasibility study had been performed before commissioning the satellite dishes, the inadequacies of the satellite technology could have been identified and the cost incurred could have been avoided.

d) **IT management support unit.** OIOS noted that Contracting Parties have shown interest in expanding the use of ICT, in information and public awareness. MEDU also confirmed that websites have been developed and are currently being hosted in Italy. There are plans to relocate them to Athens and linking them to regional activity centres. OIOS is therefore of the view that an IT management Support Unit should be

established initially with one GS and one Professional staff whose responsibilities would be to ensure that ICT policies and procedures are put in place and are aligned to UN wide practices.

Recommendation:

To ensure Mediterranean Action Plan Coordinating Unit has an adequate Information and Communications Technology (ICT) environment to support its programme of work, the Coordinator should create an Information and Communications Technology Management Support Unit through the establishment of an additional post at professional level whose responsibilities would be to ensure that ICT policies and procedures are put in place and are aligned to UN wide practices in consultation with UNON (Rec. 14).

I. Security and safety

35. OIOS was pleased to note the enhanced security arrangements with respect to the MEDU office premises, staff members and assets, including the installation of the access control system at the MEDU premises, implementation of an identification card system for all staff members and temporary visitors and full compliance with Minimum Operating Security Standards (MOSS) as indicated by the 9 August 2004 letter from UNSECOORD which states "UNSECOORD hereby endorses the submitted MOSS document as the country MOSS for Greece."

36. Furthermore, OIOS was also pleased to note that the MEDU Co-ordinator as the Designated Official for Greece has taken steps in co-ordinating meetings of the Security Management Team for the UN Agencies based in Greece.

V. ACKNOWLEDGEMENT

37. I wish to express my appreciation for the assistance and cooperation extended to the audit team by management and staff of MEDU, UNON and UNEP.

Egbert C. Kaltenbach, Director

Internal Audit Division II

Office of Internal Oversight Services

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